

CALIFORNIA LEGISLATURE  
2005-06 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, June 14, 2006**

**TWO HUNDRED SIXTH SESSION DAY  
FIVE HUNDRED FIFTY-SIXTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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**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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to  
Sue Parker, Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, June 14, 2006

The Assembly met at 7 a.m.

Hon. Sam Blakeslee, Assembly Member, 33rd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Aghazarian	Dymally	Leno	Plescica
Arambula	Emmerson	Leslie	Richman
Baca	Evans	Levine	Ridley-Thomas
Bass	Garcia	Lieber	Runner
Benoit	Goldberg	Lieu	Ruskin
Berg	Hancock	Liu	Saldaña
Bermúdez	Haynes	Matthews	Salinas
Blakeslee	Horton, Jerome	Maze	Spitzer
Bogh	Horton, Shirley	McCarthy	Strickland
Calderon	Houston	Montañez	Torrico
Canciamilla	Huff	Mountjoy	Tran
Chan	Jones	Mullin	Umberg
Chu	Karnette	Nakanishi	Vargas
Cogdill	Keene	Nava	Villines
Cohn	Klehs	Negrete McLeod	Walters
Coto	Koretz	Niello	Wolk
Daucher	La Malfa	Oropeza	Wyland
De La Torre	La Suer	Parra	Yee
DeVore	Laird	Pavley	Mr. Speaker

Quorum present.

**At 12:16 p.m., Hon. Mark Leno, 13th 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 legislative business: Assembly Member Chavez.*

*Because of illness: Assembly Member Frommer.*

*Because of illness in his family: Assembly Member Nation.*

**EXPLANATIONS OF ABSENCE**

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

June 12, 2006

*The Honorable Fabian Núñez*  
*Speaker*  
*California State Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Speaker Núñez: I respectfully request permission to be excused from check-in session on Wednesday, June 14, 2006. The purpose is to tend to legislative business in my district.

I thank you in advance for your favorable consideration. Should you have any questions whatsoever, please do not hesitate to contact me.

Sincerely,

ED CHAVEZ, Assembly Member  
Fifty-seventh District

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

June 13, 2006

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: This is to advise you that I have appointed Assemblymember Bill Maze to replace Assemblymember Jay La Suer on the Assembly Housing and Community Development Committee for the Wednesday, June 14 hearing only.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

June 14, 2006

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: This is to advise you that I have appointed Assemblymember Noreen Evans to replace Assemblymember Joe Nation on the Assembly Local Government Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

**SPECIAL COMMITTEE MEETINGS**

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

Elections and Redistricting, on Tuesday, June 27, 2006, at 1:30 p.m.;  
Governmental Organization, on Wednesday, June 28, 2006, at 1:30 p.m., in Room 4202.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, June 14, 2006

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

Assembly Bill No. 840

And reports the same correctly enrolled, and presented to the Governor on the 14th day of June, 2006, at 9:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, June 14, 2006

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

Assembly Concurrent Resolution No. 143

And reports the same correctly enrolled, and presented to the Secretary of State on the 14th day of June, 2006, at 11:15 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, June 14, 2006

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

Assembly Joint Resolution No. 43

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**AUTHOR'S AMENDMENTS****Committee on Jobs, Economic Development, and the Economy**

June 14, 2006

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Senate Bill No. 1008

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

ARAMBULA, Chair

**SENATE BILL NO. 1008**—An act to amend Sections 7072 and 7073 of the Government Code, and to amend Sections 17053.34, 17053.46, 17053.47, 17053.74, 17235, 17267.2, 17267.6, 17268, 17276.2, 17276.5, 17276.6, 23622.7, 23622.8, 23634, 23646, 24356.6, 24356.7, 24356.8, 24384.5, 24416.2, 24416.5, and 24416.6 of the Revenue and Taxation Code, relating to economic development.

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**

June 14, 2006

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

Senate Bill No. 1116

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

JONES, Chair

**SENATE BILL NO. 1116**—An act to amend Sections 2352, 2540, 2543, 2590, and 2591 of, and to add Sections 2352.5 and 2591.5 to, the Probate Code, relating to conservatorships.

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 Public Employees, Retirement and Social Security**

June 14, 2006

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

Senate Bill No. 1466

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

TORRICO, Chair

**SENATE BILL NO. 1466**—An act to amend Sections 22664, 24703, 24704, 24705, 25015, 26000.5, 26113, 26400, 26401, and 44922 of the Education Code, relating to state teachers’ retirement.

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 Public Employees, Retirement and Social Security**

June 14, 2006

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

Senate Bill No. 1273

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

TORRICO, Chair

**SENATE BILL NO. 1273**—An act to amend Section 20057 of the Government Code, relating to the Public Employees’ Retirement System.

