CALIFORNIA LEGISLATURE 2007–08 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 5, 2007 THIRTY-FOURTH SESSION DAY NINETY-SECOND CALENDAR DAY AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento Monday, March 5, 2007

The Assembly met at 10:37 a.m.

Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk. Assistant Clerk Elizabeth Potter reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

At 10:39 a.m., Speaker pro Tempore Lieber placed a quorum call upon the Assembly.

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

Quorum Present

At 10:54 a.m., Speaker pro Tempore Lieber declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—79:

Adams	DeSaulnier	Jeffries	Price
Aghazarian	DeVore	Jones	Richardson
Alarcón	Duvall	Karnette	Runner
Anderson	Dymally	Keene	Ruskin
Arambula	Emmerson	Krekorian	Salas
Bass	Eng	La Malfa	Saldaña
Beall	Evans	Laird	Silva
Benoit	Feuer	Levine	Smyth
Berg	Fuller	Lieber	Solorio
Berryhill	Gaines	Lieu	Soto
Blakeslee	Galgiani	Ma	Spitzer
Brownley	Garcia	Maze	Strickland
Caballero	Garrick	Mendoza	Swanson
Calderon	Hancock	Mullin	Torrico
Carter	Hayashi	Nakanishi	Tran
Cook	Hernandez	Nava	Villines
Coto	Horton	Niello	Walters
Davis	Houston	Parra	Wolk
De La Torre	Huff	Plescia	Mr. Speaker
De León	Huffman	Portantino	•

PRAYER

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Guest Chaplain Reverend Sheila Gautreaux-Lee, Christ Unity Church of Sacramento:

Dear God, Divine Spirit,

As we bow our heads, we open our hearts to feel and experience the love that You pour continually in, through, and around us.

As we observe Women's History Month, may we be ever grateful for and reminded of the shoulders of the women ancestors upon whom we stand.

As we observe Your greatness in the midst of this magnificent Assembly, we call for blessings upon these legislators:

Asking that they be guided in each aspect of service to their constituents;

To stand in truth, honor, and integrity;

To stand humbly knowing that it is not they who do the work, but it is You Who does the work through them;

May they be inspired by Your love as they serve humanity;

May they be illumined by Your light to always seek truth;

May they be guided by Your wisdom to work with authenticity and integrity;

May they always be open and receptive to Your inspiration, guidance, love, wisdom, and truth; and

May they know in each and every moment what You would have them do, where You would have them go, and what You would have them say and to whom.

We thank You for the gifts and the givers.

We thank You in advance, for we know that even before we ask, You have heard us.

We acknowledge You in all that we do.

For this and so much more, we are eternally grateful.

Together in one voice and one heart, we say—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Lieber, Assembly Member Karnette 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 Bass, seconded by Assembly Member Blakeslee.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

On personal business, and waiving per diem: Assembly Member Leno.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

to committee.	
Assembly	
Bill No.	Committee
517	E. & R.
603	
643	
650	Rev. & Tax.
651	Ins.
652	L. & E.
661	Health
666	Ed.
667	Pub. S.
668	Higher Ed.
672	Hum. S.
674	
675	Ed.
676	Pub. S.
680	Rev. & Tax.
683	Ed.
686	
688	
	P.E.,R. & S.S. and V.A.
701	
709	
710	
711	
716	
718	Pub. S.
Assembly Concurrent	
Resolution No.	Committee
30	Trans.
31	Trans.
33	Rls.
34	Rls.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Aging and Long-Term Care and Health, to hold a joint informational hearing, on Tuesday, March 13, 2007;

Judiciary, on Tuesday, March 27, 2007, at 8 a.m., in Room 4202;

Arts, Entertainment, Sports, Tourism, and Internet Media, to hold an informational hearing, on Tuesday, March 27, 2007;

Labor and Employment, to hold an informational hearing, on Wednesday, March 28, 2007, in Room 447;

Banking and Finance, to hold an informational hearing, on Monday, April 9, 2007, at 2 p.m.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Berg was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests to sit at Members' desks in the Assembly Chamber.

REQUEST FOR PHOTOGRAPHER

Assembly Member Berg was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

RECESS FOR SPECIAL CEREMONY HONORING "WOMEN OF THE YEAR"

By unanimous consent, at 11 a.m., Speaker pro Tempore Sally Lieber declared the Assembly recessed to permit the introduction of honorees in a special ceremony honoring "Women of the Year".

RESOLUTIONS PRESENTED TO "WOMEN OF THE YEAR" HONOREES

The following women were introduced and each was escorted to the front of the Assembly Chamber by her Assembly Member, whereupon each was greeted by Speaker Núñez and presented with a resolution. Honorees were then escorted to the Member's desk on the Assembly Floor and invited to remain seated for the remainder of today's proceedings.

