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3 to see if it could be that the functional Divisions could  
4 be divided as divided now or as will be prescribed  
5 by rule only by the court, but could it be added also by  
6 law?

7 DELEGATE JOHNSON: That is a very good point,  
8 Delegate Raley. Perhaps the Committee of the Whole would  
9 be interested in knowing that an amendment along the  
10 lines you mentioned was short of a majority, but it was  
11 supported as I understand it by the Entire minority  
12 plus. We originally suggested that the section with respect  
13 to functional divisions, take 5.08, we suggested this  
14 section should read, the last sentence, "Functional  
15 divisions of superior court may be established in any  
16 county prescribed by rule or by law."

16 The majority did not accept that we did not file  
17 a minority report on this item because we believe that the  
18 judiciary should have certain procedural type exclusive  
19 rule-making powers.

19 If that is a valid concern of yours and of  
20 the Committee of the Whole, it can easily be corrected.  
21 I am sure it is a valid concern of yours or you would