
SUBSTITUTE SENATE BILL 6560

State of Washington

55th Legislature

1998 Regular Session

By Senate Committee on Energy & Utilities (originally sponsored by Senators Brown, Jacobsen, T. Sheldon, Kohl, Hargrove, Fairley, B. Sheldon, Prentice, Wojahn, Loveland, Thibaudeau, McAuliffe, Heavey, Spanel, Snyder, Rasmussen, Haugen, Patterson and Franklin)

Read first time 02/06/98.

1 AN ACT Relating to retail electrical customers; adding a new
2 section to chapter 80.28 RCW; adding a new chapter to Title 19 RCW; and
3 creating new sections.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

6 (a) Electricity is a basic and fundamental need of all residents;

7 (b) Currently Washington's consumer-owned and investor-owned
8 distribution utilities offer consumers a high degree of reliability and
9 service quality while providing some of the lowest rates in the
10 country; and

11 (c) Consumer protection, system reliability, service quality, and
12 low-cost electricity rates could be at risk if the restructuring of the
13 retail electricity industry occurs.

14 (2) The legislature intends to:

15 (a) Preserve the benefits of consumer protection, system
16 reliability, high service quality, and low-cost rates in the event of
17 the restructuring of the retail electrical industry;

18 (b) Ensure that all retail electrical customers have the same level
19 of rights and protections;

1 (c) Require the adequate disclosure of the rights afforded to
2 retail electric customers; and

3 (d) Provide for increased protections for consumers against
4 potential unscrupulous business practices that may occur in the
5 marketing of electricity products or services in a restructured
6 environment.

7 NEW SECTION. **Sec. 2.** The definitions in this section apply
8 throughout this chapter unless the context clearly requires otherwise.

9 (1) "Commission" means the utilities and transportation commission.

10 (2) "Conservation" means an increase in efficiency in the use of
11 energy use that yields a decrease in energy consumption while providing
12 the same or higher levels of service. Conservation includes low-income
13 weatherization programs.

14 (3) "Consumer-owned distribution utility" means an electricity
15 distribution utility that is a municipal electric utility formed under
16 Title 35 RCW, a public utility district formed under Title 54 RCW, a
17 cooperative formed under chapter 23.86 RCW, an irrigation district
18 formed under chapter 87.03 RCW, or a mutual corporation or association
19 formed under chapter 24.06 RCW.

20 (4) "Department" means the department of community, trade, and
21 economic development.

22 (5) "Electricity" means electric energy measured in kilowatt hours,
23 or electric capacity measured in kilowatts, or both.

24 (6) "Electricity distribution utility" means a consumer-owned or
25 investor-owned utility that is authorized and engaged in the business
26 of distributing electricity to retail electric customers in the state.

27 (7) "Electricity supplier" means a person or entity, including but
28 not limited to, electricity distribution utilities, aggregators,
29 marketers, brokers, or independent power producers that sells
30 electricity directly to more than one retail electric customer in the
31 state, for distribution by the customer's electricity distribution
32 utility. "Electricity supplier" does not include an electricity
33 distribution utility unless it sells electricity to retail electric
34 customers who are interconnected to another electricity distribution
35 utility.

36 (8) "Governing body" means the council of a city or town, the
37 commissioners of an irrigation district, municipal electric utility, or
38 public utility district, or the board of directors of an electric

1 cooperative or mutual association that has the authority to set and
2 approve rates.

3 (9) "Investor-owned distribution utility" means an electricity
4 distribution utility owned by investors that meets the definition of an
5 electrical company as defined in RCW 80.04.010.

6 (10) "Proprietary customer information" means (a) information that
7 relates to the source and amount of electricity used by a customer, a
8 customer's payment history, and household data that is made available
9 by the customer solely by virtue of the utility-customer or supplier-
10 customer relationship; and (b) information contained in a customer's
11 bill.

12 (11) "Renewable resources" means electricity generation facilities
13 fueled by: (a) Water; (b) wind; (c) solar energy; (d) geothermal
14 energy; or (e) low-emission organic nontoxic biomass energy based on
15 solid organic fuels from wood, forest, and field residues, or dedicated
16 energy crops available on a renewable basis.

17 (12) "Retail electric customer" means a person or entity that
18 purchases electricity for ultimate consumption and not for resale.

