

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1004

61st Legislature
2009 Regular Session

Passed by the House April 16, 2009
Yeas 86 Nays 11

Speaker of the House of Representatives

Passed by the Senate April 13, 2009
Yeas 38 Nays 8

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1004** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1004

AS AMENDED BY THE SENATE

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By House Technology, Energy & Communications (originally sponsored by Representatives Morris, Chase, Morrell, Upthegrove, Hudgins, and Moeller)

READ FIRST TIME 02/05/09.

1 AN ACT Relating to adding products to the energy efficiency code;
2 and amending RCW 19.260.020, 19.260.030, 19.260.040, and 19.260.050.

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

4 **Sec. 1.** RCW 19.260.020 and 2006 c 194 s 1 are each amended to read
5 as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1) "Automatic commercial ice cube machine" means a factory-made
9 assembly, not necessarily shipped in one package, consisting of a
10 condensing unit and ice-making section operating as an integrated unit
11 with means for making and harvesting ice cubes. It may also include
12 integrated components for storing or dispensing ice, or both.

13 ~~(2) ("Ballast" means a device used with an electric discharge lamp
14 to obtain necessary circuit conditions, such as voltage, current, and
15 waveform, for starting and operating the lamp.~~

16 ~~(3) "Commercial clothes washer" means a soft mount horizontal or
17 vertical axis clothes washer that: (a) Has a clothes container
18 compartment no greater than 3.5 cubic feet in the case of a horizontal-
19 axis product or no greater than 4.0 cubic feet in the case of a~~

1 vertical axis product; and (b) is designed for use by more than one
2 household, such as in multifamily housing, apartments, or coin
3 laundries.

4 ~~(4) "Commercial prerinse spray valve" means a handheld device~~
5 ~~designed and marketed for use with commercial dishwashing and~~
6 ~~warewashing equipment and that sprays water on dishes, flatware, and~~
7 ~~other food service items for the purpose of removing food residue prior~~
8 ~~to their cleaning))~~ "Bottle-type water dispenser" means a water
9 dispenser that uses a bottle or reservoir as the source of potable
10 water.

11 (3) "Commercial hot food holding cabinet" means a heated, fully
12 enclosed compartment, with one or more solid or partial glass doors,
13 that is designed to maintain the temperature of hot food that has been
14 cooked in a separate appliance. "Commercial hot food holding cabinet"
15 does not include heated glass merchandising cabinets, drawer warmers,
16 or cook and hold appliances.

17 ~~((+5))~~ (4)(a) "Commercial refrigerators and freezers" means
18 refrigerators, freezers, or refrigerator-freezers designed for use by
19 commercial or institutional facilities for the purpose of storing or
20 merchandising food products, beverages, or ice at specified
21 temperatures that: (i) Incorporate most components involved in the
22 vapor-compression cycle and the refrigerated compartment in a single
23 cabinet; and (ii) may be configured with either solid or transparent
24 doors as a reach-in cabinet, pass-through cabinet, roll-in cabinet, or
25 roll-through cabinet.

26 (b) "Commercial refrigerators and freezers" does not include: (i)
27 Products with 85 cubic feet or more of internal volume; (ii) walk-in
28 refrigerators or freezers; (iii) consumer products that are federally
29 regulated pursuant to 42 U.S.C. Sec. 6291 et seq.; (iv) products
30 without doors; or (v) freezers specifically designed for ice cream.

31 ~~((+6))~~ (5) "Compensation" means money or any other valuable thing,
32 regardless of form, received or to be received by a person for services
33 rendered.

34 (6) "Cook and hold appliance" means a multiple mode appliance
35 intended for cooking food that may be used to hold the temperature of
36 the food that has been cooked in the same appliance.

37 (7) "Department" means the department of community, trade, and
38 economic development.