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**

June 14, 2006

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

Senate Bill No. 678

Senate Bill No. 1550

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

JONES, Chair

**SENATE BILL NO. 678**—An act to amend Sections 3041, 7821, 7822, 8620, 8710, and 9210 of, to add Sections 7892.5, 7907.3, 8606.5, 8619.5, 9208, and 9209 to, to add Part 3 (commencing with Section 170) to Division 1 of, and to repeal Section 7810 of, the Family Code, to amend Sections 1510, 1511, 1513, 1516.5, and 1601 of, to add Sections 1449, 1456, 1457, 1460.2, 1474, and 1500.1 to, and to repeal Section 2112 of, the Probate Code, and to amend Sections 100, 290.1, 290.2, 291, 292, 293, 294, 295, 297, 305.5, 317, 361, 366, 366.26, 727.4, 10553.1, and 16507.4 of, to add Sections 110, 224, 224.1, 224.2, 224.3, 224.4, 224.5, 224.6, 361.31, and 361.7 to, and to repeal Section 360.6 of, the Welfare and Institutions Code, relating to Indian children, 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.

**SENATE BILL NO. 1550**—An act to add Chapter 6 (commencing with Section 6500) to Division 3 of the Business and Professions Code, and to amend Sections 2340 and 2342 of, and to add Section 60.1 to, the Probate Code, relating to professional fiduciaries.

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 Governmental Organization**

June 14, 2006

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Senate Bill No. 148

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

JEROME HORTON, Chair

**SENATE BILL NO. 148**—An act to amend Section 23790 of the Business and Professions Code, relating to alcoholic beverages.

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 Governmental Organization**

June 14, 2006

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Senate Bill No. 1380

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

JEROME HORTON, Chair

**SENATE BILL NO. 1380**—An act to add Section 25242 to the Business and Professions Code, relating to alcoholic beverages.

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**

June 14, 2006

Mr. Speaker: The Chair of your Committee on Transportation reports: Senate Bill No. 1384

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

OROPEZA, Chair

**SENATE BILL NO. 1384**—An act to amend Sections 132610, 132625, 132645, and 132650 of the Public Utilities Code, relating to transportation.

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 Elections and Redistricting**

June 14, 2006

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:  
Senate Bill No. 1747

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

UMBERG, Chair

**SENATE BILL NO. 1747**—An act to amend Section 15004 of the Elections Code, relating to vote counts.

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 Labor and Employment**

June 14, 2006

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:  
Senate Bill No. 293  
Senate Bill No. 727

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

KORETZ, Chair

**SENATE BILL NO. 293**—An act to add Chapter 2 (commencing with Section 14005), to add Chapter 3 (commencing with Section 14010), to add Chapter 4 (commencing with Section 14200), to add Chapter 5 (commencing with Section 14500), and to add Chapter 6 (commencing with Section 14600) to Division 7 of, to repeal Division 8 (commencing with Section 15000) of, and to repeal and add Section 14000 of, the Unemployment Insurance Code, relating to job training.

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.

**SENATE BILL NO. 727**—An act to add Section 7311.5 to the Labor Code, relating to safety in employment.

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 Higher Education**

June 14, 2006

Mr. Speaker: The Chair of your Committee on Higher Education reports:  
Senate Bill No. 652  
Senate Bill No. 1724

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

LIU, Chair

**SENATE BILL NO. 652**—An act to add Section 66721.7 to the Education Code, relating to public postsecondary education.

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.

**SENATE BILL NO. 1724**—An act to add Section 89546.5 to the Education Code, to amend Section 900.2 of the Government Code, and to amend Section 10295.1 of the Public Contract Code, relating to the California State University.

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**

June 14, 2006

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

Senate Bill No. 1338

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

CHAN, Chair

**SENATE BILL NO. 1338**—An act to add Part 4 (commencing with Section 1000) to Division 1 of the Health and Safety Code, relating to health care.

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 Public Employees, Retirement and Social Security**

June 14, 2006

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

Senate Bill No. 1465

Senate Bill No. 1729

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

TORRICO, Chair

**SENATE BILL NO. 1465**—An act to amend Sections 22217, 22362, 22820, 23852, and 23855 of, and to add Section 22404 to, the Education Code, relating to state teachers' retirement 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.

**SENATE BILL NO. 1729**—An act to amend Section 22844 of the Government Code, relating to public employees' health benefits.

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**

June 14, 2006

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Senate Bill No. 1607  
Senate Bill No. 1827

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

KLEHS, Chair

**SENATE BILL NO. 1607**—An act to amend Sections 69.5, 214, 214.8, 218, 254.5, 254.6, and 1840 of, and to add Section 218.05 to, the Revenue and Taxation Code, and to amend Section 2 of Chapter 48 of the Statutes of 1987, relating to taxation.

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.