19 NEW SECTION. **Sec. 3.** Each retail electric customer in this state
20 has the right to receive the following disclosures from the electricity
21 distribution utility that provides electricity service to the customer:

22 (1) An explanation of any applicable credit and deposit
23 requirements, including the means by which credit may be established,
24 the conditions under which a deposit may be required, the amount of any
25 deposit, interest paid on the deposit, and the circumstances under
26 which the deposit will be returned or forfeited.

27 (2) A complete, itemized listing of all rates and charges for which
28 the customer is responsible, including charges, if any, to terminate
29 service, the identity of the entity responsible for setting rates, and
30 an explanation of how to receive notice of public hearings where
31 changes in rates will be considered or approved.

32 (3) An explanation of the metering or measurement policies and
33 procedures, including the process for verifying the reliability of the
34 meters or measurements and adjusting bills upon discovery of errors in
35 the meters or measurements.

36 (4) An explanation of bill payment policies and procedures,
37 including due dates, applicable late fees, and the interest rate
38 charged, if any, on unpaid balances.

1 (5) An explanation of the payment arrangement options available to
2 customers, including budget payment plans and the availability of home
3 heating assistance from government and private sector organizations.

4 (6) An explanation of the method by which customers must give
5 notice of their intent to discontinue service, the circumstances under
6 which service may be discontinued by the utility, the conditions that
7 must be met by the utility prior to discontinuing service, and how to
8 avoid disconnection.

9 (7) An explanation of the utility's policies governing the
10 confidentiality of proprietary customer information, including the
11 circumstances under which the information may be disclosed and ways in
12 which customers can control access to the information.

13 (8) An explanation of the methods by which customers may make
14 inquiries to and file complaints with the utility, and the utility's
15 procedures for responding to and resolving complaints and disputes,
16 including a customer's right to complain about an investor-owned
17 distribution utility to the commission and appeal a decision by a
18 consumer-owned utility to the governing body of the consumer-owned
19 utility.

20 (9) An annual report containing the following information for the
21 previous calendar year:

22 (a) A general description of the electricity distribution utility's
23 customers, including the number of residential, commercial, and
24 industrial customers served by the electric distribution utility, and
25 the amount of electricity consumed by each customer class stated as a
26 percentage of the total utility load;

27 (b) A summary of the average electricity rates for each customer
28 class stated in cents per kilowatt hour, the date of the electricity
29 distribution utility's last general rate increase or decrease, the
30 identity of the entity responsible for setting rates, and an
31 explanation of how to receive notice of public hearings where changes
32 in rates will be considered or approved;

33 (c) An explanation of the fuel mix used by the electricity
34 distribution utility to serve its retail electric customers, shown as
35 a pie chart where each resource comprising five percent or more of the
36 total fuel mix is separately listed, and including the air emissions of
37 sulfur dioxide, nitrogen oxide, and carbon dioxide per kilowatt hour,
38 shown as a bar chart, for each source of generation in the fuel mix,
39 relative to the regional average emissions per kilowatt hour for each

1 resource. The fuel mix and emission characteristics associated with
2 the portion of power bought on the market may be estimated using the
3 western systems coordinating council average for the previous year as
4 a default;

5 (d) An explanation of the amount invested by the electricity
6 distribution utility in conservation, nonhydrorenewable resources, and
7 low-income energy assistance programs, and the source of funding for
8 the investments; and

9 (e) An explanation of the amount of federal, state, and local taxes
10 collected and paid by the electricity distribution utility, including
11 the amounts collected by the electricity distribution utility but paid
12 directly by retail electric customers.

13 (10) A prominent disclosure of the following statement: "YOUR BILL
14 INCLUDES CHARGES FOR ELECTRICITY, DELIVERY SERVICES, GENERAL
15 ADMINISTRATION AND OVERHEAD, METERING, TAXES, CONSERVATION EXPENSES,
16 AND OTHER ITEMS."

17 NEW SECTION. **Sec. 4.** (1) An electricity distribution utility
18 shall provide notice to all of its retail electric customers that the
19 disclosures required in section 3 (1) through (9) of this act are
20 available upon request. Such notice shall be provided at the time
21 service is established and included as a prominent part of each
22 customer's bill at least once a year thereafter.

23 (2) The disclosures required in section 3(10) of this act shall be
24 displayed in a prominent location on all billing statements sent to
25 retail electric customers.

