SENATOR HOAGLAND: Right, right.

SENATOR NICHOL: Senator Fenger, did you wish to speak to
the Hefner amendment?

SENATOR FENGER: If you please. I have a question or two
of Senator Hoagland, please.

SENATOR NICHOL: Senator Hoagland, will you respond, please?

SENATOR FENGER: Senator Hoagland, under your suggestion
would failure to perform an inspection be a violation?

SENATOR HOAGLAND: Senator Fenger, I can't answer that.
In other words, refusal to inspect a car that came in?

SENATOR FENGER: From a customer's standpoint it could be
considered refusal. From an operator's standpoint it
could also be the fact that we have not been supplied
material from the state in order to carry out a function.

SENATOR HOAGLAND: Senator Fenger, I am not familiar enough
with the underlying statute to know whether that is a crim-
inal offense right now. I would assume that it is not. I
would assume that under the current statute a filling
station operator can decline to conduct an inspection if
he chooses. I don't know for sure but I assume that is...

SENATOR FENGER: Now then if an operator and licensed in-
spector undertook to make an inspection, found a defective
vehicle, did not have the supplies to issue a defect slip,
would that be considered a violation under this? Because
you would still have an unhappy customer. You agreed to
do something, a small businessman agrees to do something
and he can't perform and it is not his fault and yet it
is a violation.

SENATOR HOAGLAND: I am not familiar enough with the under-
lying statute, Senator Fenger, to be able to answer that.

SENATOR FENGER: Thank you.

SENATOR NICHOL: Is there anyone else who wishes to speak
to the Hefner amendment? Senator Vickers.

SENATOR VICKERS: Yes, Mr. Chairman, I think again, as I
said earlier, I think this is rather humorous also, this
amendment to the amendment. If we really want to make
this program work, then how are we going to make it work,
a program that I don't think is capable of working? For
twelve years is hasn't worked but in order to make it work