1 (8) (~~"High intensity discharge lamp" means a lamp in which light~~
2 ~~is produced by the passage of an electric current through a vapor or~~
3 ~~gas, and in which the light producing arc is stabilized by bulb wall~~
4 ~~temperature and the arc tube has a bulb wall loading in excess of three~~
5 ~~watts per square centimeter.~~

6 (9) ~~"Metal halide lamp" means a high intensity discharge lamp in~~
7 ~~which the major portion of the light is produced by radiation of metal~~
8 ~~halides and their products of dissociation, possibly in combination~~
9 ~~with metallic vapors.~~

10 (10) ~~"Metal halide lamp fixture" means a light fixture designed to~~
11 ~~be operated with a metal halide lamp and a ballast for a metal halide~~
12 ~~lamp)) "Drawer warmer" means an appliance that consists of one or more~~
13 ~~heated drawers and that is designed to hold hot food that has been~~
14 ~~cooked in a separate appliance at a specified temperature.~~

15 (9) "Heated glass merchandising cabinet" means an appliance with a
16 heated cabinet constructed of glass or clear plastic doors which, with
17 seventy percent or more clear area, is designed to display and maintain
18 the temperature of hot food that has been cooked in a separate
19 appliance.

20 (10) "Hot water dispenser" means a small electric water heater that
21 has a measured storage volume of no greater than one gallon.

22 (11) "Mini-tank electric water heater" means a small electric water
23 heater that has a measured storage volume of more than one gallon and
24 a rated storage volume of less than twenty gallons.

25 ((+11)) (12) "Pass-through cabinet" means a commercial
26 refrigerator or freezer with hinged or sliding doors on both the front
27 and rear of the unit.

28 ((12) ~~"Probe start metal halide ballast" means a ballast used to~~
29 ~~operate metal halide lamps which does not contain an igniter and which~~
30 ~~instead starts lamps by using a third starting electrode "probe" in the~~
31 ~~arc tube.))~~

32 (13) "Point-of-use water dispenser" means a water dispenser that
33 uses a pressurized water utility connection as the source of potable
34 water.

35 (14) "Pool heater" means an appliance designed for heating
36 nonpotable water contained at atmospheric pressure for swimming pools,
37 spas, hot tubs, and similar applications.

1 (15) "Portable electric spa" means a factory-built electric spa or
2 hot tub, supplied with equipment for heating and circulating water.

3 (16) "Reach-in cabinet" means a commercial refrigerator or freezer
4 with hinged or sliding doors or lids, but does not include roll-in or
5 roll-through cabinets or pass-through cabinets.

6 ~~((14))~~ (17) "Residential pool pump" means a pump used to
7 circulate and filter pool water in order to maintain clarity and
8 sanitation.

9 (18)(a) "Roll-in cabinet" means a commercial refrigerator or
10 freezer with hinged or sliding doors that allow wheeled racks of
11 product to be rolled into the unit.

12 (b) "Roll-through cabinet" means a commercial refrigerator or
13 freezer with hinged or sliding doors on two sides of the cabinet that
14 allow wheeled racks of product to be rolled through the unit.

15 ~~((15)(a) "Single voltage external AC to DC power supply" means a~~
16 ~~device that: (i) Is designed to convert line voltage alternating~~
17 ~~current input into lower voltage direct current output; (ii) is able to~~
18 ~~convert to only one DC output voltage at a time; (iii) is sold with, or~~
19 ~~intended to be used with, a separate end use product that constitutes~~
20 ~~the primary power load; (iv) is contained within a separate physical~~
21 ~~enclosure from the end use product; (v) is connected to the end use~~
22 ~~product via a removable or hard wired male/female electrical~~
23 ~~connection, cable, cord, or other wiring; and (vi) has a nameplate~~
24 ~~output power less than or equal to 250 watts.~~

25 ~~(b) "Single voltage external AC to DC power supply" does not~~
26 ~~include: (i) Products with batteries or battery packs that physically~~
27 ~~attach directly to the power supply unit; (ii) products with a battery~~
28 ~~chemistry or type selector switch and indicator light; or (iii)~~
29 ~~products with a battery chemistry or type selector switch and a state~~
30 ~~of charge meter.~~

31 ~~(16))~~ (19) "Showerhead" means a device through which water is
32 discharged for a shower bath.

33 (20) "Showerhead tub spout diverter combination" means a group of
34 plumbing fittings sold as a matched set and consisting of a control
35 valve, a tub spout diverter, and a showerhead.

