

1 DELEGATE WILLONER: In the debate on the Scanlan
2 amendment, if you notice, the entire debate went to the
3 question or almost the entire debate went toward the ques-
4 tion of the abuse of this right and that there are times in
5 these civil cases when the people bring the affidavit down
6 on the day of trial and it is of great expense to the
7 litigant and the Court.

8 We have obviated that problem by including in
9 Amendment No. 13 the language that the Court of Appeals
10 by rule shall provide for reasonable regulation of this
11 provision.

12 Mr. Chairman, I would like to have unanimous
13 consent. Judge Henderson raised the valid point this does
14 not reflect the concurrent power theory of the Judiciary
15 article and I would like to have unanimous consent by
16 the General Assembly.

17 THE CHAIRMAN: I don't think you mean that
18 because gramatically it would then say the Court of
19 Appeals by act of the General Assembly.

20 DELEGATE WILLONER: The Court of Appeals by
21 rule or the General Assembly by law.