

Persons over the age of sixty-five are exempt from any permit or other administrative fee imposed by the commission for the collection of wood debris in state parks, if such wood is for personal use.

**NEW SECTION.** Sec. 2. Section 2, chapter 114, Laws of 1981 and RCW 43.51.390 are each repealed.

Passed the House April 22, 1983.

Passed the Senate April 18, 1983.

Approved by the Governor May 16, 1983.

Filed in Office of Secretary of State May 16, 1983.

## CHAPTER 194

[Substitute House Bill No. 452]

### DEPARTMENT OF SERVICES FOR THE BLIND CREATED—POWERS AND DUTIES—ADVISORY COUNCIL FOR THE BLIND

AN ACT Relating to blind persons; amending section 40, chapter 18, Laws of 1970 ex. sess. as amended by section 15, chapter 40, Laws of 1977 ex. sess. and RCW 43.20A.300; adding a new section to chapter 74.09 RCW; creating a new chapter in Title 74 RCW; repealing section 39, chapter 99, Laws of 1979 and RCW 43.131.225; repealing section 81, chapter 99, Laws of 1979 and RCW 43.131.226; repealing section 74.04.017, chapter 26, Laws of 1959, section 297, chapter 141, Laws of 1979 and RCW 74.04.017; repealing section 74.16.030, chapter 26, Laws of 1959, section 1, chapter 128, Laws of 1965, section 1, chapter 78, Laws of 1967, section 9, chapter 169, Laws of 1971 ex. sess. and RCW 74.16.030; repealing section 74.16.040, chapter 26, Laws of 1959 and RCW 74.16.040; repealing section 74.16.170, chapter 26, Laws of 1959, section 16, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.170; repealing section 1, chapter 59, Laws of 1967, section 17, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.181; repealing section 2, chapter 59, Laws of 1967, section 18, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.183; repealing section 74.16.300, chapter 26, Laws of 1959, section 20, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.300; repealing section 1, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.400; repealing section 2, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.410; repealing section 3, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.420; repealing section 4, chapter 40, Laws of 1977 ex. sess., section 174, chapter 151, Laws of 1979 and RCW 74.16.430; repealing section 5, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.440; repealing section 6, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.450; repealing section 7, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.460; repealing section 8, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.470; repealing section 9, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.480; repealing section 10, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.490; repealing section 11, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.500; repealing section 12, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.510; repealing section 13, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.520; repealing section 14, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.530; repealing section 24, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.540; repealing section 1, chapter 251, Laws of 1975 1st ex. sess., section 21, chapter 40, Laws of 1977 ex. sess. and RCW 74.17.010; repealing section 2, chapter 251, Laws of 1975 1st ex. sess., section 22, chapter 40, Laws of 1977 ex. sess. and RCW 74.17.020; repealing section 3, chapter 251, Laws of 1975 1st ex. sess. and RCW 74.17.030; repealing section 4, chapter 251, Laws of 1975 1st ex. sess., section 23, chapter 40, Laws of 1977 ex. sess. and RCW 74.17.040; providing effective dates; providing an expiration date; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

**NEW SECTION.** Sec. 1. The purposes of this chapter are to promote the economic and social welfare of blind persons in the state of Washington,

to relieve blind or visually handicapped persons from the distress of poverty through their complete integration into society on the basis of equality, to encourage public acceptance of the abilities of blind persons, and to promote public awareness of the causes of blindness.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Department" means an agency of state government called the department of services for the blind.

(2) "Director" means the director of the state agency appointed by the governor with the consent of the senate.

(3) "Advisory council" means the body of members appointed by the governor to advise the state agency.

(4) "Blind" means a person who has no vision or whose vision with corrective lenses is so defective as to prevent the performance of ordinary activities for which eyesight is essential, or who has an eye condition of a progressive nature which may lead to blindness.

NEW SECTION. Sec. 3. There is hereby created an agency of state government to be known as the department of services for the blind. The department shall deliver services to blind persons to the extent that appropriations are made available, provided that applicants meet the eligibility criteria for services authorized by this chapter.

NEW SECTION. Sec. 4. The executive head of the department shall be the director of the department of services for the blind. The director shall be appointed by the governor, with the consent of the senate, and hold office at the pleasure of the governor. The director's salary shall be fixed by the governor in accordance with the provisions of RCW 43.03.040.

NEW SECTION. Sec. 5. The director may appoint such personnel as necessary, none of whom shall be members of the advisory council for the blind. The director and other personnel who are assigned substantial responsibility for formulating agency policy or directing and controlling a major administrative division, together with their confidential secretaries, up to a maximum of six persons, shall be exempt from the provisions of chapter 41.06 RCW.

