

CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

SENATE DAILY JOURNAL

FORTY-SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, April 3, 2013

The Senate met at 9 a.m.

Hon. Richard Roth, of the 31st District, presiding.

Secretary Greg Schmidt at the Desk.

Assistant Secretary Zachary L. Twilla reading.

ROLL CALL

The roll was called and the following Senators answered to their names:

Anderson, Beall, Berryhill, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Padilla, Pavley, Roth, Walters, Wolk, Wright, Wyland, and Yee—36.

Quorum present.

(NOTE: Senators Price and Steinberg will be excused this day on legislative business.)

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 1, 2013

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

ACR 21

ACR 27

E. DOTSON WILSON, Chief Clerk of the Assembly



FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules:

Assembly Concurrent Resolution 21—Relative to West Nile Virus and Mosquito and Vector Control Awareness Week.

Assembly Concurrent Resolution 27—Relative to César Chavez.

REPORTS OF STANDING COMMITTEES**Committee on Governance and Finance**

Date of Hearing, April 3, 2013

Mr. President: The Committee on Governance and Finance, to which were referred:

SB 629

SB 636

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

WOLK, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 3, 2013

Mr. President: The Committee on Governance and Finance, to which was referred:

SB 614

Reports the same back with the recommendation: Do pass.

WOLK, Chair

Above bill ordered to second reading.

Date of Hearing, April 3, 2013

Mr. President: The Committee on Governance and Finance, to which was referred:

SB 407

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

WOLK, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Human Services

Senate Chamber, April 3, 2013

Mr. President: The Chair of the Committee on Human Services, to which were referred:

SB 192

SB 343

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

YEE, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 192—An act to amend Section 8385 of, to amend the heading of Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1 of, to amend and renumber Sections 8210, 8212, 8212.3, 8213, 8214, 8215, 8216, 8238, 8238.4, 8264.5, 8265, 8265.1, 8265.5, 8265.7, 8266, 8266.1, 8266.5, 8268, 8271, 8275, 8276.5, 8277, 8277.1, 8277.2, 8277.3, 8277.4, 8277.5, 8277.6, 8277.65, 8277.66, 8277.7, 8277.8, 8278.3, 8279.1, 8279.4, 8279.5, 8279.6, 8279.7, 8320, 8321, 8322, 8324, 8326, 8327, 8329, 8330, 8331, 8335, 8335.1, 8335.2, 8335.3, 8335.4, 8335.5, 8335.6, 8335.7, 8340, 8341, 8341.5, 8342, 8343, 8344, 8345, 8346, 8351, 8352, 8353, 8354, 8355, 8356, 8356.1, 8358.5, 8359, 8359.1, 8362, 8363, 8363.5, 8368, 8369, 8402, 8403, 8404, 8405, 8406, 8406.6, 8406.7, 8406.9, 8407, 8408, 8409, 8441, 8442, 8444, 8445, 8447, 8447.5, 8450, 8493, 8494, 8495, 8495.1, 8496, 8498, 8499.3, 8499.5, and 8499.7 of, to amend and renumber the heading of Article 16.5 (commencing with Section 8385) of Chapter 2 of Part 6 of Division 1 of Title 1 of, to amend, renumber, and repeal Section 8350.5 of, to add Sections 8292 and 8293 to, to add the heading of Article 8 (commencing with Section 8296) to, to add the heading of Article 9 (commencing with Section 8300) to, to add the heading of Article 10 (commencing with Section 8305) to, to add the heading of Article 14 (commencing with Section 8365) to, to add the heading of Article 18 (commencing with Section 8407) to, to add the heading of Article 25 (commencing with Section 8490) to, and to add the heading of Article 26 (commencing with Section 8492) to, Chapter 2 of Part 6 of Division 1 of Title 1 of, to add Article 2 (commencing with Section 8210) to, to add Article 4 (commencing with Section 8240) to, to add Article 4.5 (commencing with Section 8252) to, to add Article 5 (commencing with Section 8260) to, to add Article 6 (commencing with Section 8270) to, to add Article 11 (commencing with Section 8310) to, to add Article 12 (commencing with Section 8325) to, to add Article 13 (commencing with Section 8350) to, to add Article 14.5 (commencing with Section 8370) to, to add Article 14.7 (commencing with Section 8377) to, and to add Article 15 (commencing with Section 8380) to, Chapter 2 of Part 6 of Division 1 of Title 1 of, to repeal Sections 8350 and 8499 of, to repeal the heading of Article 2 (commencing with Section 8210) of, to repeal the heading of Article 6 (commencing with Section 8230) of, to repeal the heading of Article 7 (commencing with Section 8235) of, to repeal the heading of Article 12 (commencing with Section 8275) of, to repeal the heading of Article 15 (commencing with Section 8320) of, to repeal the heading of Article 15.2 (commencing with Section 8335) of, to repeal the heading of Article 15.3 (commencing with Section 8340) of, to repeal the heading of Article 15.5 (commencing with Section 8350) of, to repeal the heading of Article 18 (commencing 8400) of, to repeal the heading of Article 20 (commencing with Section 8440) of, to repeal the heading of Article 21 (commencing with Section 8448) of, to repeal the heading of Article 23 (commencing with Section 8485) of, and to repeal the heading of Article 24 (commencing