26 (3) Required disclosures shall be provided in writing using plain
27 language that is understandable to an ordinary customer and presented
28 in a form that is clear and conspicuous.

29 NEW SECTION. **Sec. 5.** A new section is added to chapter 80.28 RCW
30 to read as follows:

31 (1) Not later than October 1, 1998, each investor-owned
32 distribution utility shall adopt consumer protection policies and
33 procedures as may be necessary to implement the requirements of
34 sections 3, 4, and 15 of this act and any related commission rules,
35 whether the rules are currently existing or adopted under this section.
36 An investor-owned distribution utility shall file its policies and
37 procedures with the commission and may modify the policies and

1 procedures from time to time, subject to the approval of the
2 commission.

3 (2) The commission may adopt rules as necessary to ensure
4 compliance by investor-owned distribution utilities with the
5 requirements of sections 3, 4, and 15 of this act.

6 NEW SECTION. **Sec. 6.** (1) Except as provided in subsection (3) of
7 this section, not later than October 1, 1998, the governing body of
8 each consumer-owned distribution utility shall adopt consumer
9 protection policies and procedures to implement the requirements of
10 sections 3, 4, and 15 of this act. The policies and procedures shall
11 be adopted only after one or more public meetings on the matter have
12 been held. A consumer-owned distribution utility shall file its
13 policies and procedures with the department along with a summary of the
14 public meetings held on the policies and procedures. A consumer-owned
15 distribution utility may modify the policies and procedures from time
16 to time, subject to the approval of the utility's governing body after
17 a public meeting on the matter.

18 (2) Upon request of the governing body of a consumer-owned
19 distribution utility, the department, the attorney general, and the
20 commission shall provide technical assistance to a consumer-owned
21 distribution utility in the development of its policies and procedures.

22 (3) For the purposes of this subsection (3), "small utility" means
23 a cooperative formed under chapter 23.86 RCW or a mutual corporation or
24 association formed under chapter 24.06 RCW. Upon the request of the
25 governing body of a small utility, the department may review the small
26 utility's consumer protection policies and procedures to determine if
27 they meet the intent of sections 3, 4, and 15 of this act. Small
28 utilities shall be allowed flexibility in meeting the basic
29 requirements of sections 3, 4, and 15 of this act and, if found to meet
30 the intent of such sections, are not required to change existing
31 policies and procedures or implement additional policies and procedures
32 unless the small utility elects to act as an electricity supplier to
33 retail electric customers interconnected to another electricity
34 distribution utility.

35 NEW SECTION. **Sec. 7.** Not later than December 1, 1998, the
36 department shall report to the legislature on the consumer protection
37 policies and procedures adopted by consumer-owned distribution

1 utilities under this chapter. The report shall summarize the policies
2 and procedures adopted, including areas where the policies and
3 procedures were consistent among the consumer-owned distribution
4 utilities and areas where the policies and procedures were inconsistent
5 among the consumer-owned distribution utilities. The report shall also
6 summarize the level of public participation reported by the consumer-
7 owned distribution utilities during the development of the policies and
8 procedures.

9 NEW SECTION. **Sec. 8.** The utilities and transportation commission
10 and the department of community, trade, and economic development shall
11 jointly study the following issues:

12 (1) The current and potential future impacts on wholesale and
13 retail electricity prices in Washington resulting from the enactment of
14 the federal energy policy act of 1992, P.L. 102-486, and from the
15 implementation of federal energy regulatory commission rule no. 888;

16 (2) The impact on the following if state legislation allowing
17 retail electric customers in the state to have choices among
18 electricity suppliers is not enacted:

19 (a) The prices of retail electricity for residential, commercial,
20 and industrial customers in the state, including the likely extent, if
21 any, of cost-shifting by electricity distribution utilities between and
22 among customer classes;

23 (b) The reliability and service quality of electricity service in
24 the state;

25 (c) Employment levels in the electric utility industry in the
26 state; and

27 (d) The level of investment by state agencies and electricity
28 distribution utilities in conservation, nonhydrorenewable resources,
29 and low-income energy assistance programs in the state, including the
30 administrative costs to state agencies and electricity distribution
31 utilities associated with these programs; and

32 (3) The impact on the following of enacting state electricity
33 legislation assuming that it allows residential and small commercial
34 customers access to a portfolio of electricity options from their
35 electric distribution utility, and large commercial and industrial
36 customers with individual or aggregated loads of one average megawatt
37 or larger direct access to electricity offered by electricity
38 suppliers:

1 (a) The prices of retail electricity in the state for residential,
2 commercial, and industrial customers, including the likely extent, if
3 any, of cost-shifting that may occur by electricity distribution
4 utilities between and among customer classes;

5 (b) The reliability and service quality of electricity service in
6 the state;

7 (c) Employment levels in the electric utility industry in the
8 state; and

9 (d) The level of investment by state agencies and electricity
10 distribution utilities in conservation, nonhydrorenewable resources,
11 and low-income energy assistance programs in the state.

