## CALIFORNIA LEGISLATURE 2013–14 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

## Wednesday, March 20, 2013

# FORTY-FOURTH SESSION DAY

## ONE HUNDRED EIGHTH 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. 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.

## PROCEEDINGS OF THE ASSEMBLY

#### IN ASSEMBLY

Assembly Chamber, Sacramento Wednesday, March 20, 2013

The Assembly met at 7 a.m.

Hon. Rocky J. Chávez, Assembly Member, 76th District, presiding. Chief Clerk E. Dotson Wilson at the Desk. Reading Clerk Timothy Morland reading.

#### ROLL CALL

The following were placed upon the morning roll call—78:

Achadjian	Cooley	Hernández	Perea
Alejo	Dahle	Holden	Pérez, V. Manuel
Allen	Daly	Hueso	Quirk
Ammiano	Dickinson	Jones	Quirk-Silva
Atkins	Donnelly	Jones-Sawyer	Rendon
Bigelow	Eggman	Levine	Salas
Bloom	Fong	Linder	Skinner
Blumenfield	Fox	Logue	Stone
Bocanegra	Frazier	Maienschein	Ting
Bonilla	Gaines	Mansoor	Torres
Bonta	Garcia	Medina	Wagner
Bradford	Gatto	Melendez	Waldron
Brown	Gomez	Mitchell	Weber
Buchanan	Gordon	Morrell	Wieckowski
Calderon	Gorell	Mullin	Wilk
Campos	Gray	Muratsuchi	Williams
Chau	Grove	Nazarian	Yamada
Chávez	Hagman	Nestande	Mr. Speaker
Chesbro	Hall	Pan	-
Conway	Harkey	Patterson	

Quorum present.

#### At 12:05 p.m., Speaker pro Tempore of the Assembly, Nora Campos, 27th District, presiding

#### **REGULAR BUSINESS DISPENSED WITH**

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### LEAVES OF ABSENCE FOR THE DAY

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

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

Because of illness: Assembly Member Lowenthal.

#### SPECIAL COMMITTEE MEETINGS

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

Judiciary, on Tuesday, April 2, 2013, at 8 a.m., in Room 4202; Natural Resources, on Monday, April 8, 2013, at 1:30 p.m.

#### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 20, 2013

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Concurrent Resolution No. 26 Assembly Concurrent Resolution No. 27 And reports the same correctly engrossed.

E. DOTSON WILSON. Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, March 20, 2013

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 1

And reports the same correctly engrossed.

Above resolution ordered to the Consent Calendar. Assembly Chamber, March 20, 2013

E. DOTSON WILSON, Chief Clerk

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 9 Assembly Bill No. 18 Assembly Bill No. 26 Assembly Bill No. 29 Assembly Bill No. 38 Assembly Bill No. 43 Assembly Bill No. 44 Assembly Bill No. 52

And reports the same correctly engrossed.

Above bills re-referred to committee.

Assembly Chamber, March 20, 2013

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 174 Assembly Bill No. 175 Assembly Bill No. 180 Assembly Bill No. 187 Assembly Bill No. 196 Assembly Bill No. 200 Assembly Bill No. 209 Assembly Bill No. 220

And reports the same correctly engrossed.

Above bills re-referred to committee.

E. DOTSON WILSON, Chief Clerk

Assembly Bill No. 154 E. DOTSON WILSON. Chief Clerk

Assembly Bill No. 72 Assembly Bill No. 122 Assembly Bill No. 129 Assembly Bill No. 136 Assembly Bill No. 142 Assembly Bill No. 146 Assembly Bill No. 149

Assembly Bill No. 232 Assembly Bill No. 241

Assembly Bill No. 248 Assembly Bill No. 249 Assembly Bill No. 255 Assembly Bill No. 259 Assembly Bill No. 273 Assembly Bill No. 274

Assembly Chamber, March 20, 2013

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 275	Assembly Bill No. 309
Assembly Bill No. 277	Assembly Bill No. 318
Assembly Bill No. 286	Assembly Bill No. 337
Assembly Bill No. 293	Assembly Bill No. 341
Assembly Bill No. 295	Assembly Bill No. 355
Assembly Bill No. 297	Assembly Bill No. 358
Assembly Bill No. 298	Assembly Bill No. 367
Assembly Bill No. 308	Assembly Bill No. 368
nd reports the same correctly engrossed	

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 20, 2013

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 370	As	ssembly Bill No. 421
Assembly Bill No. 371	As	ssembly Bill No. 426
Assembly Bill No. 373	As	ssembly Bill No. 445
Assembly Bill No. 375	As	ssembly Bill No. 448
Assembly Bill No. 388	As	ssembly Bill No. 449
Assembly Bill No. 403	As	ssembly Bill No. 467
Assembly Bill No. 412	As	ssembly Bill No. 470
Assembly Bill No. 413	As	ssembly Bill No. 473
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And reports the same correctly engrossed.

