CALIFORNIA LEGISLATURE 2023–24 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, February 27, 2023

THIRTY-SECOND SESSION DAY

EIGHTY-FIFTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of rollcall votes. All amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. All Senate amendments to Assembly measures considered by the Assembly on this day are on file with the Secretary of the Senate and available on request. A list of all measures amended and on which amendments were offered in the Assembly is shown on the final page of this day's Assembly Journal.

(Please direct any inquiries and report any omissions or errors to Minute Clerk: Phone 916-319-2360)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento Monday, February 27, 2023

The Assembly met at 1 p.m.

Hon. Christopher M. Ward, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Sue Parker at the Desk.

Reading Clerk David A. Bowman reading.

ROLLCALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Ting moved a quorum call of the Assembly. Motion carried. Time, 1 p.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors and to bring in the absent Members.

Quorum Present

At 1:11 p.m., Speaker pro Tempore Ward declared a quorum of the Assembly present.

The rollcall was completed, and the following answered to their names—73:

| Addis Aguiar-Curry | Dixon Essayli | Maienschein Mathis | Sanchez Santiago |
|-----------------------|------------------|-----------------------|---------------------|
| Alanis | Flora | McCarty | Schiavo |
| Alvarez | Fong, M. | McKinnor | Soria |
| Arambula | Fong, V. | Muratsuchi | Та |
| Bains | Friedman | Nguyen | Ting |
| Bauer-Kahan | Gabriel | Ortega | Valencia |
| Bennett | Gallagher | Pacheco | Villapudua |
| Berman | Grayson | Papan | Waldron |
| Boerner Horvath | Haney | Patterson, Jim | Wallis |
| Bonta | Hart | Patterson, Joe | Ward |
| Bryan | Irwin | Pellerin | Weber |
| Calderon | Jackson | Petrie-Norris | Wicks |
| Carrillo, J. | Jones-Sawyer | Quirk-Silva | Wood |
| Cervantes | Kalra | Ramos | Zbur |
| Chen | Lackey | Rivas, L. | Mr. Speaker |
| Connolly | Lee | Rivas, R. | - |
| Dahle | Low | Rodriguez | |
| Davies | Lowenthal | Rubio | |

PRAYER

Upon invitation of Speaker pro Tempore Ward, the following prayer was offered by Assembly Member Reginald B. Jones-Sawyer, Sr., of the 57th Assembly District:

Let us pray.

Lord, We are gathered today in Your honor to serve the people of this great state. As a member of the California Legislative Black Caucus, it is with great pride that I request we take a moment to praise the work of the heroes in our communities, these special individuals who do the important work to support our constituents and implement the work we do on this Floor. I ask that we reflect on the magnitude of the task undertaken by our Unsung Heroes, true champions who are leaders in our state and commit their time to bettering those in need in our respective districts.

We give thanks for our heroes, for without them, we could not have the same impact on our communities. Let us pray that they will never tire and that they continue to possess the energy to do the critical work of improving our state for all. Let us pray that those who are looking to serve do so by looking at the example set by these unsung heroes. These heroes are "unsung" because of their commitment to servant leadership, leading but doing so through a commitment for the well-being of others and in advancement of justice—not self-promotion.

Lord, we take time to acknowledge these leaders in our districts who inspire, challenge, and encourage us how to be the best legislators we can. Without them and their tireless work, we collectively would be unsuccessful. We thank You and we thank our Unsung Heroes. —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Ward, Assembly Member Weber then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Hart, seconded by Assembly Member Gallagher.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Garcia and Wilson.

On personal business, and waiving per diem: Assembly Members Wendy Carrillo, Gipson, Holden, Hoover, and Reyes.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 23, 2023

The Honorable Anthony Rendon Speaker of the Assembly State Capitol, Room 219 Sacramento, California

Dear Mr. Speaker: I respectfully request permission to be excused from Check-in Sessions and Floor Session from Monday, February 27, 2023, through Wednesday, March 1, 2023, in order to attend Salton Sea, Lithium, and US-Mexican Border meetings.

Thank you for your assistance and consideration. Please contact Diego Amaro in my office should any questions arise.