12 (4) The utilities and transportation commission and the department
13 of community, trade, and economic development shall also make
14 recommendations regarding the following matters, and explain how
15 adoption of each recommendation in legislation would affect the study
16 results provided under subsection (3) of this section:

17 (a) Ways to define, measure, detect, control, deter, and sanction
18 cost-shifting by electricity distribution utilities;

19 (b) Ways to maintain the integrity of the state's distribution
20 systems and protect the safety of maintenance and operation workers of
21 the systems;

22 (c) Ways to define, measure, detect, control, deter, and sanction
23 service quality problems; and

24 (d) Ways to fairly, efficiently, and effectively maintain support
25 for conservation, renewable resources, and low-income energy assistance
26 programs in the state.

27 (5) The utilities and transportation commission and the department
28 of community, trade, and economic development shall consult with the
29 chair and ranking minority member of the senate and house of
30 representatives energy and utilities committees, electricity
31 distribution utilities, electricity suppliers, and other interested
32 parties throughout the course of the study and shall report the results
33 of this study to the legislature and the governor no later than
34 November 15, 1998.

35 NEW SECTION. **Sec. 9.** Nothing in this chapter shall be construed
36 to authorize electricity suppliers to market, promote, sell, or provide
37 electricity to retail electric customers separate from the distribution
38 services provided by the customers' electricity distribution utilities.

1 NEW SECTION. **Sec. 10.** (1) An electricity supplier that makes an
2 oral solicitation to sell electricity directly to a retail electric
3 customer with a load of less than one average megawatt shall disclose
4 as part of the oral solicitation the following information:

5 (a) The average price for various levels of consumption, including
6 residential customers with and without electric heat, based on regional
7 load profiles;

8 (b) Notice that the price is for generation and, if applicable,
9 other specified services and that additional rates and charges will
10 apply from the customer's electricity distribution utility;

11 (c) A description of the contract length, including beginning and
12 ending dates, and the method of renewal;

13 (d) The fuel mix used to supply the product, except that when the
14 electricity will be supplied without regard to a particular source of
15 generation, then the fuel mix may be estimated using the western
16 systems coordinating council average for the previous year as a
17 default; and

18 (e) Any other material terms or conditions of the sale.

19 (2) Prior to selling electricity to a retail electric customer for
20 distribution by the customer's electricity distribution utility, an
21 electricity supplier shall disclose the following information in
22 writing to the customer:

23 (a) The electricity supplier's policies and procedures regarding
24 the consumer protection issues for which disclosure is required under
25 section 3 of this act;

26 (b) The terms and conditions for which disclosure is required under
27 subsection (1) of this section;

28 (c)(i) The fuel mix used to supply the product, shown as a pie
29 chart where each resource comprising five percent or more of the total
30 fuel mix is separately listed; and

31 (ii) The air emissions of sulfur dioxide, nitrogen oxide, and
32 carbon dioxide per kilowatt hour, shown as a bar chart, for each source
33 of generation in the fuel mix, relative to the regional average
34 emissions per kilowatt hour for each resource.

35 When the electricity will be supplied without regard to a
36 particular source of generation, then the fuel mix and emission
37 characteristics associated with the portion of power bought on the
38 market may be estimated using the western systems coordinating council
39 average for the previous year as a default;

1 (d) An explanation of whether the rates or charges are fixed or
2 variable and, if variable, a description of the methodology by which
3 those rates or charges may change; and

4 (e) A description of any products or services to be provided by the
5 electricity supplier, if any, other than electricity.

6 (3) Required disclosures under this section shall be provided using
7 plain language that is understandable to ordinary customers and
8 presented in a form that is clear and conspicuous.