NEW SECTION. Sec. 6. The department shall:

(1) Serve as the sole agency of the state for contracting for and disbursing all federal and state funds appropriated for programs established by and within the jurisdiction of this chapter, and make reports and render accounting as may be required;

(2) Adopt rules, in accordance with chapter 34.04 RCW, necessary to carry out the purposes of this chapter;

(3) Negotiate agreements with other state agencies to provide services for individuals who are both blind and otherwise disabled so that multiply

handicapped persons and the elderly blind receive the most beneficial services.

**NEW SECTION.** Sec. 7. (1) There is hereby created the advisory council for the blind. The advisory council shall consist of at least six and no more than ten members. A majority of the members shall be blind. Advisory council members shall be residents of the state of Washington, and no member shall be an employee of the department.

(2) The governor shall appoint members of the advisory council for terms of three years, except that the initial appointments shall be as follows: (a) Three members for terms of three years; (b) two members for terms of two years; and (c) other members for terms of one year. Vacancies in the membership of the advisory council shall be filled by the governor for the remainder of the unexpired term.

(3) The governor may remove members of the advisory council for cause.

**NEW SECTION.** Sec. 8. (1) The advisory council for the blind shall meet officially with the director of the department quarterly to perform the duties enumerated in section 9 of this act. Additional meetings of the advisory council may be convened at the call of the chairperson or of a majority of the members. The advisory council shall elect a chairperson from among its members for a term of one year or until a successor has been elected.

(2) Advisory council members shall receive reimbursement for travel expenses incurred in the performance of their official duties in accordance with RCW 43.03.050 and 43.03.060.

**NEW SECTION.** Sec. 9. The advisory council for the blind may:

(1) Provide counsel to the director in developing, reviewing, and making recommendations on the department's state plan for vocational rehabilitation, budget requests, permanent rules concerning services to blind citizens, and other major policies which impact the quality or quantity of services for the blind;

(2) Undertake annual reviews with the director of the needs of blind citizens, the effectiveness of the services and priorities of the department to meet those needs, and the measures that could be taken to improve the department's services;

(3) Annually make recommendations to the governor and the legislature on issues related to the department of services for the blind, other state agencies, or state laws which have a significant effect on the opportunities, services, or rights of blind citizens; and

(4) Advise and make recommendations to the governor on the criteria and qualifications pertinent to the selection of the director.

**NEW SECTION.** Sec. 10. It shall be the duty of the director to consult in a timely manner with the advisory council for the blind on the matters enumerated in section 9 of this act. The director shall provide appropriate

departmental resources for the use of the advisory council in conducting its official business.

NEW SECTION. Sec. 11. The department of services for the blind may receive, accept, and disburse gifts, grants, conveyances, devises, and bequests from public or private sources, in trust or otherwise, if the terms and conditions thereof will provide services for the blind in a manner consistent with the purposes of this chapter and with other provisions of law. Any money so received shall be deposited in the state treasury for investment or expenditure in accordance with the conditions of its receipt.

NEW SECTION. Sec. 12. (1) Any person aggrieved by a decision, action, or inaction of the department or its agents may request, and shall receive from the department, an administrative review and redetermination of that decision, action, or inaction.

(2) After completion of an administrative review, an applicant or client aggrieved by a decision, action, or inaction of the department or its agents may request, and shall be granted, an administrative hearing. Such administrative hearings shall be conducted pursuant to chapter 34.04 RCW by an administrative law judge.

(3) Final decisions of administrative hearings shall be the subject of appeal under RCW 34.04.130.

(4) In the event of an appeal from the final decision of an administrative hearing in which the department has overruled the proposed decision by an administrative law judge, the following terms shall apply for an appeal under RCW 34.04.130: (a) Upon request a copy of the transcript and evidence from the administrative hearing shall be made available without charge to the appellant; (b) the appellant shall not be required to post bond or pay any filing fee; and (c) an appellant receiving a favorable decision upon appeal shall be entitled to reasonable attorney's fees and costs.

NEW SECTION. Sec. 13. The department shall provide a program of vocational rehabilitation to assist blind persons to overcome vocational handicaps and to develop skills necessary for self-support and self-care. Applicants eligible for vocational rehabilitation services shall be persons who are blind as defined in section 2 of this act and who also (1) have no vision or limited vision which constitutes or results in a substantial handicap to employment and (2) can reasonably be expected to benefit from vocational rehabilitation services in terms of employability.

