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at risk, and some of them die. And the media is not allowed to be there when they come back. They left here walking; they come back horizontal, and people don't know it. That's why terrible things can continue to happen. Those with a voice will not speak. Now what I'm saying does not mean I have a negative opinion...

SPEAKER BROMM: Time.

SENATOR CHAMBERS: ...about the bill or that I'm opposed to it. Thank you, Mr. Speaker.

SPEAKER BROMM: Thank you, Senator Chambers. Senator Schimek.

SENATOR SCHIMEK: Thank you, Mr. President and members. I turned my light on, Senator Chambers, because Senator Vrtiska's legislative aide just gave me some information that I thought was useful for what we've been discussing, and apparently the legal counsel for the Guard had called her or she had called him and he says that if you are an active member of the military and you leave as a commissioned officer and you go immediately into the Guard, then that service suffices for the four years; that you are considered in continuous service at that point. So there would be some, at least, coming into the National Guard from the active military that would be allowed to be appointed to these positions. So if you would like to ask a question, Senator.

SENATOR CHAMBERS: Yes. When we have an affirmative declaration in the statute, the statute prevails over any rule or procedure that the Guard wants to adopt. Now, if they can show me where the statute allows them to determine that that activity duty service is considered continuous when a person gets into the Guard, in other words, there's no interruption and the person gets credit for all that active duty, is the pay based on how long they were on active duty in the real army? In other words, is it continuous for all purposes?

SENATOR SCHIMEK: Well, that I don't know, and I don't know where you find it, but that's what happens. And whether it's a part of federal law or it's done through internal rules and regs