9 NEW SECTION. **Sec. 11.** (1) Prior to engaging in the business of
10 selling or advertising to sell electricity directly to a retail
11 electric customers with loads of one less than one average megawatt, an
12 electricity supplier shall establish a customer service facility or
13 other means to receive and respond to customer complaints and inquiries
14 regarding service. The facility shall be adequately staffed weekdays
15 from at least 7 a.m. until 7 p.m. Pacific standard time and be
16 reachable by a toll-free number.

17 (2) The customer service facility or other means shall, at a
18 minimum, receive and respond to:

19 (a) Inquiries from customers regarding billing amounts and
20 practices;

21 (b) Requests for information regarding the price, product
22 information, and terms of service provided by the electricity supplier;

23 (c) Inquiries regarding conservation efforts, if any, made by the
24 electricity supplier; and

25 (d) Requests for information about how to appeal a decision of the
26 electricity supplier.

27 (3) There shall be no direct service charge for use of the customer
28 service functions of an electricity supplier.

29 NEW SECTION. **Sec. 12.** (1) An agreement between an electricity
30 supplier and a retail electric customer for the purchase and sale of
31 electricity may only be made in writing.

32 (2) No electricity supplier shall change, or request or authorize
33 any other entity to change, a retail electric customer's electricity
34 product or supplier unless and until the submitting electricity
35 supplier has obtained the customer's written or electronic
36 authorization and provided verification of the authorization to the
37 current electricity supplier and electricity distribution utility.

1 (3) Retail electric customers are not obligated for unauthorized
2 charges resulting from an unwritten purchase and sale agreement or an
3 unlawful charge, and electricity suppliers may not bill customers for
4 the charges.

5 (4) An electricity supplier is liable to a retail electric customer
6 for liquidated damages in the amount of one hundred dollars for each
7 unauthorized change.

8 NEW SECTION. Sec. 13. (1) The commission shall maintain a public
9 listing, available for inspection by the public in written and
10 electronic form, of any retail electric customer that chooses not to
11 receive commercial telephone solicitations from electricity suppliers
12 or electricity distribution utilities at the retail electric customer's
13 residence.

14 (2) It is an unfair and deceptive act and a violation of this
15 section for an electricity supplier or an electricity distribution
16 utility to place a commercial telephone solicitation to the residence
17 of any retail electric customer if such a customer is listed by the
18 commission under the provisions of subsection (1) of this section and
19 the customer has been on such a list for at least ten business days
20 prior to the placing of the commercial telephone solicitation.

21 NEW SECTION. Sec. 14. (1) Any person making an express or implied
22 claim concerning an electricity product must, at the time the claim is
23 made, possess and rely upon a reasonable basis substantiating the
24 claim.

25 (2) An electricity supplier making an expressed or implied claim
26 relating to any aspect of an electricity product included in the
27 disclosures required under section 10 of this act may substantiate the
28 claims with the information required to be disclosed under those
29 sections.

30 (3) Electricity suppliers may make express or implied marketing
31 claims relating to their projected performance if, at the time the
32 claim is made, they possess and rely upon a reasonable basis for
33 substantiating the claim. If the actual performance differs from the
34 projected performance in a material way during any six-month period
35 that an electricity sales agreement is in effect, the electricity
36 service provider shall provide the retail electric customer, in a
37 timely manner, with a brief, written explanation for the difference and

1 a notice that as a result of the difference, the customer has the right
2 to change electricity suppliers without incurring any transfer charge.

3 NEW SECTION. **Sec. 15.** (1) All electricity distribution utilities
4 and electricity suppliers shall protect the confidentiality of
5 proprietary information of, and relating to, retail electric customers.
6 An electricity distribution utility or electricity supplier that
7 receives or obtains proprietary customer information from another
8 electricity distribution utility or electricity supplier for the
9 purposes of providing retail electric service shall use the information
10 only for such a purpose, and shall not use the information for its own
11 marketing efforts.

12 (2) Except as required by law or with the approval of the customer,
13 an electricity distribution utility or electricity supplier that
14 receives or obtains proprietary customer information by virtue of its
15 provision of electricity or related services shall only use, disclose,
16 or permit access to individually identifiable proprietary customer
17 information as necessary to the provision of electricity service.
18 Nothing in this subsection shall be construed to prohibit an
19 electricity distribution utility or electricity supplier from using,
20 disclosing, or permitting access to proprietary customer information
21 obtained from its customers to initiate, render, bill, or collect for
22 electricity and related services.