36 (21) "State-regulated incandescent reflector lamp" means a lamp
37 that is not colored or designed for rough or vibration service
38 applications, ~~(that)~~ has an inner reflective coating on the outer

1 bulb to direct the light, an E26 medium screw base, ~~((and))~~ a rated
2 voltage or voltage range that lies at least partially within 115 to 130
3 volts, and ~~((that))~~ falls into one of the following categories:

4 (a) A bulged reflector or elliptical reflector bulb shape and which
5 has a diameter which equals or exceeds 2.25 inches; or

6 (b) A reflector, parabolic aluminized reflector, or similar bulb
7 shape and which has a diameter of 2.25 to 2.75 inches.

8 ~~((17) "Transformer" means a device consisting of two or more coils
9 of insulated wire and that is designed to transfer alternating current
10 by electromagnetic induction from one coil to another to change the
11 original voltage or current value.~~

12 ~~(18)(a) "Unit heater" means a self-contained, vented fan-type
13 commercial space heater that uses natural gas or propane, and that is
14 designed to be installed without ducts within a heated space.~~

15 ~~(b) "Unit heater" does not include any products covered by federal
16 standards established pursuant to 42 U.S.C. Sec. 6291 et seq. or any
17 product that is a direct vent, forced flue heater with a sealed
18 combustion burner))~~

19 (22) "Tub spout diverter" means a device designed
20 to stop the flow of water into a bathtub and to divert it so that the
21 water discharges through a showerhead.

22 (23) "Wine chillers designed and sold for use by an individual"
23 means refrigerators designed and sold for the cooling and storage of
24 wine by an individual.

24 **Sec. 2.** RCW 19.260.030 and 2006 c 194 s 2 are each amended to read
25 as follows:

26 (1) This chapter applies to the following types of new products
27 sold, offered for sale, or installed in the state:

28 (a) Automatic commercial ice cube machines;

29 (b) ~~((commercial clothes washers; (c) commercial prerinse spray
30 valves; (d)))~~ Commercial refrigerators and freezers; ((e) metal halide
31 lamp fixtures; (f) single voltage external AC to DC power supplies;
32 (g))

33 (c) State-regulated incandescent reflector lamps; ((and (h) unit
34 heaters))

35 (d) Wine chillers designed and sold for use by an individual;

36 (e) Hot water dispensers and mini-tank electric water heaters;

37 (f) Bottle-type water dispensers and point-of-use water dispensers;

1 (g) Pool heaters, residential pool pumps, and portable electric
2 spas;

3 (h) Tub spout diverters; and

4 (i) Commercial hot food holding cabinets.

5 (2) This chapter applies equally to products whether they are sold,
6 offered for sale, or installed as ((a)) stand-alone products or as
7 ((a)) components of ((another)) other products.

8 ~~((+2))~~ (3) This chapter does not apply to:

9 (a) New products manufactured in the state and sold outside the
10 state((τ));

11 (b) New products manufactured outside the state and sold at
12 wholesale inside the state for final retail sale and installation
13 outside the state((τ));

14 (c) Products installed in mobile manufactured homes at the time of
15 construction((τ)); or

16 (d) Products designed expressly for installation and use in
17 recreational vehicles.

18 **Sec. 3.** RCW 19.260.040 and 2006 c 194 s 3 are each amended to read
19 as follows:

20 The ~~((legislature establishes the following))~~ minimum efficiency
21 standards ~~((for))~~ specified in this section apply to the types of new
22 products set forth in RCW 19.260.030.

23 (1)(a) Automatic commercial ice cube machines must have daily
24 energy use and daily water use no greater than the applicable values in
25 the following table:

Equipment type	Type of cooling	Harvest rate (lbs. ice/24 hrs.)	Maximum energy use (kWh/100 lbs.)	Maximum condenser water use (gallons/100 lbs. ice)
Ice-making head	water	<500	7.80 - .0055H	200 - .022H
		>=500<1436	5.58 - .0011H	200 - .022H
		>=1436	4.0	200 - .022H
Ice-making head	air	450	10.26 - .0086H	Not applicable
		>=450	6.89 - .0011H	Not applicable
Remote condensing but not remote compressor	air	<1000	8.85 - .0038	Not applicable
		>=1000	5.10	Not applicable

1	Remote condensing and remote compressor	air	<934	8.85 - .0038H	Not applicable
2			>=934	5.3	Not applicable
3	Self-contained models	water	<200	11.40 - .0190H	191 - .0315H
4			>=200	7.60	191 - .0315H
5	Self-contained models	air	<175	18.0 - .0469H	Not applicable
6			>=175	9.80	Not applicable

7 Where H= harvest rate in pounds per twenty-four hours which must be reported within 5% of the tested value.

8 "Maximum water use" applies only to water used for the condenser.