2007 "Women of the Year" Honorees: Nell Hamm, escorted by Assembly Member Berg; Jackie Baker, escorted by Assembly Member La Malfa; Supervisor Robin Cayton Sutherland, escorted by Assembly Member Keene; Sharol Moore, escorted by Assembly Member Gaines; Claudia Cummings, escorted by Assembly Member Niello; escorted by Assembly Member Doughty, Kim Thomas, escorted by Assembly Member Evans; Captain Sue Ward, escorted by Assembly Member Wolk; May Lee, escorted by Assembly Member Jones; Alice Reimche, escorted by Assembly Member Nakanishi; Council Member Nancy Parent, escorted by Assembly Member DeSaulnier; Jane Morrison, escorted by Assembly Member Ma; Gloria Bonilla, escorted by Assembly Member Leno; Thelma Ferguson, escorted by Assembly Member Hancock; Donna Foster, escorted by Assembly Member Houston; Sharon Cornu, escorted by Assembly Member Swanson; Mayor Ellie Wooten, escorted by Assembly Member Galgiani; Jamie Yee Hintzke, escorted by Assembly Member Hayashi; Helen Karr, escorted by Assembly Member Mullin; Guadalupe Nunez, escorted by Assembly Member Torrico; Wiggsy Sivertsen, escorted by Assembly Member Ruskin; Pat Plant, escorted by Assembly Member Lieber; Jenny Do, escorted by Assembly Member Coto; Santa Clara County Sheriff Laurie Smith, escorted by Assembly Member Beall; Sheila Carroll, escorted by Assembly Member Berryhill; Jane Butterfield, escorted by Assembly Member Aghazarian; Judy Darnell, escorted Assembly Member Laird; Joey Lasnik, escorted by Assembly Member Caballero; Kristine Walter, escorted by Assembly Member Villines; Magda Menendez, escorted by Assembly Member Parra; Sheriff Margaret Mims, escorted by Assembly Member Arambula; Jeanette Rogers, escorted by Assembly Member Fuller; Rona Swanson, escorted by Assembly Member Maze; Lupe Anguiano, escorted by Assembly Member Nava; Judy Hutton, escorted by Assembly Member Runner; Sandra Berg, escorted by Assembly Member Strickland;

Leigh Nixon, escorted by Assembly Member Smyth; Sharon Garrett, escorted by Assembly Member Alarcón; Arlene Alpert, escorted by Assembly Member Levine; Linda Gross, escorted by Assembly Member Brownley; Wendy-Sue Rosen, escorted by Assembly Member Feuer; Diana Abasta, escorted by Assembly Member Krekorian; Juanita Young DeVaughn, escorted by Assembly Member Portantino; Sandra Figueroa-Villa, escorted by Assembly Member de León; Meron Ahadu, escorted by Assembly Member Bass; Beverly Blake, escorted by Assembly Member Davis; Josephine Blanco, escorted by Assembly Member Eng; Maria Carrazco, escorted by Assembly Member De La Torre; Charlena Price, escorted by Assembly Member Price; Mother Lee Omia Broadous Clegg, escorted by Assembly Member Dymally; Lucia Diaz, escorted by Assembly Member Lieu; Alexandra Torres-Galancid, escorted by Assembly Member Karnette; Mary Walton, escorted by Assembly Member Richardson; Antonieta Paez, escorted by Assembly Member Mendoza; Aurora "Betty" Valles, escorted by Assembly Member Hernandez; Blanca Espinoza, escorted by Assembly Member Calderon; Regina Weatherspoon-Bell, escorted by Assembly Member Adams; Denise Bittel, escorted by Assembly Member Huff; Paula Lantz, escorted by Assembly Member Soto; Linda Miranda, escorted by Assembly Member Carter; Dr. Carla Renee Lidner Baum, escorted by Assembly Member Emmerson; Chancelloe France Córdova, escorted by Assembly Member Benoit; Charlene Stover, escorted by Assembly Member Cook; Carol Popejoy-Davis, escorted by Assembly Member Jeffries; Nina Hull, escorted by Assembly Member Silva; Christiane Huynh Ngoc, escorted by Assembly Member Tran; Teri Rocco, escorted by Assembly Member Solorio; Pam Gooderham, escorted by Assembly Member DeVore; Janine Ingram, escorted by Assembly Member Spitzer; Terry Brick, escorted by Assembly Member Duvall; Susie Caskey, escorted by Assembly Member Metzler, escorted by Assembly Member Barbara Garrick; Ursula Kuster, escorted by Assembly Member Plescia; Brigadier General Angela Salinas, escorted by Assembly Member Saldaña; Judy McCarty, escorted by Assembly Member Horton; Marie Foley, escorted by Assembly Member Salas; Cynthia Flores, escorted by Assembly Member Garcia; and Patricia Chebac-Reza, escorted by Assembly Member Núñez.