Above bills re-referred to committee.

Assembly Chamber, March 20, 2013

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 498	Assembly Bill No
Assembly Bill No. 514	Assembly Bill No
Assembly Bill No. 516	Assembly Bill No
Assembly Bill No. 519	Assembly Bill No
Assembly Bill No. 527	Assembly Bill No
Assembly Bill No. 528	Assembly Bill No
Assembly Bill No. 529	Assembly Bill No
Assembly Bill No. 537	Assembly Bill No
And reports the same correctly engrossed.	
1 5 6	E DOMONIUM

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 20, 2013

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 612 Assembly Bill No. 616 Assembly Bill No. 617 Assembly Bill No. 621 Assembly Bill No. 633 Assembly Bill No. 640 Assembly Bill No. 641 Assembly Bill No. 643

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

E. DOTSON WILSON, Chief Clerk

o. 546 o. 551 o. 555 o. 580 o. 597 o. 600 o. 601 o. 610

Assembly Bill No. 647

Assembly Bill No. 649

Assembly Bill No. 654

Assembly Bill No. 656

Assembly Bill No. 659

Assembly Bill No. 666 Assembly Bill No. 667

Assembly Bill No. 671

Assembly Chamber, March 20, 2013

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 674	Assembly Bill No. 711
Assembly Bill No. 675	Assembly Bill No. 725
Assembly Bill No. 680	Assembly Bill No. 728
Assembly Bill No. 686	Assembly Bill No. 735
Assembly Bill No. 692	Assembly Bill No. 737
Assembly Bill No. 699	Assembly Bill No. 756
Assembly Bill No. 702	Assembly Bill No. 759
Assembly Bill No. 705	Assembly Bill No. 760
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And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 20, 2013

Assembly Bill No. 779

Assembly Bill No. 784

Assembly Bill No. 787

Assembly Bill No. 791

Assembly Bill No. 795 Assembly Bill No. 844

Assembly Bill No. 860

Assembly Bill No. 976

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 761 Assembly Bill No. 764 Assembly Bill No. 765 Assembly Bill No. 768 Assembly Bill No. 771 Assembly Bill No. 777 Assembly Bill No. 778

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

	Assembly Chamber, March 20, 2013
Mr. Speaker: Pursuant to your instructions,	the Chief Clerk has examined:
Assembly Bill No. 1140	Assembly Bill No. 1338
Assembly Bill No. 1213	Assembly Bill No. 1392
And reports the same correctly engrossed.	

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

#### CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS

**ASSEMBLY BILL NO. 170**—An act to amend Sections 16970, 31000, 31110, and 32650 of the Penal Code, relating to assault weapons and .50 BMG rifles.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 20**—An act to amend Section 1203.4 of, and to add Section 311.12 to, the Penal Code, relating to obscene matter.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 65**—An act to amend Sections 261, 286, 288a, and 289 of the Penal Code, relating to crimes.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

#### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1414—Committee on Accountability and Administrative Review (Assembly Members Frazier (Chair), Achadjian (Vice Chair), Buchanan, Ian Calderon, Cooley, Lowenthal, Medina, Quirk-Silva, and Salas). An act to amend Section 12102 of the Business and Professions Code, relating to weights and measures.

ASSEMBLY BILL NO. 1415—Committee on Accountability and Administrative Review (Assembly Members Frazier (Chair), Achadjian (Vice Chair), Buchanan, Ian Calderon, Cooley, Lowenthal, Medina, Quirk-Silva, and Salas). An act to amend Section 11340.5 of the Government Code, relating to administrative regulations.

ASSEMBLY BILL NO. 1416—Committee on Accountability and Administrative Review (Assembly Members Frazier (Chair), Achadjian (Vice Chair), Buchanan, Ian Calderon, Cooley, Lowenthal, Medina, Quirk-Silva, and Salas). An act to amend Section 15854.1 of the Government Code, relating to state government.