Sincerely,

EDUARDO GARCIA, Assembly Member Thirty-sixth District

February 16, 2023

The Honorable Anthony Rendon Speaker of the Assembly State Capitol, Room 219 Sacramento, California

Dear Mr. Speaker: I respectfully request permission to be excused from Session on February 27th. I have been invited to join the celebration of Black History Month to be held at the White House on February 27, 2023.

Thank you for your assistance. Please contact Tish Simpson in my office should any questions arise.

Sincerely,

LORI D. WILSON, Assembly Member Eleventh District

COMMUNICATIONS

The following communications were presented by the Chief Clerk and ordered printed in the Journal:

February 22, 2023

Sue Parker

Chief Clerk of the Assembly State Capitol, Room 319 Sacramento, California

RE: Appointment of Jose Eduardo Chavez to

the San Joaquin River Conservancy Governing Board

Dear Ms. Parker: Please be advised that I have appointed Mr. Jose Eduardo Chavez to the San Joaquin River Conservancy Governing Board for a pleasure appointment effective February 17, 2023.

If you have any questions, please feel free to contact my office. Sincerely,

> ANTHONY RENDON Speaker of the Assembly

February 24, 2023

469

Sue Parker

Chief Clerk of the Assembly State Capitol, Room 319 Sacramento, California

RE: Appointment of Manuela Paloma Aguirre to the California Coastal Commission

Dear Ms. Parker: Please be advised that I have appointed Ms. Manuela Paloma Aguirre to the California Coastal Commission. The effective date of this term appointment is February 22, 2023, and the expiration date is May 20, 2025. Ms. Aguirre will replace Mr. Stephen Padilla.

If you have any questions, please feel free to contact my office. Sincerely,

> ANTHONY RENDON Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 27, 2023

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 61 Assembly Bill No. 485

Assembly Bill No. 01 Assembly Bill No. 93 Assembly Bill No. 248 Assembly Bill No. 257 Assembly Bill No. 313

Assembly Bill No. 515

And reports the same correctly engrossed.

Above bills re-referred to committee.

Assembly Chamber, February 27, 2023

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Concurrent Resolution No. 15

And reports the same correctly engrossed.

Above resolution ordered on file.

RE-REFERENCE OF BILLS PURSUANT TO ASSEMBLY RULE 96(a)

Pursuant to Assembly Rule 96(a), Assembly Member Hart was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 554 from the Committee on Banking and Finance to the Committee on Judiciary, and to be returned to the Committee on Banking and Finance;

Assembly Bill No. 716 from the Committee on Health to the Committee on Emergency Management, and to be returned to the Committee on Health.

SUE PARKER, Chief Clerk

SUE PARKER, Chief Clerk

Assembly Bill No. 597 Assembly Bill No. 655 Assembly Bill No. 682 Assembly Bill No. 832

ASSEMBLY RULE 118(a) SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Weber was granted unanimous consent that Assembly Rule 118(a) be suspended granting the privileges of the Floor and permitting a guest to sit at her desk, whereupon Speaker pro Tempore Ward introduced The Honorable Shirley Nash Weber, Ph.D., Secretary of State.

INTRODUCTION OF GUESTS

Speaker pro Tempore Ward, of the 78th Assembly District, introduced the Honorable Eleni Kounalakis, Lieutenant Governor.

RECESS

By unanimous consent, at 1:18 p.m., Speaker pro Tempore Ward declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Papan introduced His Eminence Archbishop Elpidophoros, Greek Orthodox Archdiocese of America; His Eminence Metropolitan Gerasimos of San Francisco, Greek Orthodox Metropolis of San Francisco; Rev. Father Panagiotis Papazafiropoulos, Greek Orthodox Archdiocese of America, Office of the Archbishop; Rev. Archdeacon Dionysios Papiris, Archdeacon to Archbishop Elpidophoros of America; and Rev. Father James Retelas, Parish Priest, Annunciation Greek Orthodox Church, Sacramento.

RECONVENED

At 1:22 p.m., the Assembly reconvened.

Speaker pro Tempore of the Assembly, Christopher M. Ward, 78th District, presiding.

ASSEMBLY RULE 118(a) SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Soria was granted unanimous consent that Assembly Rule 118(a) be suspended granting the privileges of the Floor and permitting a guest to sit at her desk, whereupon she introduced her husband, Terrance Frazier, and welcomed members of his family seated in the Gallery.