**SENATE BILL NO. 1827**—An act to amend Section 297.5 of the Family Code, and to amend Sections 17024.5 and 18521 of the Revenue and Taxation Code, relating to taxation.

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 Human Services**

Date of Hearing: June 13, 2006

Mr. Speaker: Your Committee on Human Services reports:  
Senate Bill No. 1825

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

EVANS, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 13, 2006

Mr. Speaker: Your Committee on Human Services reports:  
Senate Bill No. 1214

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

EVANS, Chair

Above bill ordered to second reading.

Date of Hearing: June 13, 2006

Mr. Speaker: Your Committee on Human Services reports:  
Senate Bill No. 1287  
Senate Bill No. 1376

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

EVANS, Chair

Above bills ordered to second reading.

Date of Hearing: June 13, 2006

Mr. Speaker: Your Committee on Human Services reports:  
Senate Concurrent Resolution No. 115

With the recommendation: Be adopted.

EVANS, Chair

Above resolution ordered to third reading.

**Committee on Health**

Date of Hearing: June 13, 2006

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 676

Senate Bill No. 1500

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

CHAN, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 13, 2006

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 1353

Senate Bill No. 1822

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

CHAN, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 13, 2006

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 1248

With the recommendation: Do pass.

CHAN, Chair

Above bill ordered to second reading.

Date of Hearing: June 13, 2006

Mr. Speaker: Your Committee on Health reports:

Senate Concurrent Resolution No. 80

Senate Joint Resolution No. 21

Senate Concurrent Resolution No. 90

Senate Joint Resolution No. 22

With the recommendation: Be adopted.

CHAN, Chair

Above resolutions ordered to third reading.

**Committee on Judiciary**

Date of Hearing: June 13, 2006

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 433

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

JONES, Chair

Above bill ordered to second reading.

**Committee on Housing and Community Development**

Date of Hearing: June 14, 2006

Mr. Speaker: Your Committee on Housing and Community Development reports:

Senate Bill No. 521

Senate Bill No. 1676

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

MULLIN, Chair

Above bills re-referred to the Committee on Local Government.

Date of Hearing: June 14, 2006

Mr. Speaker: Your Committee on Housing and Community Development reports:  
Senate Bill No. 1802

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

MULLIN, Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Environmental Safety and Toxic Materials**

Date of Hearing: June 13, 2006

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:  
Senate Bill No. 982  
Senate Bill No. 1294

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

RUSKIN, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 13, 2006

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:  
Senate Bill No. 1305

With the recommendation: Do pass.

RUSKIN, Chair

Above bill ordered to second reading.

**Committee on Judiciary**

Date of Hearing: June 13, 2006

Mr. Speaker: Your Committee on Judiciary reports:  
Senate Bill No. 1078

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

JONES, Chair

Above bill ordered to second reading.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 1200**—An act to amend Section 3240.5 of the Fish and Game Code, relating to hunting.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 504**—An act to amend Section 2985 of the Civil Code, relating to real property sales contracts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1307**—An act to amend Section 56.13 of the Civil Code, to amend Section 123105 of the Health and Safety Code, and to amend Sections 4683 and 4690 of the Probate Code, relating to medical information.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1491**—An act to add Title 1.807 (commencing with Section 1798.79.8) to Part 4 of Division 3 of the Civil Code, relating to domestic violence.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 651**—An act to amend Section 5060 of, and to add Section 5060.5 to, the Vehicle Code, relating to vehicles.

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

**SENATE BILL NO. 1559**—An act to amend Section 385.5 of the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Transportation read and adopted, bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

**SENATE BILL NO. 1225**—An act to amend Sections 9250.7 and 22710 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1239**—An act to amend Section 12076 of the Penal Code, relating to firearms.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1241**—An act to repeal Section 24103 of the Government Code, relating to deputy sheriffs.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1402**—An act to amend Section 262 of the Penal Code, relating to spousal rape.

Bill read second time, and ordered to third reading.

#### **ADJOURNMENT**

At 3:30 p.m., the Assembly adjourned until 9:30 a.m., Thursday, June 15, 2006.

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FABIAN NUÑEZ, Speaker

TRESHA PETIT-PHAR, Assistant Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JUNE 14, 2006**

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

<b>SB</b>	<b>RN</b>	
148	0616603	
293	0616599	
651	0615734	
652	0615761	
678	0616235	
727	0616498	
1008	0616657	
1116	0616090	
1273	0608578	
1338	0616698	
1380	0616611	
1384	0616689	
1465	0616687	
1466	0615806	
1550	0616522	
1559	0614132	
1607	0616738	
1724	0616604	
1729	0616570	
1747	0616579	
1827	0616694	
<b>Daily Total:</b>		<b>21</b>
<b>Cumulative Total:</b>		<b>4903</b>