

does is it also criminalizes possession with intent to distribute pornographic literature. A significant way in which the committee amendments have been the original bill is that it does not...the committee amendments do not make simple possession illegal. So that is an important public policy question for the Legislature, whether we wish to make simple possession of films and photographs that display children, and I'll address the definition of child and children in a moment, either as participants or as portrayed observers illegal. Again there is some ambiguity in the federal law, as I understand it, as to whether we can make simple possession illegal. What the committee decided to do was to include a criminal provision for possession with intent to distribute, which is possession with sufficient quantities of pornographic literature to create a presumption that the individual intended to sell it or was in the process of selling it to others. Now on the issue of age, the bill, as brought to us by Senator Higgins, would have changed the age in current law from under 16 to under 18. Current law takes a very different approach in prohibiting pornographic literature involving children, using a contemporary standard, contemporary value standard, and it draws the line at under 16. Senator Higgins' bill increases it to under 18. The committee amended that, feeling that the more appropriate age was under 16. As I understand it, Senator Higgins may have an amendment to the committee amendments to push the age back up to 18. I think finally, Mr. Speaker, it is quite important to thorough and comprehensive understanding of the committee amendments to read the definitions that are presented on page 1 of the committee amendments, because the definitions describe, in some detail, exactly what kind of subjects portrayed in the video tapes or in the photographs becomes illegal. But, basically, what is made illegal is the portrayal of a child, male or female, doing what is defined as sexually explicit conduct, sexually explicit conduct is defined to include a number of things, in the process or while certain parts of their bodies are displayed. The definition of erotic nudity is important in understanding the circumstances under which the display of certain parts of their body in sexually...in the course of sexually explicit conduct makes it illegal. This is a complicated act. I think it is a significant bill because it does significantly change Nebraska law to allow the State of Nebraska to provide that the State of Nebraska will take virtually full advantage of the loosening of the standards at the federal level to permit more regulation of