NEW SECTION. Sec. 14. The department may provide to eligible individuals vocational rehabilitation services, including medical and vocational diagnosis; vocational counseling, guidance, referral, and placement; rehabilitation training; physical and mental restoration; maintenance and transportation; reader services; interpreter services for the deaf; rehabilitation teaching services; orientation and mobility services; occupational licenses,

tools, equipment, and initial stocks and supplies; telecommunications, sensory, and other technological aids and devices; and other goods and services which can be reasonably expected to benefit a client in terms of employability.

NEW SECTION. Sec. 15. The department may grant to vocational rehabilitation clients equipment and materials with an individual value of not more than one thousand dollars, provided that the equipment or materials are required by the client's individual written rehabilitation program and are used by the client or former client in a manner consistent therewith. The department shall adopt rules to implement this section.

NEW SECTION. Sec. 16. The department may establish, construct, and/or operate rehabilitation or habilitation facilities consistent with the purposes of this chapter.

NEW SECTION. Sec. 17. As part of its vocational rehabilitation program or in conjunction with other agency programs, the department may operate a rehabilitation facility known as the orientation and training center. The orientation and training center may provide instruction in the alternative skills necessary to adjust to blindness or substantial loss of vision, develop increased confidence and independence, and encourage personal, social, and economic integration. The department shall adopt rules concerning selection criteria for clients, curriculum, and other matters necessary for the economical, efficient, and effective operation of the orientation and training center.

NEW SECTION. Sec. 18. The department, to the extent appropriations are made available, may provide a program of services for independent living designed to meet the current and future needs of blind individuals who presently cannot function independently in their living environment, but who may benefit from services that will enable them to maintain contact with society and perform some tasks of daily living independently.

NEW SECTION. Sec. 19. (1) The department may offer services to assist blind children and their families to learn skills and locate resources which increase the child's ability for personal development and participation in society.

(2) Services provided under this section may include:

(a) Direct consultation with blind children and their families to provide needs assessment, counseling, developmental training, adaptive skills, and information regarding other available resources;

(b) Consultation and technical assistance in all sectors of society, at the request of a blind child, his or her family, or a service provider working with the child or family, to assure the blind child's rights to participate fully in educational, vocational, and social opportunities. The department is encouraged to establish working agreements and arrangements with community

organizations and other state agencies which provide services to blind children.

(3) To facilitate the coordination of services to blind children and their families, the office of superintendent of public instruction and the department of services for the blind shall negotiate an interagency agreement providing for coordinated service delivery and the sharing of information between the two agencies, including an annual register of blind students in the state of Washington.

NEW SECTION. Sec. 20. Unless the context clearly requires otherwise, the definitions in this section apply in sections 20 through 23 of this act.

(1) "Business enterprises program" means a program operated by the department under the federal Randolph-Sheppard Act, 20 U.S.C. Sec. 107 et seq., and under this chapter in support of blind persons operating vending businesses in public buildings.

(2) "Vending facility" means any stand, snack bar, cafeteria, or business at which food, tobacco, sundries, or other retail merchandise or service is sold or provided.

(3) "Vending machine" means any coin-operated machine that sells or provides food, tobacco, sundries, or other retail merchandise or service.

(4) "Licensee" means a blind person licensed by the state of Washington under the Randolph-Sheppard Act, this chapter, and the rules issued hereunder.

(5) "Public building" means any building which is owned by the state of Washington or any political subdivision thereof and any space leased by the state of Washington or any political subdivision thereof in any privately-owned building: PROVIDED, That any vending facility or vending machine under the jurisdiction and control of a local board of education shall not be included without the consent and approval of that local board.

NEW SECTION. Sec. 21. The department shall maintain or cause to be maintained a business enterprises program for blind persons to operate vending facilities in public buildings. The purposes of the business enterprises program are to implement the Randolph-Sheppard Act and thereby give priority to qualified blind persons in operating vending facilities on federal property, to make similar provisions for vending facilities in public buildings in the state of Washington and thereby increase employment opportunities for blind persons, and to encourage the blind to become successful, independent business persons.

NEW SECTION. Sec. 22. (1) The department is authorized to license blind persons to operate vending facilities and vending machines on federal property and in public buildings.

(2) The state, political subdivisions thereof, and agencies of the state, or political subdivisions thereof shall give priority to licensees in the operation of vending facilities and vending machines in public buildings.

NEW SECTION. Sec. 23. (1) There is established in the general fund an account known as the business enterprises revolving fund.

