

1 If we allow the judiciary to have the final say, that is
2 really not much different than saying the Governor shall
3 have the final say in some things, when we're talking
4 about divisions of government. I take it, when you have
5 an extraordinary vote that would be required to overrule
6 the judiciary, wouldn't that be a sufficient safeguard,
7 where we have generally contacts and discussions in the
8 Legislature, from your experience?

9 THE CHAIRMAN: I wouldn't say so, Mr. Sayre,
10 because I think the situation that you have, as a practical
11 matter, is that quite often the Legislature passes a bill
12 which either necessarily or because it is convenient, it
13 includes some procedural aspects. I do not think that
14 power should be taken away.

15 You have the uniform laws, for instance, that
16 it is desirable to permit the Legislature to enact those
17 provisions, but when it comes to a clear conflict between
18 the Courts and the Legislature as to which control in this
19 narrow area, and we're not here talking about substantive
20 rules, we're talking practice and procedure, how long you
21 shall have to file an answer or in what form your answer