9 (b) For purposes of this section, automatic commercial ice cube
10 machines shall be tested in accordance with the ARI 810-2003 test
11 method as published by the air-conditioning and refrigeration
12 institute. Ice-making heads include all automatic commercial ice cube
13 machines that are not split system ice makers or self-contained models
14 as defined in ARI 810-2003.

15 ~~(2) ((Commercial clothes washers must have a minimum modified
16 energy factor of 1.26. For the purposes of this section, capacity and
17 modified energy factor are defined and measured in accordance with the
18 current federal test method for clothes washers as found at 10 C.F.R.
19 Sec. 430.23.~~

20 ~~(3) Commercial prerinse spray valves must have a flow rate equal to
21 or less than 1.6 gallons per minute when measured in accordance with
22 the American society for testing and materials' "Standard Test Method
23 for Prerinse Spray Valves," ASTM F2324-03.~~

24 ~~(4))~~ (a) Commercial refrigerators and freezers must meet the
25 applicable requirements listed in the following table:

26	Equipment Type	Doors	Maximum Daily Energy Consumption (kWh)
27	Reach-in cabinets, pass-through cabinets, and roll-in or roll-through cabinets that are refrigerators	Solid	0.10V+ 2.04
28		Transparent	0.12V+ 3.34
29	Reach-in cabinets, pass-through cabinets, and roll-in or roll-through cabinets that are "pulldown" refrigerators	Transparent	.126V+ 3.51
30	Reach-in cabinets, pass-through cabinets, and roll-in or roll-through cabinets that are freezers	Solid	0.40V+ 1.38
31		Transparent	0.75V+ 4.10

1	Reach-in cabinets that are refrigerator-	Solid	0.27AV - 0.71
2	freezers		
3	with an AV of 5.19 or higher		

4 kWh= kilowatt hours

5 V= total volume (ft³)

6 AV= adjusted volume= [1.63 x freezer volume (ft³)]+ refrigerator volume (ft³)

7 (b) For purposes of this section, "pulldown" designates products
8 designed to take a fully stocked refrigerator with beverages at 90
9 degrees Fahrenheit and cool those beverages to a stable temperature of
10 38 degrees Fahrenheit within 12 hours or less. Daily energy
11 consumption shall be measured in accordance with the American national
12 standards institute/American society of heating, refrigerating and air-
13 conditioning engineers test method 117-2002, except that the back-
14 loading doors of pass-through and roll-through refrigerators and
15 freezers must remain closed throughout the test, and except that the
16 controls of all appliances must be adjusted to obtain the following
17 product temperatures.

18	Product or compartment type	Integrated average product temperature in degrees Fahrenheit
19	Refrigerator	38±2
20	Freezer	0±2

21 ~~((5) Metal halide lamp fixtures designed to be operated with lamps~~
22 ~~rated greater than or equal to 150 watts but less than or equal to 500~~
23 ~~watts shall not contain a probe start metal halide lamp ballast.~~

24 ~~(6)(a) Single voltage external AC to DC power supplies shall meet~~
25 ~~the requirements in the following table:~~

26	Nameplate output	Minimum Efficiency in Active Mode
27	<1 Watt	0.49 * Nameplate Output
28	>or= 1 Watt and <or= 49 Watts	0.09 * Ln (Nameplate Output)+ 0.49
29	>49 Watts	0.84
30		Maximum Energy Consumption in No-Load Mode
31	<10 Watts	0.5 Watts
32	>or= 10 Watts and <or= 250 Watts	0.75 Watts