(2) The net proceeds from any vending machine operation in a public building, other than an operation managed by a licensee, shall be made payable to the business enterprises revolving fund. Net proceeds, for purposes of this section, means the gross amount received less the costs of the operation, including a fair minimum return to the vending machine owner, which return shall not exceed a reasonable amount to be determined by the department.

(3) All moneys in the business enterprises revolving fund shall be expended only for development and expansion of locations, equipment, management services, and payments to licensees in the business enterprises program.

(4) The business enterprises program shall be supported by the business enterprises revolving fund and by income which may accrue to the department pursuant to the federal Randolph-Sheppard Act.

(5) Vocational rehabilitation funds may be spent in connection with the business enterprises program for training persons to become licensees and for other services that are required to complete an individual written rehabilitation program.

NEW SECTION. Sec. 24. The department, to the extent that appropriations are made available, may provide specialized medical eye care to prevent blindness or restore or improve sight to persons who could medically benefit from such services but who are not eligible for services under section 26 of this act. The department may offer information and referral services to foster public awareness of the causes of blindness, encourage use of preventive or ameliorative measures, and explain the abilities and rights of blind citizens.

NEW SECTION. Sec. 25. If any part of this chapter is found to be in conflict with federal requirements which are a condition precedent to the allocation of federal funds to the state, the conflicting part of this chapter is hereby declared to be inoperative solely to the extent of the conflict, and the findings or determination shall not affect the operation of the remainder of this chapter.

NEW SECTION. Sec. 26. There is added to chapter 74.09 RCW a new section to read as follows:

(1) A prevention of blindness program is hereby established in the department of social and health services to provide prompt, specialized medical eye care, including assistance with costs when necessary, for conditions

in which sight is endangered or sight can be restored or significantly improved. The department of social and health services shall adopt rules concerning program eligibility, levels of assistance, and the scope of services.

(2) The department of social and health services shall employ on a part-time basis an ophthalmological and/or an optometrical consultant to provide liaison with participating eye physicians and to review medical recommendations made by an applicant's eye physician to determine whether the proposed services meet program standards.

(3) The department of social and health services and the department of services for the blind shall formulate a cooperative agreement concerning referral of clients between the two agencies and the coordination of policies and services.

**NEW SECTION.** Sec. 27. (1) All classified civil service employees employed on the effective date of this section by the commission for the blind engaged in duties pertaining to functions transferred to the department of social and health services by section 26 of this act shall be assigned and transferred to the department of social and health services and shall retain their permanent or probationary status together with all rights, privileges, and immunities attaching thereto.

(2) All reports, documents, surveys, books, records, files, papers, or written material in the possession of the commission for the blind and pertaining to the powers, functions, and duties transferred by section 26 of this act shall be delivered to the custody of the department of social and health services. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the commission for the blind in carrying out the powers, functions, and duties transferred by section 26 of this act shall be made available to the department of social and health services. All funds, credits, or other assets held in connection with the powers, functions, and duties transferred by section 26 of this act shall be assigned to the department of social and health services.

Any appropriations made to the commission for the blind for carrying out the powers, functions, and duties transferred by section 26 of this act shall, on the effective date of this act, be transferred and credited to the department of social and health services.

Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

(3) All rules and all pending business before the commission for the blind pertaining to the powers, functions, and duties transferred by section 26 of this act shall be continued and acted upon by the department of social and health services. All existing contracts and obligations shall remain in



full force and shall be performed by the department of social and health services.

(4) The transfer of the powers, duties, functions, and personnel of the commission for the blind shall not affect the validity of any act performed by such employee prior to the effective date of this act.

(5) If apportionments of budgeted funds are required because of the transfers directed by subsections (2) through (4) of this section, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

(6) Nothing contained in this section may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the personnel board as provided by law.

Sec. 28. Section 40, chapter 18, Laws of 1970 ex. sess. as amended by section 15, chapter 40, Laws of 1977 ex. sess. and RCW 43.20A.300 are each amended to read as follows:

Except as provided in (~~RCW 74.16.440~~) section 6 of this act, the department of social and health services shall serve as the sole agency of the state for the receipt of federal funds made available by acts of congress for vocational rehabilitation within this state.

NEW SECTION. Sec. 29. The department of services for the blind and its powers and duties shall terminate on June 30, 1987. This chapter expires on June 30, 1988. The department shall be reviewed before termination under chapter 43.131 RCW.

