

April 1, 1981

LB 253

SENATOR VICKERS: Okay, now, another question, on Section 15 of page 10, it indicates that "The penalties which may be imposed for littering in this state and any provisions of sections 81-1534 to 81-1566.." which includes the section I just ask you questions about, what is the penalty for littering in this state? I can't seem to find it in here. What is the penalty for littering under those sections?

SENATOR DeCAMP: I would have to look up the specific statutes in which section of the new Criminal Code we put it into. I don't know, what is it? Class something or other misdemeanor. I will get you the specific information. Do you know what it is, Bill?

SENATOR VICKERS: Then you indicated to Senator Chambers that if he could come up with some specific questions, perhaps you might have an answer. Senator Chambers was using weeds. I would like to use something else to impose a hypothetical question. I have got on my place a dump, I guess you could call it, where we throw trash. We also have on our place, to me it is very valuable, to my wife has a different viewpoint of it, an iron pile, old machinery that I have torn part and thrown in there and then when we need a piece of metal to weld on a broken piece of machinery or something of that nature I can get it out. To a lot of people that would be an eyesore, old machinery setting around, vehicles of this sort, could that be classified as litter, Senator DeCamp, and if somebody chose to be real aggressive as far as bringing people to court, would that, in fact, put me in a position where I could be taken into court and fined?

SENATOR DeCAMP: Not under this law.

SENATOR VICKERS: Why not? Where does it say it wouldn't be?

SENATOR DeCAMP: Because I said not, I don't know.

SENATOR VICKERS: Under the interpretation of Section 3, it seems to me that it would, but you just got through telling me it was Section 3.

SENATOR DeCAMP: I think you should vote against the bill yourself. You intend to anyway.

SENATOR VICKERS: Senator DeCamp, (interruption).

SENATOR DeCAMP: When we've dealt with litter for about five years here, and you know what litter is as well as I.