

CHAPTER 210.

[S. B. 475.]

STATE MILITIA—ADJUTANT GENERAL.

AN ACT relating to the militia; and amending section 3, chapter 130, Laws of 1943 and RCW 38.08.020; adding a new section to chapter 130, Laws of 1943 and to chapter 38.12 RCW; and amending section 21, chapter 130, Laws of 1943 and RCW 38.12.030.

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

SECTION 1. Section 3, chapter 130, Laws of 1943 and RCW 38.08.020 are each amended to read as follows:

RCW 38.08.020 amended.

The militia of the state not in the service of the United States shall be governed and its affairs administered pursuant to law, by the governor, as commander-in-chief, through the adjutant general's department, of which the adjutant general shall be the executive head.

Militia.
Governor as
commander-
in-chief.

SEC. 2. There is added to chapter 130, Laws of 1943 and to chapter 38.12 RCW a new section to read as follows:

New section.

The adjutant general's department shall be organized into separate divisions for the Washington Army National Guard and the Washington Air National Guard. Each division may have a general officer at its head who will be referred to as the assistant adjutant general for the Washington Army National Guard and the assistant adjutant general for the Washington Air National Guard.

Departmental
divisions—
Head officers.

SEC. 3. Section 21, chapter 130, Laws of 1943 and RCW 38.12.030 are each amended to read as follows:

RCW 38.12.030 amended.

Whenever a vacancy has occurred, or is about to occur in the office of the adjutant general, the governor shall order to active service for that position from the active list of the Washington Army National Guard or the Washington Air National Guard an officer not below the rank of a field officer

Adjutant gen-
eral, assistant
adjutant gen-
erals, how
chosen.

who has had at least ten years service as an officer on the active list of the Washington Army National Guard or the Washington Air National Guard during the fifteen years next prior to such detail. The officer so detailed shall during the continuance of his service as the adjutant general hold the rank of a general officer.

Whenever a vacancy has occurred, or is about to occur, in the offices of assistant adjutants general for the Washington Army National Guard or the Washington Air National Guard, the adjutant general with the concurrence of the governor may appoint an officer of the Army National Guard or the Air National Guard, who has had at least ten years service in the active list of his respective branch during the fifteen years next prior to such detail. The officer so detailed, may during the continuance of his service as assistant adjutant general hold the rank of a general officer.

If, by reason of the call or draft of officers of the Washington Army National Guard and/or Air National Guard into federal service, there shall be no officer of the Washington National Guard available for detail as the adjutant general or as an assistant adjutant general who possesses the requisite qualifications, then the governor may appoint any officer or former officer of the organized militia of Washington as acting adjutant general or as an acting assistant adjutant general: *Provided*, That in the event the officers on detail as the adjutant general or as assistant adjutants general should be appointed, called or drafted into the military service of the United States by order or proclamation of the president, then they shall be granted leaves of absence by the governor, and such officers shall be entitled, upon release from federal service, to return to their former status as adjutant general or as assistant adjutants general, of Washington, and during the period that they are in federal service.

the duties of these offices shall be performed by an acting adjutant general and acting assistant adjutants general, appointed by the governor, as hereinbefore provided, and who shall receive the same pay provided for the adjutant general and/or assistant adjutants general respectively, during the period of such assignments.

Passed the Senate March 4, 1961.

Passed the House March 8, 1961.

Approved by the Governor March 20, 1961.

CHAPTER 211.

[S. B. 486.]

CRIMES—CONSPIRACY AGAINST GOVERNMENTAL ENTITIES.

AN ACT relating to crimes; defining crime of conspiracy against governmental entities; increasing penalties for certain collusion; amending section 3, chapter 12, Laws of 1921 and RCW 9.18.140; adding a new section to chapter 249, Laws of 1909 and to chapter 9.22 RCW; and providing penalties.

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

SECTION 1. There is added to chapter 249, Laws of 1909 and to chapter 9.22 RCW a new section to read as follows:

If two or more persons conspire either to commit any offense against, or to defraud the state, or any county, city, town, district, or other municipal corporation therein, or a department or agency of any thereof, in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined not more than ten thousand dollars or imprisoned not more than five years, or both.

If, however, the offense, the commission of which is the object of the conspiracy, is a misdemeanor

New section.

**Crime of conspiracy against governmental entity defined
—Penalty.**