Sjany de Groot, District 33, and Bonnie LaChappa, District 77, were unable to attend today's ceremony.

APPOINTMENT OF ESCORT

Speaker pro Tempore Lieber appointed Assembly Member Ma to escort Janice Mirakitani to the Rostrum.

PRESENTATION OF THE CHAIR OF THE LEGISLATIVE WOMEN'S CAUCUS

Speaker pro Tempore Lieber then presented Assembly Member Patty Berg, Chair of the Legislative Women's Caucus.

GUEST SPEAKER PRESENTED

Assembly Member Berg presented Janice Mirakitani whereupon she delivered a special address to the Members of the Assembly and "Women of the Year" honorees.

At 12:24 p.m., Speaker pro Tempore Sally Lieber, 22nd District, presiding REASSEMBLED

At 12:25 p.m., the Assembly reconvened.

Hon. Sally Lieber, Speaker pro Tempore, 22nd District, presiding.

RECESS

By unanimous consent, at 12:27 p.m., Speaker pro Tempore Lieber declared the Assembly recessed to permit the introduction of a special guest.

Speaker Núñez introduced and presented a resolution to Helen Jenkins in recognition of her years of service to the Legislature and on the occasion of her 80th birthday.

RECONVENED

At 12:29 p.m., the Assembly reconvened.

Hon. Sally Lieber, Speaker pro Tempore of the Assembly, presiding.

ANNOUNCEMENTS

Speaker pro Tempore Lieber announced the following session schedule:

Tuesday, March 6, 2007, Floor Session, 4 p.m.;

Wednesday, March 7, 2007, Check-in Session, 7 a.m.-3 p.m.;

Thursday, March 8, 2007, Floor Session, 9:30 a.m.

ADJOURN IN MEMORY

Assembly Member Hancock was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jeannie Guzman, of Richmond.

Assembly Members Laird and Caballero were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ray Belgard, of Watsonville.

Assembly Member Lieu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Byron Kazvo Yoshida, Dr. Tadami Yamanaka, and Tom Tsutomu Akiyama, of Torrance.

Assembly Member Price was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Donita "Shantay" Gibson, of Inglewood.

MOTION TO ADJOURN

At 12:30 p.m., Assembly Member Bass moved that the Assembly do now adjourn.

Assembly Member Blakeslee seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:30 p.m., Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1717—Committee on Agriculture (Parra (Chair), La Malfa (Vice Chair), Berryhill, Dymally, Fuller, Galgiani, Jones and Mendoza). An act to amend Section 13000 of the Food and Agricultural Code, relating to pesticides.

ASSEMBLY BILL NO. 1718—Committee on Agriculture (Parra (Chair), La Malfa (Vice Chair), Berryhill, Dymally, Fuller, Galgiani, Jones and Mendoza). An act to amend Sections 16522.5, 77051, 77922, and 77961 of, to add Section 68082 to, and to add Article 9 (commencing with Section 68141) to Chapter 6 of Part 2 of Division 22 of the Food and Agricultural Code, relating to agriculture.

ASSEMBLY BILL NO. 1719—Committee on Jobs, Economic Development, and the Economy (Arambula (Chair), Silva (Vice Chair), Caballero, Garcia, Price, and Salas). An act to add a chapter heading immediately preceding Section 99500 of Title 20, and to repeal and add Chapter 8 of Division 1 of Title 2 (commencing with Section 8700) of the Government Code, relating to the Office of California–Mexic o Affairs.

ASSEMBLY BILL NO. 1720—Committee on Jobs, Economic Development, and the Economy (Arambula (Chair), Silva (Vice Chair), Caballero, Garcia, Price, and Salas). An act to amend Section 7085.1 of the Government Code, relating to enterprise zones.

ASSEMBLY BILL NO. 1721—Committee on Jobs, Economic Development, and the Economy (Arambula (Chair), Silva (Vice Chair), Caballero, Garcia, Price, and Salas). An act to add Section 13997.2 to the Government Code, relating to economic development.

ASSEMBLY BILL NO. 1722—Committee on Jobs, Economic Development, and the Economy (Arambula (Chair), Caballero, Garcia, Price, and Salas). An act to amend Sections 13996.45, 13996.5, and 13996.55 of the Government Code, relating to international trade and investment.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 19—Ma (Coauthors: Bass, Berg, De La Torre, De Leon, Dymally, Gaines, Hancock, Hayashi, Jones, Lieber, Nakanishi, Salas, and Strickland) (Coauthor: Senator Aanestad). Relative to the Healthy Families Program.

AUTHOR'S AMENDMENTS Committee on Human Services

March 5, 2007

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Joint Resolution No. 4

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

BEALL, Chair

ASSEMBLY JOINT RESOLUTION NO. 4—Relative to child support collection fees.

