

the life of and paid to the wife or husband of the member.

A member may apply for some other benefit or benefits and the board may grant such application provided such other benefit or benefits, together with the reduced retirement allowance, shall be certified by the actuary to be of equivalent value to his retirement allowance.

The surviving spouse may elect to receive a cash refund of the member's accumulated contributions in lieu of the monthly benefit under either Option B or Option C.

Passed the House March 26, 1965.

Passed the Senate March 25, 1965.

Approved by the Governor April 6, 1965.

CHAPTER 100.

[House Bill No. 409.]

NATIONAL GUARD—ADJUTANT GENERAL— ASSISTANTS—SALARIES.

AN ACT relating to the militia; and amending section 21, chapter 130, Laws of 1943, as amended by section 3, chapter 210, Laws of 1961, and RCW 38.12.030.

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

SECTION 1. Section 21, chapter 130, Laws of 1943, as amended by section 3, chapter 210, Laws of 1961, 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

RCW 38.12.030
amended.

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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.

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.

Passed the House March 29, 1965.

Passed the Senate March 25, 1965.

Approved by the Governor April 6, 1965.