

question vote aye, those opposed vote no. We need to dispose of this issue one way or the other. Please return to your seat and vote on the calling of the question on the Higgins amendment to LB 788. The board has been open for over half a minute. If we could dispose of this issue one way or the other, I'd appreciate it if you would return to your seat and vote yea or nay. The Clerk will record.

CLERK: 26 ayes, 0 nays to cease debate, Mr. President.

PRESIDENT: The question has been called. Senator Higgins, on your amendment to 788 to close.

SENATOR HIGGINS: Thank you, Mr. President. For those of you who are listening to the legal beagles, I would like to remind you that most of these attorneys never say what is moral, what is right, but what is legal. It used to be legal for a white man to own a black man, even though Senator Chambers would agree with me it was immoral, but it was legal under the Constitution. But what attorneys when they want to defeat something that is morally right will ever bring up morality? They'll harp and harp on, we've got to stick with this uniform criminal code law because us attorneys worked two years on it. None of the attorneys talked about what the amendment is really about. It is about possession with intent to sell, deliver or trade, and talking about one boy or another trading these pictures with others, the main thing we're talking about is who made the pictures? Somebody who was a child was used to make those pictures and it doesn't matter to me if you're 80 years old or 70 or 30, a child was used and abused. The statement was made that five pictures, that's an innocent thing to possess five pictures of two little children, not committing fondling breasts as Senator Chambers referred to, but committing acts with beasts. Those are some of the pictures that the Omaha Police Department brought down and incidentally, the Judiciary Committee combined my bill which they are still holding, and Senator Abboud's bill at the hearing. The Omaha Police Department and the city prosecutor's office said they were in favor of both bills. They had no objection to increasing the penalties whatsoever and every argument that Senator Abboud has used for his bill was taken from the arguments I used for the original bill last year and he heard the same testimony this year as he heard last year as did Senator Hoagland, as did Senator Chambers, as did all the Judiciary Committee. I tried last year to raise the age to comply with federal statutes to 18. They said, no, no, but an attorney friend this year got