1 Where Ln (Nameplate Output) - Natural Logarithm of the nameplate output expressed in Watts

2 ~~(b) For the purposes of this section, efficiency of single voltage~~
3 ~~external AC to DC power supplies shall be measured in accordance with~~
4 ~~the United States environmental protection agency's "Test Method for~~
5 ~~Calculating the Energy Efficiency of Single Voltage External AC to DC~~
6 ~~and AC to AC Power Supplies," by Ecos Consulting and Power Electronics~~
7 ~~Application Center, dated August 11, 2004.~~

8 ~~(7))~~ (3)(a) The lamp electrical power input of state-regulated
9 incandescent reflector lamps shall meet the minimum average lamp
10 efficacy requirements for federally regulated incandescent reflector
11 lamps ((contained)) specified in 42 U.S.C. Sec. 6295(i)(1)(A)-(B).

12 (b) The following types of incandescent lamps are exempt from these
13 requirements:

14 (i) Lamps rated at fifty watts or less of the following types: BR
15 30, ER 30, BR 40, and ER 40;

16 (ii) Lamps rated at sixty-five watts of the following types: BR
17 30, BR 40, and ER 40; and

18 (iii) R 20 lamps of forty-five watts or less.

19 ~~((8) Unit heaters must be equipped with intermittent ignition~~
20 ~~devices and must have either power venting or an automatic flue~~
21 ~~damper.))~~

22 (4)(a) Wine chillers designed and sold for use by an individual
23 must meet requirements specified in the California Code of Regulations,
24 Title 20, section 1605.3 in effect as of the effective date of this
25 section.

26 (b) Wine chillers designed and sold for use by an individual shall
27 be tested in accordance with the method specified in the California
28 Code of Regulations, Title 20, section 1604 in effect as of the
29 effective date of this section.

30 (5)(a) The standby energy consumption of bottle-type water
31 dispensers, and point-of-use water dispensers, dispensing both hot and
32 cold water, manufactured on or after January 1, 2010, shall not exceed
33 1.2 kWh/day.

34 (b) The test method for water dispensers shall be the environmental
35 protection agency energy star program requirements for bottled water
36 coolers version 1.1.

37 (6)(a) The standby energy consumption of hot water dispensers and

1 mini-tank electric water heaters manufactured on or after January 1,
2 2010, shall be not greater than 35 watts.

3 (b) This subsection does not apply to any water heater:

4 (i) That is within the scope of 42 U.S.C. Sec. 6292(a)(4) or
5 6311(1);

6 (ii) That has a rated storage volume of less than 20 gallons; and

7 (iii) For which there is no federal test method applicable to that
8 type of water heater.

9 (c) Hot water dispensers shall be tested in accordance with the
10 method specified in the California Code of Regulations, Title 20,
11 section 1604 in effect as of the effective date of this section.

12 (d) Mini-tank electric water heaters shall be tested in accordance
13 with the method specified in the California Code of Regulations, Title
14 20, section 1604 in effect as of the effective date of this section.

15 (7) The following standards are established for pool heaters,
16 residential pool pumps, and portable electric spas:

17 (a) Natural gas pool heaters shall not be equipped with constant
18 burning pilots.

19 (b) Residential pool pump motors manufactured on or after January
20 1, 2010, must meet requirements specified in the California Code of
21 Regulations, Title 20, section 1605.3 in effect as of the effective
22 date of this section.

23 (c) Portable electric spas manufactured on or after January 1,
24 2010, must meet requirements specified in the California Code of
25 Regulations, Title 20, section 1605.3 in effect as of the effective
26 date of this section.

27 (d) Portable electric spas must be tested in accordance with the
28 method specified in the California Code of Regulations, Title 20,
29 section 1604 in effect as of the effective date of this section.

30 (8)(a) The leakage rate of tub spout diverters shall be no greater
31 than the applicable requirements shown in the following table:

<u>Appliance</u>	<u>Testing Conditions</u>	<u>Maximum Leakage Rate</u> <u>Effective January 1, 2009</u>
	<u>When new</u>	<u>0.01 gpm</u>
<u>Tub spout diverters</u>	<u>After 15,000 cycles of diverting</u>	<u>0.05 gpm</u>

1 (b) Showerhead tub spout diverter combinations shall meet both the
2 federal standard for showerheads established pursuant to 42 U.S.C. Sec.
3 6291 et seq. and the standard for tub spout diverters specified in this
4 section.