NEW SECTION. Sec. 30. The following acts or parts of acts are each repealed:

- (1) Section 39, chapter 99, Laws of 1979 and RCW 43.131.225;
- (2) Section 81, chapter 99, Laws of 1979 and RCW 43.131.226;
- (3) Section 74.04.017, chapter 26, Laws of 1959, section 297, chapter 141, Laws of 1979 and RCW 74.04.017;
- (4) Section 74.16.030, chapter 26, Laws of 1959, section 1, chapter 128, Laws of 1965, section 1, chapter 78, Laws of 1967, section 9, chapter 169, Laws of 1971 ex. sess. and RCW 74.16.030;
- (5) Section 74.16.040, chapter 26, Laws of 1959 and RCW 74.16.040;
- (6) Section 74.16.170, chapter 26, Laws of 1959, section 16, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.170;
- (7) Section 1, chapter 59, Laws of 1967, section 17, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.181;
- (8) Section 2, chapter 59, Laws of 1967, section 18, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.183;

(9) Section 74.16.300, chapter 26; Laws of 1959, section 20, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.300;

(10) Section 1, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.400;

(11) Section 2, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.410;

(12) Section 3, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.420;

(13) Section 4, chapter 40, Laws of 1977 ex. sess., section 174, chapter 151, Laws of 1979 and RCW 74.16.430;

(14) Section 5, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.440;

(15) Section 6, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.450;

(16) Section 7, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.460;

(17) Section 8, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.470;

(18) Section 9, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.480;

(19) Section 10, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.490;

(20) Section 11, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.500;

(21) Section 12, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.510;

(22) Section 13, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.520;

(23) Section 14, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.530;

(24) Section 24, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.540;

(25) Section 1, chapter 251, Laws of 1975 1st ex. sess., section 21, chapter 40, Laws of 1977 ex. sess. and RCW 74.17.010;

(26) Section 2, chapter 251, Laws of 1975 1st ex. sess., section 22, chapter 40, Laws of 1977 ex. sess. and RCW 74.17.020;

(27) Section 3, chapter 251, Laws of 1975 1st ex. sess. and RCW 74.17.030; and

(28) Section 4, chapter 251, Laws of 1975 1st ex. sess., section 23, chapter 40, Laws of 1977 ex. sess. and RCW 74.17.040.

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

NEW SECTION. Sec. 32. Sections 1 through 25 and section 28 of this act shall constitute a new chapter in Title 74 RCW.

NEW SECTION. Sec. 33. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions. Section 27 of this act which transfers functions from the commission for the blind to the department of

social and health services and section 26 of this act shall take effect immediately. All other sections of this act shall take effect June 30, 1983.

Passed the House April 23, 1983.

Passed the Senate April 20, 1983.

Approved by the Governor May 16, 1983.

Filed in Office of Secretary of State May 16, 1983.

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## CHAPTER 195

[Engrossed Substitute House Bill No. 463]

### JUSTICES OF THE PEACE

AN ACT Relating to courts of limited jurisdiction; amending section 13, chapter 299, Laws of 1961 as last amended by section 2, chapter 95, Laws of 1974 ex. sess. and RCW 3.34.040; and amending section 22, chapter 299, Laws of 1961 as amended by section 9, chapter 331, Laws of 1981 and RCW 3.34.130.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 13, chapter 299, Laws of 1961 as last amended by section 2, chapter 95, Laws of 1974 ex. sess. and RCW 3.34.040 are each amended to read as follows:

Justices of the peace serving districts having a population of forty thousand or more persons, and justices receiving a salary greater than (~~fifteen thousand dollars~~) the maximum salary provided in RCW 3.58.020(f) for serving as a justice, shall be deemed full time justices and shall devote all of their time to the office and shall not engage in the practice of law. Other justices shall devote sufficient time to the office to properly fulfill the duties thereof and may engage in other occupations but such justice shall not use the office or supplies furnished by the judicial district for his private business but shall maintain a separate office for his private business nor shall he use the services of any clerk or secretary paid for by the county for his private business.

Sec. 2. Section 22, chapter 299, Laws of 1961 as amended by section 9, chapter 331, Laws of 1981 and RCW 3.34.130 are each amended to read as follows:

(1) Each justice court shall designate one or more justices of the peace pro tempore who shall serve during the temporary absence, disqualification, or incapacity of a justice of the peace of the district. The qualifications of a justice of the peace pro tempore shall be the same as for a justice of the district, except that the person appointed need only be a registered voter of the county in which the justice court district or portion thereof is located. A justice of the peace pro tempore may sit in any district of the county for which he is appointed. A justice of the peace pro tempore shall be paid for each day he holds a session one-two hundred fiftieth of the annual salary of a full time justice of the district. For each day that a justice of the peace pro tempore serves in excess of thirty days during any calendar year, the