

CLERK: 19 ayes, 20 nays to recess, Madam President.

PRESIDENT MOUL: The motion fails. Does anyone else wish to speak to the Wehrbein amendment? Senator Wehrbein.

SENATOR WEHRBEIN: Madam President and members, I will ask to withdraw this at this point but I will probably look at it very carefully for a Select File amendment in terms of how it fits in with the amendment that we had from Will...Senator Will and Avery. I admit, I'm not sure how it fits, whether it needs to be altered to allow for what we do have in the amended bill, and I will look at it at that time on Select File. So, with that, I would like to ask permission to withdraw the bill, please...the amendment.

PRESIDENT MOUL: Thank you, Senator Wehrbein. The amendment is withdrawn. Further amendments, Mr. Clerk?

CLERK: Madam President, Senator Bromm would move to amend. (The Bromm amendment, FA166, appears on page 1934 of the Legislative Journal.)

PRESIDENT MOUL: Senator Bromm.

SENATOR BROMM: Madam President, I played basketball last night and I think I got hit in the head a little too hard and so I apologize for what's happening here today. It's beyond my control. I...seriously, I have proposed an amendment which I appreciate the help of some of the other senators, including Senator Chambers and Hohenstein and several others. It would be nice to get this language in a form that I think we can try to live with and maybe it can be improved by Select File, but at least we'll have it in there for the body to look at. My amendment leaves Senator Crosby's language, on page 3, lines 16 through 20, starting with the "ten-year limitation" and ending with the words "within the human body", it leaves that language in the bill and adds the following language which I passed out to the members of the body. The ten-year limitation provided in this section shall not apply if the harm was caused by prolonged exposure to a defective product, which is the language I had before, or if the injury-causing aspect of the product that existed at the time of delivery was not discoverable by a reasonably prudent person until more than ten years after the time of delivery, or if the harm caused within ten years after the time of delivery did not manifest itself until after that