with Section 8493) of, Chapter 2 of Part 6 of Division 1 of Title 1 of, to repeal the heading of Article 1 (commencing with Section 8499) of, and to repeal the heading of Article 2 (commencing with Section 8499.3) of, Chapter 2.3 of, and to repeal the heading of Chapter 2.3 (commencing with Section 8499) of, Part 6 of Division 1 of Title 1 of, to repeal Article 8 (commencing with Section 8240) of, to repeal Article 8.5 (commencing with Section 8245) of, to repeal Article 9 (commencing with Section 8250) of, to repeal Article 10 (commencing with Section 8255) of, and to repeal Article 14 (commencing with Section 8286) of, Chapter 2 of Part 6 of Division 1 of Title 1 of, to repeal and add Article 1 (commencing with Section 8200) of, and to repeal and add Article 3 (commencing with Section 8220) to, Chapter 2 of Part 6 of Division 1 of Title 1 of, the Education Code, relating to early learning and educational support services.

Bill read second time.

Senate Bill 343—An act to repeal and add Section 391 of the Welfare and Institutions Code, relating to juveniles.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Environmental Quality

Senate Chamber, April 3, 2013

Mr. President: The Chair of the Committee on Environmental Quality, to which were referred:

SB 436

SB 727

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

HILL, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 436—An act to amend Sections 21083.9, 21092, 21108, and 21152 of the Public Resources Code, relating to environmental quality.

Bill read second time.

Senate Bill 727—An act to add Section 117647 to, and to add Chapter 12 (commencing with Section 118365) to Part 14 of Division 104 of, the Health and Safety Code, relating to public health.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.



Committee on Health

Senate Chamber, April 3, 2013

Mr. President: The Chair of the Committee on Health, to which was referred:

SB 320

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

HERNANDEZ, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 320—An act to add Section 1367.81 to the Health and Safety Code, and to add Section 10123.65 to the Insurance Code, relating to health care coverage.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Rules

Senate Chamber, April 3, 2013

Mr. President: The Chair of the Committee on Rules, to which were referred:

SB 209

SB 494

SB 640

SB 811

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

STEINBERG, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 209—An act to amend Section 10752 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Senate Bill 494—An act to amend Section 3500 of the Business and Professions Code, relating to health care providers.

Bill read second time.

Senate Bill 640—An act to amend Section 14000 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 640 pursuant to Joint Rule 58.

SENATOR LARA

Permission of Rules Committee

Senate Chamber, April 3, 2013

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 640.

STEINBERG, Chair



Senate Bill 811—An act to amend Section 70 of the Streets and Highways Code, relating to transportation.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Public Employment and Retirement

Senate Chamber, April 3, 2013

Mr. President: The Chair of the Committee on Public Employment and Retirement, to which was referred:

SB 216

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

BEALL, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 216—An act to add Section 18006 to the Government Code, relating to public employment.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Education

Senate Chamber, April 3, 2013

Mr. President: The Chair of the Committee on Education, to which was referred:

SB 329

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

LIU, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 329—An act to amend Section 76140 of the Education Code, relating to community colleges.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Date of Hearing, April 3, 2013

Mr. President: The Committee on Education, to which were referred:

SB 325

SB 331

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

LIU, Chair

Above measures re-referred to the Committee on Appropriations.



Date of Hearing, April 3, 2013

Mr. President: The Committee on Education, to which was referred:
SB 201

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

LIU, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Rules

Senate Chamber, April 3, 2013

Mr. President: The Chair of the Committee on Rules, to which was referred:

SB 759

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

STEINBERG, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 759—An act relating to veterans.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Health

Senate Chamber, April 3, 2013

Mr. President: The Chair of the Committee on Health, to which was referred:

SB 266

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

HERNANDEZ, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 266—An act to add Section 687 to the Business and Professions Code, and to add Section 1250.04 to the Health and Safety Code, relating to health care coverage.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.



