

advanced to General File. There are Judiciary Committee amendments pending. (See page 1475 of the Legislative Journal.)

**SPEAKER NICHOL:** Senator Hoagland, on the committee amendments, please.

**SENATOR HOAGLAND:** Mr. Speaker and colleagues, LB 668 is a bill that would rewrite the child pornography statutes in the State of Nebraska. The United States Supreme Court, in a recent opinion, handed down a decision that gives the states considerably more latitude to regulate child pornography in cases involving minors throughout the nation. Prior to the Supreme Court decision the standards in Nebraska and elsewhere were the same in child pornography as they were in adult pornography. Basically, that is that pornography was considered, as I understand it, to be protected by the First Amendment and the states could regulate pornography, but had to take into consideration general community standards and had to take into consideration whether the films or the photographs had redeeming social value or not. Now since the recent Supreme Court decision, the door has been pretty much opened for the states to vigorously regulate child pornography, with the exception, we believe but the law is unclear, of simple possession of pornography literature. Now the Judiciary Committee took this bill, brought by Senator Higgins and a number of co-sponsors, and added a series of committee amendments that comprehensively and significantly I think rewrite the bill. The Judiciary Committee sets out definitions of a number of terms, which you will be able to see for yourself in the committee amendments that are pasted in your bill book, and then amends the criminal statute so that...proposes to amend the criminal statute so basically four things are prohibited under the child pornography statutes. First, the selling of child pornography literature; secondly...I'm sorry. The first thing the committee amendments and the original bill, for that matter, prohibit is the making of pornographic literature, the making of films, the making of the photographs and so forth. The second thing it prohibits is the sale. The third thing that is prohibited is the act of causing a child to engage in the manufacture or the sale...manufacture of pornographic literature. Fourth, it becomes unlawful to consent to a child engaging in the manufacture of pornographic literature as a participant or as an observer. And the fifth thing it