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when the reply came back, I canvassed the committee and 11 of the committee voted for approval, that I submit it on that basis.

SENATOR NEWELL: From the information I have now, and if anybody has any additional information about this, I would sure appreciate it. I don't know Dr. Pittman but I would think that anybody that refuses to obey the law of the State of Nebraska ought not be confirmed by this body. Now if I am wrong in my understanding, and I would hope anybody would get to me quickly before this vote and explain how it might be, but as I understand it, it is the law. He said that he would violate the law. I don't know how we can tolerate that. Thank you.

SENATOR MARVEL: Senator Murphy.

SENATOR MURPHY: Well, I don't know that Mr. Pittman is violating any law. If the Governor appoints him in the face of it, I would suppose possibly the Governor might be violating a law but I think we have a classic instance of a very aggressive, very talented man, who has served for six years in this capacity, and refuses, refuses to be horsed around by an unfortunate act of this Legislature that was done at the behest of a very few people who probably have not rendered one day of service to their government. We have made rather a tragic error in creating this law and we have done it in political expediency for fear someone might say we wouldn't vote for a political accountability act. I admire the man without having met him before. I hope he sticks to his guns. I hope this Legislature corrects an abuse of citizens who would serve this government and I suggest to you that the Supreme Court has repeatedly held that a law that is unconstitutional is not a law and never was a law and I, for one, believe it is unconstitutional to create this kind of a barrier to one who would at no pay offer to serve his government, meet once a month with other doctors to protect the health of this state and then we throw up this kind of a political mishmash and say, you must do it and you must sign it. There is no reason. It is an unfortunate circumstance but it is a law. I hope the Supreme Court holds that it is an unconstitutional law, that it is an invasion of his privacy and throws the whole thing out, in which case, it never was a law and it never was violated.

SENATOR MARVEL: Senator Koch, then Senator Cope, then Senator Keyes. Senator Koch.

SENATOR KOCH: Mr. Speaker, for Senator Newell's enlightenment, Dr. Pittman still has at least nine months remaining on his present term. So most of us that were present that day at the hearing decided that we should approve him for that. Beyond that point, the issue then is whether or not, in order to serve the next appointment that the Governor presently is providing for him, whether or not he should have to fill out the Political Accountability Disclosure Act. So that is the reason most of us confirmed his present position. I do admire an individual who said very candidly, he felt it was an invasion of his privacy, that he had never in any case committed any types of acts that would cloud his profession or his name. I think that is the reason most of the committee members felt that we should confirm Dr. Pittman. At such time as he has to disclose, I am certain that he will