5 (9)(a) The idle energy rate of commercial hot food holding cabinets
6 manufactured on or after January 1, 2010, shall be no greater than 40
7 watts per cubic foot of measured interior volume.

8 (b) The idle energy rate of commercial hot food holding cabinets
9 shall be determined using ANSI/ASTM F2140-01 standard test method for
10 the performance of hot food holding cabinets (test for idle energy rate
11 dry test). Commercial hot food holding cabinet interior volume shall
12 be calculated using straight line segments following the gross interior
13 dimensions of the appliance and using the following equation: Interior
14 height x interior width x interior depth. Interior volume shall not
15 account for racks, air plenums, or other interior parts.

16 **Sec. 4.** RCW 19.260.050 and 2006 c 194 s 4 are each amended to read
17 as follows:

18 (1) No new (~~commercial prerinse spray valve, commercial clothes~~
19 ~~washer,~~) commercial refrigerator or freezer(~~(,)~~) or state-regulated
20 incandescent reflector lamp(~~(, or unit heater)~~) manufactured on or
21 after January 1, 2007, may be sold or offered for sale in the state
22 unless the efficiency of the new product meets or exceeds the
23 efficiency standards set forth in RCW 19.260.040. No new automatic
24 commercial ice cube machine(~~(, single voltage external AC to DC power~~
25 ~~supply, or metal halide lamp fixtures)~~) manufactured on or after
26 January 1, 2008, may be sold or offered for sale in the state unless
27 the efficiency of the new product meets or exceeds the efficiency
28 standards set forth in RCW 19.260.040.

29 (2) On or after January 1, 2008, no new (~~commercial prerinse spray~~
30 ~~valve, commercial clothes washer,~~) commercial refrigerator or
31 freezer(~~(, single voltage external AC to DC power supply,~~) or state-
32 regulated incandescent reflector lamp(~~(, or unit heater)~~) manufactured
33 on or after January 1, 2007, may be installed for compensation in the
34 state unless the efficiency of the new product meets or exceeds the
35 efficiency standards set forth in RCW 19.260.040. On or after January
36 1, 2009, no new automatic commercial ice cube machine (~~(or metal halide~~
37 ~~lamp fixtures)~~) manufactured on or after January 1, 2008, may be

1 installed for compensation in the state unless the efficiency of the
2 new product meets or exceeds the efficiency standards set forth in RCW
3 19.260.040.

4 (3) Standards for (~~metal halide lamp fixtures and~~) state-
5 regulated incandescent reflector lamps are effective on the dates
6 specified in subsections (1) and (2) of this section.

7 (4) The following products, if manufactured on or after January 1,
8 2010, may not be sold or offered in the state unless the efficiency of
9 the new product meets or exceeds the efficiency standards set forth in
10 RCW 19.260.040:

- 11 (a) Wine chillers designed and sold for use by an individual;
- 12 (b) Hot water dispensers and mini-tank electric water heaters;
- 13 (c) Bottle-type water dispensers and point-of-use water dispensers;
- 14 (d) Pool heaters, residential pool pumps, and portable electric
15 spas;
- 16 (e) Tub spout diverters; and
- 17 (f) Commercial hot food holding cabinets.

18 (5) The following products, if manufactured on or after January 1,
19 2010, may not be installed for compensation in the state on or after
20 January 1, 2011, unless the efficiency of the new product meets or
21 exceeds the efficiency standards set forth in RCW 19.260.040:

- 22 (a) Wine chillers designed and sold for use by an individual;
- 23 (b) Hot water dispensers and mini-tank electric water heaters;
- 24 (c) Bottle-type water dispensers and point-of-use water dispensers;
- 25 (d) Pool heaters, residential pool pumps, and portable electric
26 spas;
- 27 (e) Tub spout diverters; and
- 28 (f) Commercial hot food holding cabinets.

29 NEW SECTION. **Sec. 5.** If any provision of this act or its
30 application to any person or circumstance is held invalid, the
31 remainder of the act or the application of the provision to other
32 persons or circumstances is not affected.

--- END ---