

1 judicial power under section 5.01 and judicial function,
2 I suppose quasi-judicial body, administrative agency;
3 my question is this: Could the legislature set up a body --
4 take probate courts; you mentioned that -- can it set up
5 a body which is called a court ^{upon} and which is conferred
6 commission or probate jurisdiction, has judges called pre-
7 siding officers, judges appointed by the Governor, but has
8 no function other than judicial in any reasonable sense,
9 remove all probate functions from the judicial arm?

10 DELEGATE MUDD: I think the answer to that is
11 no, because presumably it would be a conflict of jurisdic-
12 tion there; if the legislature in the exercise of the
13 power delegated to it here to prescribe jurisdictions of
14 the four tier system prescribes probate jurisdiction in
15 the superior court, that would be the end of it.

16 THE CHAIRMAN: Delegate Dukes.

17 DELEGATE DUKES: What is the effect of the
18 article on the present tax court?

19 DELEGATE MUDD: It is not a court, as I under-
20 stand it.

21 DELEGATE DUKES: What are its functions, other