SPECIAL RECOGNITION

The Members of the Assembly joined Speaker pro Tempore Ward in extending best wishes to Assembly Member Davies upon the occasion of her birthday.

SPECIAL RECOGNITION

The Members of the Assembly joined Speaker pro Tempore Ward in extending best wishes to Assembly Member Mike Fong upon the occasion of his upcoming birthday on February 29, 2024.

RECESS

By unanimous consent, at 1:26 p.m., Speaker pro Tempore Ward declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Alvarez, and on behalf of Assembly Member Garcia, introduced guests from the Rincon Band of Luiseño Indians and the Chancellor of the University of California, Berkeley upon the occasion of the return of the culturally significant Dragonfly Basket artifact to the Rincon Tribe.

RECONVENED

At 1:28 p.m., the Assembly reconvened.

Speaker pro Tempore of the Assembly, Christopher M. Ward, 78th District, presiding.

At 1:30 p.m., Acting Speaker of the Assembly, Isaac G. Bryan, 55th District, presiding

CONSIDERATION OF DAILY FILE THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 15 (Wilson)-Relative to Black History Month.

Resolution presented by Assembly Member Weber.

Resolution read.

Members Made Coauthors of Assembly Concurrent Resolution No. 15

Upon request of Assembly Member Weber, the following Members were permitted to be listed as additional coauthors of Assembly Concurrent Resolution No. 15.

Additional Coauthors

The following Assembly Members requested to be listed as additional coauthors:

Addis. Aguiar-Curry, Alanis, Alvarez. Arambula. Bains. Bauer-Kahan. Bennett, Berman, Boerner Horvath, Calderon, Juan Carrillo, Cervantes, Chen, Connolly, Megan Dahle, Davies, Dixon, Essayli, Flora, Mike Fong, Vince Fong, Friedman, Gabriel, Gallagher, Grayson, Haney, Hart, Irwin, Lackey, Lee, Low, Lowenthal, Maienschein, Mathis, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Jim Patterson, Joe Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Rendon, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Sanchez, Santiago, Schiavo, Soria, Ta, Ting, Valencia, Villapudua, Waldron, Wallis, Ward, Wicks, Wood, and Zbur.

Request for Unanimous Consent

Assembly Member Weber was granted unanimous consent to take up Assembly Concurrent Resolution No. 15, as revised, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 15, as Revised

ASSEMBLY CONCURRENT RESOLUTION NO. 15-Relative to Black History Month.

Resolution read, as revised, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

ASSEMBLY RULE 118(a) SUSPENDED—PRIVILEGES OF THE FLOOR

Acting Speaker Bryan was granted unanimous consent that Assembly Rule 118(a) be suspended granting the privileges of the Floor and permitting guests in the Chamber and on the Floor for the ceremony today in observance of Black History Month and the presentation of the Unsung Hero Awards.

BLACK HISTORY MONTH CEREMONY OPENING REMARKS

Acting Speaker Bryan, member of the California Legislative Black Caucus (CLBC), presented opening remarks to the assemblage relative to Black History Month and the California Legislative Black Caucus Unsung Hero Awards.

APPOINTMENT OF SELECT COMMITTEE ON ESCORT

Acting Speaker Bryan appointed Assembly Members Bonta, Jackson, Jones-Sawyer, McCarty, McKinnor, and Weber as a Select Committee on Escort to escort the honorees to the Rostrum.

RESOLUTIONS PRESENTED TO THE 2023 CALIFORNIA LEGISLATIVE BLACK CAUCUS HONOREES

The following California Legislative Black Caucus 2023 Unsung Heroes honorees were introduced and escorted to the front of the Assembly Chamber, whereupon they were greeted by Speaker Rendon and Republican Leader Gallagher; and each was presented with a Members' Resolution:

> Ken Oliver. escorted by Assembly Member Bonta; William Todd Ervin, Sr., represented by Assembly Member Gipson, escorted by Assembly Member Jones-Sawyer; Alyce Pipkin-Allen, escorted by Assembly Member Weber; Alicia Berridge, escorted by Assembly Member Jackson; Anthony "Shep" Crawford, escorted by Assembly Member Jones-Sawyer; Robin Moore, escorted by Assembly Member McCarty; Vincent Lee Samuel, escorted by Assembly Member McKinnor; Ron Husband, escorted by Assembly Member Jackson; Belinda Bush, represented by Assembly Member Wilson, escorted by Assembly Member Jones-Sawyer; and Tina Sampay, escorted by Assembly Member Bryan.