Committee on Public Safety

Senate Chamber, April 3, 2013

Mr. President: The Chair of the Committee on Public Safety, to which were referred:

SB 61

SB 396

SB 755

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

HANCOCK, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 61—An act to amend Sections 225, 226, 229, and 230 of, and to add Section 208.3 to, the Welfare and Institutions Code, relating to juveniles.

Bill read second time.

Senate Bill 396—An act to amend Sections 16350 and 32310 of the Penal Code, relating to firearms.

Bill read second time.

Senate Bill 755—An act to amend Section 29805 of the Penal Code, and to amend Section 8103 of the Welfare and Institutions Code, relating to firearms.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Banking and Financial Institutions

Date of Hearing, April 3, 2013

Mr. President: The Committee on Banking and Financial Institutions, to which was referred:

SB 538

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

CORREA, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, April 3, 2013

Mr. President: The Committee on Banking and Financial Institutions, to which were referred:

SB 139

SB 537

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

CORREA, Chair

Above measures re-referred to the Committee on Appropriations.



Committee on Environmental Quality

Date of Hearing, April 3, 2013

Mr. President: The Committee on Environmental Quality, to which was referred:

SB 11

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Transportation and Housing.

HILL, Chair

Above measure re-referred to the Committee on Transportation and Housing.

Date of Hearing, April 3, 2013

Mr. President: The Committee on Environmental Quality, to which were referred:

SB 14

SB 429

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

HILL, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 3, 2013

Mr. President: The Committee on Environmental Quality, to which was referred:

SB 483

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

HILL, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, April 3, 2013

Mr. President: The Committee on Environmental Quality, to which was referred:

SB 691

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary.

HILL, Chair

Above measure re-referred to the Committee on Judiciary.

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

Senate Bill 133—An act to amend Section 7073.1 of the Government Code, relating to economic development.

Bill read second time, ordered engrossed, and to Consent Calendar.



MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 528** was withdrawn from the Committee on Human Services and re-referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, April 3, 2013

The Committee on Rules has ordered the following measures to third reading:

ACR 12, ACR 26, ACR 29, SCR 28, SCR 29, SCR 30.

The Committee on Rules has referred the following measures to committee:

Business, Professions and Economic Development—SB 821, SB 822, SB 823.

Governance and Finance—SB 824, SB 825.

Public Safety—AB 20, AB 139.

Rules—SB 826.

The Committee on Rules has re-referred the following measures to committee:

Appropriations—SB 188.

Business, Professions and Economic Development—SB 417, SB 484, SB 491, SB 492, SB 493.

Education—ACR 1, SB 231, SB 302, SB 330, SB 512, SB 517, SB 518, SB 521, SB 540, SB 542, SB 657, SB 681, SB 714.

Elections and Constitutional Amendments—SB 52, SB 519, SB 654.

Energy, Utilities and Communications—SB 64.

Environmental Quality—SB 359, SB 498, SB 633.

Governance and Finance—SJR 9, SB 434, SB 499, SB 560, SB 620, SB 688, SB 797.

Governmental Organization—SB 479, SB 616.

Health—SB 411, SB 639, SB 646, SB 667, SB 728, SB 799.

Human Services—AJR 7, SB 23, SB 158, SB 319, SB 367, SB 555, SB 766.

Judiciary—SB 213, SB 222, SB 274, SB 383, SB 568, SB 655, SB 661, SB 680, SB 713.

Labor and Industrial Relations—SB 288, SB 375, SB 377, SB 615.

Natural Resources and Water—SB 449, SB 461, SB 511.



Public Employment and Retirement—SB 523, SB 765.

Public Safety—SB 244, SB 253, SB 295, SB 419, SB 439, SB 513, SB 644, SB 683, SB 716, SB 742, SB 769, SB 779.

Rules—SB 668.

Transportation and Housing—SB 31, SB 242, SB 314, SB 793, SB 806, SCR 27.

Veterans Affairs—SB 382.

The Committee on Rules has re-referred the following measures to two or more committees:

Banking and Financial Institutions and **Judiciary**—SB 233, SB 310, SB 318, SB 515.

Energy, Utilities and Communications and **Judiciary**—SB 380.

