

merely having a picture and giving it to somebody else. They keep talking about people molesting children, about the pornographers, but they...and while talking about having concern for children they pass a bill or want to pass one which could make the children felons because of some misdirected notion placed in statute, supposedly aimed at child pornographers. They are raising the age of the participant in this activity to under 18 years old. So there could be a very voluptuous appearing female, 17 years, 364 days old in the picture and another individual could be simulating one of these acts which is prohibited such as fondling a breast or touching the genital area even if it's clothed and be guilty of a Class III felony if that picture is passed by one student to another and the argument always is given, well that's not what I'm interested in doing. But they are taking two different activities as wide apart as the North Pole and the South Pole and making the one who has the picture and shows it to another student as guilty and as reprehensible as the one who engages in multimillion dollar pornographic operations. They see no moral distinction but I do. There was an individual named Romilly, I believe was his name, who came along during the 1800s in England and he said England is renowned throughout the world for the fairness of its trials but is disgraced by the barbarity of its punishments. To impose a punishment like this for conduct as innocent as that which I have described borders on the barbarous. We can talk about protecting the children all that we want to, but that is not what this bill does. By its very terms it encompasses too much and too many people. The experience of law enforcement persons and criminologists throughout the world and throughout history has been that when you impose exceedingly harsh punishments there will be no prosecution or no conviction...

SENATOR LANDIS: One minute.

SENATOR CHAMBERS: ...or no imposition of the punishment itself and that is a very, very poor way to legislate and this Legislature ought not do it. Even Senator Abboud's bill as it stands is a bad bill. This amendment would make it worse and I hope that it is not adopted.

SENATOR LANDIS: Thank you, Senator Chambers. Senator DeCamp.

SENATOR DECAMP: Question.

SENATOR LANDIS: Senator DeCamp calls the question. Do I see two hands? Now I see five. All those in favor of calling the