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

AUTHOR'S AMENDMENTS Committee on Public Safety

March 5, 2007

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 225 Assembly Bill No. 247

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

SOLORIO, Chair

ASSEMBLY BILL NO. 225—An act to amend Section 653m of the Penal Code, relating to crime.

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.

ASSEMBLY BILL NO. 247—An act to amend Section 707 of the Welfare and Institutions Code, relating to minors.

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.

AUTHOR'S AMENDMENTS Committee on Transportation

March 5, 2007

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

Assembly Bill No. 60

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

NAVA, Chair

ASSEMBLY BILL NO. 60—An act to amend Sections 21460.5 and 21750 of, and to add Section 21750.1 to, the Vehicle Code, relating to vehicles.

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.

AUTHOR'S AMENDMENTS Committee on Health

March 5, 2007

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

Assembly Bill No. 16

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

DYMALLY, Chair

ASSEMBLY BILL NO. 16—An act to amend Section 120335 of the Health and Safety Code, relating to pupil immunizations.

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.

AUTHOR'S AMENDMENTSCommittee on Higher Education

March 5, 2007

Mr. Speaker: The Chair of your Committee on Higher Education reports:

Assembly Bill No. 111

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

PORTANTINO, Chair

ASSEMBLY BILL NO. 111—An act to amend Section 69751.5 of the Education Code, relating to student financial aid, and declaring the urgency thereof, to take effect immediately.

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.

AUTHOR'S AMENDMENTS Committee on Transportation

March 5, 2007

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

Assembly Concurrent Resolution No. 20

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

NAVA, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 20—Relative to the Deputy Greg A. Gariepy Memorial Highway.

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

AUTHOR'S AMENDMENTS Committee on Transportation

March 5, 2007

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

Assembly Concurrent Resolution No. 10

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

NAVA, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 10—Relative to CDF Firefighter Chris Kanton Memorial Highway.

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

AUTHOR'S AMENDMENTS

Committee on Public Employees, Retirement and Social Security

March 5, 2007

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 221

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

HERNANDEZ, Chair

ASSEMBLY BILL NO. 221—An act to amend Section 16642 of, and to add and repeal Section 7513.7 of, the Government Code, relating to investments.

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.

AUTHOR'S AMENDMENTS Committee on Water, Parks and Wildlife

March 5, 2007

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports: Assembly Bill No. 123

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

WOLK, Chair

ASSEMBLY BILL NO. 123—An act relating to park lands.

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.

AUTHOR'S AMENDMENTS Committee on Local Government

March 5, 2007

Mr. Speaker: The Chair of your Committee on Local Government reports: Assembly Bill No. 29

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

CABALLERO, Chair

ASSEMBLY BILL NO. 29—An act to add Chapter 11 (commencing with Section 66150) to Division 1 of Title 7 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.

AUTHOR'S AMENDMENTS Committee on Revenue and Taxation

March 5, 2007

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports: Assembly Bill No. 21

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

CALDERON, Chair

ASSEMBLY BILL NO. 21—An act to add Section 17052.1 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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.

AUTHOR'S AMENDMENTS Committee on Judiciary

March 5, 2007

Mr. Speaker: The Chair of your Committee on Judiciary reports: Assembly Bill No. 164

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

JONES, Chair

ASSEMBLY BILL NO. 164—An act to amend Section 3025 of the Family Code, relating to child custody.

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.

REPORTS OF STANDING COMMITTEES Committee on Rules

Date of Hearing: March 5, 2007

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 8

With the recommendation: Be adopted.

DE LA TORRE, Chair

Above resolution ordered to third reading.

MESSAGES FROM THE SENATE

Senate Chamber, March 5, 2007

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

Assembly Concurrent Resolution No. 19

GREGORY P. SCHMIDT, Secretary of the Senate By David Valverde, Assistant Secretary

Above resolution ordered enrolled.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Bass, the Assembly adjourned until 4 p.m., Tuesday, March 6, 2007, out of respect to the memory of Jeannie Guzman, on motion of Assembly Member Hancock; out of respect to the memory of Ray Belgard, on motion of Assembly Members Laird and Caballero; out of respect to the memory of Byron Kazvo Yoshida, Dr. Tadami Yamanaka, and Tom Tsutomu Akiyama, on motion of Assembly Member Lieu; out of respect to the memory of Donita "Shantay" Gibson, on motion of Assembly Member Price.

FABIAN NUÑEZ, Speaker

SUE PARKER. Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 5, 2007

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

- 16 0710021
- 21 0710027
- 29 0709962
- 60 0709542
- 111 0710086
- 123 0709698
- 164 0709919
- 221 0709190
- 225 0710032
- 247 0709922
- ACR RN
 - 10 0710041
 - 20 0710054

AJR RN

4 0709963

Daily Total: 13

Cumulative Total: 44