

electrical utility directly assesses its customers a service installation charge for a temporary service, permanent service, or expanded service, the customer may, with the written approval of the city-owned electric utility, contract with a qualified electrical contractor licensed under Chapter 19.28 RCW to install any material or equipment in lieu of having city utility personnel perform the installation. In the event the city-owned electric utility denies the customer's request to utilize a private electrical contractor for such installation work, it shall provide the customer with written reasons for such denial: PROVIDED FURTHER, That nothing herein shall prevent any first class city from operating a solid waste department utilizing its own personnel.

If a customer elects to employ a private electrical contractor as provided in this section, the private electrical contractor shall be solely responsible for any damages resulting from the installation of any temporary service, permanent service, or expanded service and the city-owned electrical utility shall be immune from any tortious conduct actions as to that installation.

Passed the Senate April 23, 1983.

Passed the House April 13, 1983.

Approved by the Governor May 16, 1983.

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

CHAPTER 218

[Senate Bill No. 3393]

STATE MILITIA—JUDICIARY MAY SERVE

AN ACT Relating to the state militia; and amending section 21, chapter 130, Laws of 1943 as last amended by section 1, chapter 100, Laws of 1965 ex. sess. and RCW 38.12.030.

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

Sec. 1. Section 21, chapter 130, Laws of 1943 as last amended by section 1, chapter 100, Laws of 1965 ex. sess. and RCW 38.12.030 are each amended to read as follows:

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 Washington air national guard an officer not below the rank of a field officer 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~~) is 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~~). If the officers on detail as the adjutant general or as assistant adjutants general (~~should be~~) are 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~~) are 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 in this section, (~~and~~) who shall receive the same pay provided for the adjutant general and/or assistant adjutants general respectively, during the period of such assignments.

The adjutant general shall receive an annual salary equal to the base pay of a major general in the United States army. The assistant adjutant general for the Washington army national guard(;) and the assistant adjutant general for the Washington air national guard shall each receive an annual salary equal to the base pay of an officer of equivalent grade in the United States army or United States air force but not to exceed that of a brigadier general(~~PROVIDED, That no member of the judiciary of the state shall be an active member of the national guard or the air national guard~~). So long as a member of the judiciary of the state of Washington is available for judicial work at such times and under such conditions as may be set forth by local rules and custom, that member may serve as an active member of the national guard or air national guard.

Passed the Senate April 23, 1983.

Passed the House April 21, 1983.

Approved by the Governor May 16, 1983.

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