23 (3) An electricity distribution utility or electricity supplier
24 shall disclose proprietary customer information, upon affirmative
25 written request by the customer, to any person designated by the
26 customer.

27 (4) An electricity distribution utility or electricity supplier
28 that receives or obtains proprietary customer information by virtue of
29 its provision of electricity or related services may use, disclose, or
30 permit access to aggregate customer information other than for the
31 purposes described in subsection (2) of this section. An electricity
32 distribution utility may use, disclose, or permit access to aggregate
33 customer information other than for the purposes described in
34 subsection (2) of this section only if it provides the information to
35 other electricity suppliers on reasonable and nondiscriminatory terms
36 and conditions upon reasonable request of the suppliers. For the
37 purposes of this subsection, "aggregate information" means collective
38 data that relates to a group or category of services or customers, from

1 which individual customer identities and characteristics have been
2 removed. Aggregate information shall not be released without
3 permission of the affected customers when the information concerns a
4 group of customers that is small enough to reveal the probable usage,
5 billing, or payment behavior of any individual members of the customer
6 group. There is a rebuttable presumption that a customer group with
7 less than twenty-five members meets this criteria.

8 NEW SECTION. **Sec. 16.** (1) It is an unfair or deceptive act or
9 practice and a violation of this section for any electricity supplier
10 to engage in the following conduct:

11 (a) Failing to disclose in a clear and conspicuous manner, before
12 a retail electric customer authorizes payment for an electricity
13 product offered:

14 (i) The information required in section 10 of this act;

15 (ii) All material restrictions, limitations, or conditions to
16 purchase, receive, or use the products or services that are the subject
17 of the sales offer; and

18 (iii) In any one-time price inducements, all material restrictions,
19 limitations, or conditions to receive or redeem the inducement that is
20 the subject of the sales offer;

21 (b) Misrepresenting, directly or by implication, any of the
22 following:

23 (i) The information required in section 10 of this act;

24 (ii) All material restrictions, limitations, or conditions to
25 purchase, receive, or use the products or services that are the subject
26 of the sales offer;

27 (iii) In any one-time price inducements, all material restrictions,
28 limitations, or conditions to receive or redeem the inducement that is
29 the subject of the sales offer; or

30 (iv) An electricity supplier's affiliation with, or endorsement by,
31 any government or third-party organization; or

32 (c) Making a false or misleading statement to induce any person to
33 pay for electricity or other related services.

34 (2) For the purposes of this section, an electricity supplier
35 includes any person authorized by the electricity supplier to market,
36 promote, or sell electricity or other related services.

1 NEW SECTION. **Sec. 17.** (1) The acts and practices covered by
2 sections 10 through 16 of this act vitally affect the public interest,
3 the electricity bills of consumers, and the competitive positions of
4 businesses and industries for the purposes of applying chapter 19.86
5 RCW, the consumer protection act. Unfair or deceptive methods of
6 marketing, promoting, selling, and providing electricity and ancillary
7 services are unreasonable in relation to the development of competitive
8 markets for power and are injurious to the public interest.

9 (2) Every electricity supplier that markets, promotes, sells, or
10 provides electricity directly to retail electric customers served by an
11 electricity distribution utility other than the electricity supplier
12 must comply with the requirements of sections 10 through 16 of this
13 act. Failure to comply with these sections constitutes an unfair or
14 deceptive act or practice for the purposes of applying chapter 19.86
15 RCW, the consumer protection act.

16 NEW SECTION. **Sec. 18.** The utilities and transportation commission
17 shall exercise its best efforts to reach agreement with the federal
18 energy regulatory commission as to the respective jurisdiction of the
19 utilities and transportation commission and the federal energy
20 regulatory commission regarding the transmission and distribution of
21 electricity in Washington state. By December 1, 1998, the commission
22 shall report to the legislature on the results of such efforts.

23 NEW SECTION. **Sec. 19.** Sections 1 through 4, 6, 7, and 9 through
24 17 of this act constitute a new chapter in Title 19 RCW.

25 NEW SECTION. **Sec. 20.** If any provision of this act or its
26 application to any person or circumstance is held invalid, the
27 remainder of the act or the application of the provision to other
28 persons or circumstances is not affected.

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