ASSEMBLY BILL NO. 1417—Committee on Elections and Redistricting (Assembly Members Fong (Chair), Bocanegra, Bonta, Hall, Logue, and Perea). An act to amend Sections 303.3, 3004, 3114, 10735, 13306, 13309, and 19206 of, to add Section 8147.5 to, and to repeal Section 13301 of, the Elections Code, relating to elections.

ASSEMBLY BILL NO. 1418—Committee on Elections and Redistricting (Assembly Members Fong (Chair), Bocanegra, Bonta, Hall, Logue, and Perea). An act to amend Sections 81008, 83109, and 84102 of the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 1419—Committee on Elections and Redistricting (Assembly Members Fong (Chair), Bocanegra, Bonta, Hall, Logue, and Perea). An act to amend Sections 338, 2187, 5001, 5002, 5004, 5005, 5200, and 8001 of, and to add Chapter 2.5 (commencing with Section 5150) to Division 5 of, the Elections Code, and to amend Section 85205 of the Government Code, relating to elections.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 38—Cooley. Relative to American Red Cross Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 39—Perea. Relative to American Cancer Society Day.

#### AUTHOR'S AMENDMENTS

#### Committee on Accountability and Administrative Review

March 20, 2013

Mr. Speaker: The Chair of your Committee on Accountability and Administrative Review reports:

Assembly Bill No. 963

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

FRAZIER, Chair

**ASSEMBLY BILL NO. 963**—An act to amend Sections 10344 and 12400 of the Public Contract Code, relating to state contracts.

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.

March 20, 2013

Mr. Speaker: The Chair of your Committee on Accountability and Administrative Review reports:

Assembly Bill No. 703

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

FRAZIER, Chair

**ASSEMBLY BILL NO. 703**—An act to amend Section 25256.1 of the Health and Safety Code, relating to hazardous materials.

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.

March 20, 2013

Mr. Speaker: The Chair of your Committee on Accountability and Administrative Review reports:

Assembly Bill No. 650

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

FRAZIER, Chair

**ASSEMBLY BILL NO. 650**—An act to amend Section 10101 of the Public Contract Code, relating to public contracts.

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.

March 20, 2013

Mr. Speaker: The Chair of your Committee on Accountability and Administrative Review reports:

Assembly Bill No. 338

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

FRAZIER, Chair

#### ASSEMBLY BILL NO. 338—An act relating to public safety.

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 Elections and Redistricting**

March 20, 2013

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports: Assembly Bill No. 19

Assembly Bill No. 354

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

FONG, Chair

**ASSEMBLY BILL NO. 19**—An act relating to elections. Bill read second time.

**ASSEMBLY BILL NO. 354**—An act to amend Section 9021 of the Elections Code, relating to elections.

Bill read second time.

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

#### Committee on Health

March 20, 2013

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

Assembly Bill No. 689

Assembly Bill No. 1136

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

PAN, Chair

**ASSEMBLY BILL NO. 689**—An act to add Section 1250.12 to the Health and Safety Code, relating to health facilities.

Bill read second time.

**ASSEMBLY BILL NO. 1136**—An act to amend Section 4074 of the Business and Professions Code, relating to pharmacy.

Bill read second time.

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

#### **Committee on Judiciary**

March 20, 2013

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

Assembly Bill No. 238

Assembly Bill No. 1160

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

#### WIECKOWSKI, Chair

**ASSEMBLY BILL NO. 238**—An act to amend Section 6271 of, and to repeal Section 6273 of, the Family Code, relating to protective orders.

Bill read second time.

**ASSEMBLY BILL NO. 1160**—An act to amend Section 11704 of the Probate Code, relating to decedents' estates.

Bill read second time.

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

#### **Committee on Agriculture**

March 20, 2013

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

Assembly Bill No. 1069

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

EGGMAN, Chair

**ASSEMBLY BILL NO. 1069**—An act to amend Sections 3301, 3312, 3331, and 3332 of, and to repeal and add Section 3333 of, the Food and Agricultural Code, relating to expositions and fairs, and making an appropriation therefor, 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.

