

SENATOR SIMON: Let me get the answer to the question, then. The judge sentences you to clean up the X, Y, Z Park so then Frank Lewis has been sentenced because he littered and how are they going to check up on ole Frank?

SENATOR STONEY: How will they check up and see that it is done?

SENATOR SIMON: Yes.

SENATOR STONEY: I would assume that in most states, if the judge indicates that the individual should collect litter, that they then would accompany the crews that are responsible for collecting litter and work right along with that crew.

SENATOR SIMON: What about if there wasn't a crew assigned?

SENATOR STONEY: There are crews assigned. We have crews here in the state that collect litter. It has cost the State of Nebraska, no other subdivisions, just the State of Nebraska in excess of three hundred thousand dollars in the past three years, collectively, a million dollars, to collect litter in the State of Nebraska.

SENATOR SIMON: The next question, then, deals with the size of the area and, of course, I realize that the judges have a certain latitude, but if again Senator Lewis threw a piece of paper out his car window and he was driving back to Omaha, how would they determine what the distance would be if they said he had to do ten miles?

SENATOR STONEY: Senator Simon, these are decisions the judges make. You are right, they are provided certain latitudes and it would be at their discretions. Now I am sure that if an individual throws out one piece of paper, they are not going to suggest that they collect for five miles. I would also say that if someone dumps a 2½ ton truck of litter, then that individual might be subjected to a longer period of time or a greater stretch to have to collect. The only point I am making in providing this particular proposal is that I think that it provides the individual with a greater sense of education if he or she have to collect the litter. A piddly fine of \$10, \$25, \$100 does not carry the impact that an individual has in collecting it himself.

SENATOR SIMON: Let me ask then this question, what about the liability? Have you checked into that?

SENATOR STONEY: I have not checked on the liability. I would imagine that that would be borne by the state. I know of no incidences, I might add, in any other states where there have been problems with people that have collected litter and have either been injured or killed while doing so.

SENATOR SIMON: Let me ask just a couple of general questions regarding litter for my own information. Are there very many people that are sentenced under this provision, not the amendment, but just the original bill that is on the books now?