SPECIAL RECOGNITION

Acting Speaker Bryan was joined by the Members of the Assembly in acknowledging the following California Legislative Black Caucus 2023 Unsung Heroes honorees present in the rear of the Assembly Chamber, who were introduced in the Senate earlier this day:

> Beverly White, represented by Senator Bradford; and Michele Reed, represented by Senator Smallwood-Cuevas.

ANNOUNCEMENTS

Acting Speaker Bryan announced that the book Black Food: Stories, Art, and Recipes from Across the African Diaspora by Bryant Terry is on each Member's Desk and Bryant Terry is present in the rear of the Chamber.

APPRECIATION EXPRESSED

Acting Speaker Bryan, on behalf of the California Legislative Black Caucus Chair Wilson, thanked the Members of the Assembly and special guests for their participation in today's ceremony commemorating the contributions of Black Americans to our state and nation.

PRAYER

Upon invitation of Acting Speaker Bryan, the following benediction was offered by His Eminence, Archbishop Elpidophoros, the Archbishop of the Greek Orthodox Archdiocese of America:

O God of our Fathers, We give thanks to You, for all the blessings in our lives. Finding ourselves in the midst of Black History Month, we pray for all those who, throughout the years, have suffered the effects of injustice and inequality. Grant wisdom and strength to all those who labor for freedom and justice for people of all races, creeds, and beliefs.

As we gather in gratitude for the gift of freedom, exemplified within the walls of this temple of democracy, enlighten our minds so that we may continue to recognize and act upon our responsibility and duty to secure the blessings of life, liberty, and the pursuit of happiness for all peoples, always working to create a more perfect union for all.

And we ask You, O Lord, to stretch out Your mighty hand and bless all those present here who represent the noble people of California. Guide and inspire them to always serve with honor and dignity. —"Grant that they may govern in peace, so that in their tranquility, we all may live calm and serene lives."

Through Your Grace, and love for humankind.—AMEN.

At 2:10 p.m., Speaker pro Tempore of the Assembly, Christopher M. Ward, 78th District, presiding

RECESS

By unanimous consent, at 2:10 p.m., Speaker pro Tempore Ward declared the Assembly recessed to convene the First Extraordinary Session.

RECONVENED

At 2:16 p.m., the Assembly reconvened.

Speaker pro Tempore of the Assembly, Christopher M. Ward, 78th District, presiding.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:17 p.m., without objection, Speaker pro Tempore Ward declared the quorum call of the Assembly dispensed with.

ADJOURN IN MEMORY

Assembly Member Gallagher was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gary Tindel of Yuba City.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Ta was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ron Roberts, Orange County Fire Authority Division Chief, resident of Westminster.

(Assembly Rule 45.5 suspended.)

DEADLINE ANNOUNCEMENTS

Speaker pro Tempore Ward announced, that Wednesday, March 1, 2023, is the deadline for Members to file their Statement of Economic Interests—Form 700 with the Fair Political Practices Commission. The completed Form 700 must be filed with the Office of the Chief Clerk by 5 p.m.

COMMITTEE MEETING ANNOUNCEMENTS

Speaker pro Tempore Ward announced that the Budget Subcommittee No. 5 on Public Safety would meet today, at 3 p.m.

Speaker pro Tempore Ward announced that the Committee on Transportation would convene with the Senate Committee on Transportation today, at 3 p.m.

ANNOUNCEMENTS

Speaker pro Tempore Ward announced the following session schedule:

Tuesday, February 28, 2023, Check-in Session, 7 a.m.–3 p.m.; Wednesday, March 1, 2023, Check-in Session, 7 a.m.–3 p.m.; Thursday, March 2, 2023, Floor Session, 9 a.m.

MOTION TO ADJOURN

At 2:26 p.m., Assembly Member Lowenthal moved that the Assembly do now adjourn.

Assembly Member Gallagher seconded the motion.

