

my constituents, they think that this is a child pornography bill dealing with children involved in pornography. This is not dealing with children involved or being used for pornography. What this is dealing with is the possession, the display, the sale of pornographic material for children. I know the librarians and the booksellers, and so on, still have a concern about this bill. I know there is another statute that exempts libraries but it still concerns me that even art dealers...this even refers to even a sculpture which is pornographic, and I do have a concern about changing that to...changing the second offense to a felony. If that's what you want to do, you should vote against this amendment. But I would encourage you to consider seriously before taking an offense which is currently a misdemeanor and changing that to a felony.

PRESIDENT: Thank you. Senator Pirsch, please.

SENATOR PIRSCH: Thank you, Mr. President. I rise to strongly oppose the change in this...in the amendment that Senator Johannis is trying to put on. As we discussed at some great length on first debate, this does not change anything that is not a misdemeanor now and, indeed, we are saying it's still a misdemeanor for the first time. After the first time, you should make arrangements to do something different as far as providing to a minor, and this is providing to a minor those kinds of things and those kinds of showings that are, by our court standards, obscene. The United States Supreme Court has left those standards pretty much to the community and that is why, in many people's opinion, those standards have lowered and there is far more acceptable to the public than ever before and also to the court's perception. This bill would not change what that conduct is or what that material is. It would not change the penalty for the first time, but we are saying the second and subsequent times then you should know what is obscene and you should avoid it. The librarians were concerned and there were letters and I wanted to point out to you and, in fact, I sent around to you a section that exclusively, exclusively, and this is in our statutes now, excludes those people and that material that is used for librarians and for educational functions. You should have it on your desk. I hope that you will read that. There is every opportunity now for law enforcement and for our courts to make decisions on obscenity and, indeed, it's been described in our laws for many years. The penalty remains the same for the first time. One of the reasons that people came to me to ask me to increase that second and subsequent offenses is