#### Committee on Judiciary

March 20, 2013

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

Assembly Bill No. 1141

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

#### WIECKOWSKI, Chair

**ASSEMBLY BILL NO. 1141**—An act to amend Sections 20020, 20021, 20025, 20027, 20030, 20035, 20040, and 20040.5 of, to amend the heading of Article 6 (commencing with Section 20035) of Chapter 5.5 of Division 8 of, to add Sections 20000.5, 20028, 20038, 20039, and 20044 to, to add Article 2.5 (commencing with Section 20016) to Chapter 5.5 of Division 8 of, to repeal Section 20026 of, and to repeal and add Section 20036 of, the Business and Professions Code, and to amend Sections 31001, 31012, 31220, 31300, 31302, 31302.5, 31303, 31306, and 31512 of, to add Section 31110.5 to, to repeal Sections 31301 and 31304 of, and to repeal and add Section 31201 of, the Corporations Code, relating to franchises.

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**

March 20, 2013

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 116

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

ACHADJIAN, Chair

**ASSEMBLY BILL NO. 116**—An act to amend Section 65961 of, and to add Section 66452.24 to, the Government Code, relating to land use, 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.

#### **Committee on Natural Resources**

March 20, 2013

Mr. Speaker: The Chair of your Committee on Natural Resources reports: Assembly Bill No. 158

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

CHESBRO, Chair

**ASSEMBLY BILL NO. 158**—An act to add Chapter 5.3 (commencing with Section 42280) to Part 3 of Division 30 of, and to repeal Section 42289 of, the Public Resources Code, relating to solid waste.

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 Public Safety**

March 20, 2013

Mr. Speaker: The Chair of your Committee on Public Safety reports: Assembly Bill No. 310

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

AMMIANO, Chair

**ASSEMBLY BILL NO. 310**—An act to amend Section 13825.2 of the Penal Code, relating to crime prevention, and making an appropriation therefor.

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 Transportation

March 20, 2013

Mr. Speaker: The Chair of your Committee on Transportation reports: Assembly Bill No. 531

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

LOWENTHAL, Chair

**ASSEMBLY BILL NO. 531**—An act to amend Section 12811 of, and to add Section 14901.1 to, the Vehicle Code, relating to driver's licenses.

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 Elections and Redistricting

ASSEMBLY JOURNAL

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 131

With the recommendation: Do pass.

Above bill ordered to second reading.

#### **Committee on Insurance**

Date of Hearing: March 20, 2013

Mr. Speaker: Your Committee on Insurance reports: Assembly Bill No. 152

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

PEREA, Chair

Above bill ordered to second reading.

#### Committee on Higher Education

Date of Hearing: March 19, 2013

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 27

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

WILLIAMS, Chair

Above bill ordered to second reading.

Date of Hearing: March 19, 2013

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Concurrent Resolution No. 20

With the recommendation: Be adopted.

WILLIAMS, Chair

Above resolution ordered to third reading.

#### Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

Date of Hearing: March 19, 2013

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Concurrent Resolution No. 12 With the recommendation: Be adopted.

IAN CALDERON, Chair

Above resolution ordered to third reading.

FONG, Chair

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#### **Committee on Higher Education**

Date of Hearing: March 19, 2013

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 13

With the recommendation: Do pass, and be re-referred to the Committee on Veterans Affairs.

WILLIAMS, Chair

Above bill re-referred to the Committee on Veterans Affairs.

Date of Hearing: March 19, 2013

Mr. Speaker: Your Committee on Higher Education reports: Assembly Bill No. 46

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

WILLIAMS, Chair

Above bill re-referred to the Committee on Appropriations.

## Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

Date of Hearing: March 19, 2013

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 344

With the recommendation: Do pass, and be re-referred to the Committee on Labor and Employment.

IAN CALDERON, Chair

Above bill re-referred to the Committee on Labor and Employment.

#### Committee on Aging and Long-Term Care

Date of Hearing: March 19, 2013

Mr. Speaker: Your Committee on Aging and Long-Term Care reports: Assembly Joint Resolution No. 7

With the recommendation: Be adopted.

YAMADA, Chair

Above resolution ordered to third reading.

#### ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, March 21, 2013.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

## AMENDMENTS CONSIDERED BY THE **ASSEMBLY ON MARCH 20, 2013**

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

AB	RN
19	1310341
65	1310042
116	1310624
158	1310870
170	1310611
238	1310259
310	1309758
338	1310054
354	1309445
531	1310780
650	1309553
689	1310527
703	1310017
963	1309554
1069	1310642
1136	1310146
1141	1309446
1160	1310706
Daily Total:	

Daily Total:	18
Cumulative Total:	277