Motion carried.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following resolution was introduced and read the first time:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9—McCarty. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending, repealing, and adding Section 6 of Article II thereof, by amending, repealing, and adding Section 5 of Article V thereof, and by amending, repealing, and adding Section 2 of Article IX thereof, relating to education.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 24—Ortega (Coauthors: Addis, Davies, McKinnor, Stephanie Nguyen, Pellerin, Luz Rivas, Waldron, and Wilson) (Coauthors: Senators Caballero, Hurtado, Nguyen, and Rubio). Relative to Women in Construction Week.

HOUSE RESOLUTION NO. 17—Aguiar-Curry (Coauthors: Bauer-Kahan, Friedman, McKinnor, Stephanie Nguyen, Blanca Rubio, Waldron, Weber, Wicks, and Wilson). Relative to Women's History Month.

AUTHOR'S AMENDMENTS Committee on Education

February 27, 2023

Mr. Speaker: The Chair of your Committee on Education reports: Assembly Bill No. 19

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MURATSUCHI, Chair

ASSEMBLY BILL NO. 19—An act to amend Section 49414.3 of the Education Code, relating to pupil health.

Bill read second time.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

Committee on Water, Parks, and Wildlife

February 27, 2023

Mr. Speaker: The Chair of your Committee on Water, Parks, and Wildlife reports: Assembly Bill No. 62

With author's amendments with the recommendation: Amend, and re-refer to the committee.

BAUER-KAHAN, Chair

ASSEMBLY BILL NO. 62—An act to add and repeal Part 2.57 (commencing with Section 10609.90) of Division 6 of the Water Code, relating to water.

Bill read second time.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

Committee on Judiciary

February 27, 2023

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 243

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MAIENSCHEIN, Chair

ASSEMBLY BILL NO. 243—An act to amend Sections 6205, 6205.5, 6206, 6208.5, 6209.5, and 6209.7 of, and to amend the heading of Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of, the Government Code, relating to address confidentiality.

Bill read second time.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

February 27, 2023

Mr. Speaker: The Chair of your Committee on Judiciary reports: Assembly Bill No. 500

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MAIENSCHEIN, Chair

ASSEMBLY BILL NO. 500—An act to amend Section 827 of the Civil Code, relating to rent increases.

Bill read second time.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

Committee on Local Government

February 27, 2023

Mr. Speaker: The Chair of your Committee on Local Government reports: Assembly Bill No. 457

With author's amendments with the recommendation: Amend, and re-refer to the committee.

AGUIAR-CURRY, Chair

ASSEMBLY BILL NO. 457—An act to amend Section 65583 of the Government Code, relating to housing.

Bill read second time.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

MESSAGES FROM THE SENATE

Senate Chamber, February 27, 2023

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 41

ERIKA CONTRERAS, Secretary of the Senate By Bernadette McNulty, Assistant Secretary

Senate Chamber, February 27, 2023

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 22

Senate Concurrent Resolution No. 30

ERIKA CONTRERAS, Secretary of the Senate By Bernadette McNulty, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 41—An act to add Section 512.2 to the Labor Code, relating to employment, and declaring the urgency thereof, to take effect immediately.

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 22—Relative to the Republic of Latvia.

SENATE CONCURRENT RESOLUTION NO. 30—Relative to Black History Month.

INTRODUCTION OF GUESTS

Assembly Member Bennett, of the 38th Assembly District, introduced students, teachers, and tutors from Oxnard High School, accompanied by teacher Kathleen Curran.

Assembly Member Gallagher, of the 3rd Assembly District, introduced students and teachers from Yuba County Career Preparatory Charter School.

477

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Lowenthal, the Assembly adjourned until 7 a.m., Tuesday, February 28, 2023, out of respect to the memory of Gary Tindel on motion of Assembly Member Gallagher and out of respect to the memory of Ron Roberts, Orange County Fire Authority Division Chief on motion of Assembly Member Ta.

ANTHONY RENDON, Speaker

AMY LEACH, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY FROM FEBRUARY 24, 2023 TO FEBRUARY 27, 2023

The following measures were amended in the Assembly on this day:

AB RN 19 2310047 62 2310866 243 2310924 457 2310041 500 2310316

Daily Total: 5

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