Energy, Utilities and Communications and **Rules**—SB 43.

Energy, Utilities and Communications and **Transportation and Housing**—SB 448.

Environmental Quality and **Governance and Finance**—SB 245.

Education and **Elections and Constitutional Amendments**—SB 267, SB 240.

Education and **Health**—SB 596.

Education and **Public Safety**—SB 326.

Governance and Finance and **Business, Professions and Economic Development**—SB 431.

Governance and Finance and **Rules**—SB 279.

Human Services and **Judiciary**—SB 738.

Human Services and **Judiciary** and **Education**—SB 528.

Human Services and **Public Safety**—SB 663.

Judiciary and **Public Safety**—SB 15.

Labor and Industrial Relations and **Judiciary**—SB 516, SB 666.

Natural Resources and Water and **Governance and Finance**—SB 355.

Public Safety and **Appropriations**—SB 467.

Public Safety and **Elections and Constitutional Amendments**—SCA 13.



TO SPECIAL CONSENT CALENDAR

Without objection, the following resolutions were placed on a Special Consent Calendar:

SCR 28

ACR 12

ACR 26

SENATE COMMITTEE ROLL CALLS**Committee on Banking and Financial Institutions**

SB 139—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Beall, Berryhill, Calderon, Corbett, Correa, Hill, Hueso, and Roth.

NOES (0)—None.

SB 537—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Beall, Berryhill, Calderon, Corbett, Correa, Hill, Hueso, and Roth.

NOES (0)—None.

SB 538—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Beall, Berryhill, Calderon, Corbett, Correa, Hill, Hueso, and Roth.

NOES (0)—None.

Date of Hearing: 4/3/2013

Correa (Chair)

Committee on Education

SB 177—Do pass as amended and re-refer to Committee on Human Services

AYES (9)—Senators Block, Correa, Hancock, Hueso, Huff, Jackson, Liu, Monning, and Wyland.

NOES (0)—None.

SB 201—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Block, Correa, Hancock, Hueso, Jackson, Liu, Monning, and Wyland.

NOES (1)—Senator Huff.

SB 223—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Block, Correa, Hancock, Hueso, Huff, Jackson, Liu, Monning, and Wyland.

NOES (0)—None.

SB 236—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Block, Correa, Hancock, Hueso, Huff, Jackson, Liu, Monning, and Wyland.

NOES (0)—None.



SB 325—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Block, Correa, Hueso, Huff, Jackson, Liu, Monning, and Wyland.

NOES (0)—None.

SB 331—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Block, Correa, Hueso, Huff, Jackson, Liu, Monning, and Wyland.

NOES (0)—None.

SB 584—Do pass as amended and re-refer to Committee on Rules

AYES (5)—Senators Correa, Hueso, Huff, Liu, and Wyland.

NOES (0)—None.

SB 619—Do pass as amended and re-refer to Committee on Public Employment and Retirement

AYES (9)—Senators Block, Correa, Hancock, Hueso, Huff, Jackson, Liu, Monning, and Wyland.

NOES (0)—None.

Date of Hearing: 4/3/2013

Liu (Chair)

Committee on Environmental Quality

SB 11—Do pass and re-refer to Committee on Transportation and Housing

AYES (8)—Senators Calderon, Corbett, Fuller, Hancock, Hill, Jackson, Leno, and Pavley.

NOES (1)—Senator Gaines.

SB 14—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Calderon, Corbett, Fuller, Gaines, Hancock, Hill, Jackson, Leno, and Pavley.

NOES (0)—None.

SB 429—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Calderon, Corbett, Fuller, Gaines, Hancock, Hill, Jackson, Leno, and Pavley.

NOES (0)—None.

SB 483—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Calderon, Corbett, Fuller, Gaines, Hancock, Hill, Jackson, Leno, and Pavley.

NOES (0)—None.



SB 574—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Calderon, Corbett, Fuller, Gaines, Hancock, Hill, Jackson, Leno, and Pavley.

NOES (0)—None.

SB 691—Do pass and re-refer to Committee on Judiciary

AYES (6)—Senators Corbett, Hancock, Hill, Jackson, Leno, and Pavley.

NOES (2)—Senators Fuller and Gaines.

Date of Hearing: 4/3/2013

Hill (Chair)

Committee on Governance and Finance

SB 328—Do pass as amended

AYES (6)—Senators Beall, DeSaulnier, Emmerson, Hernandez, Knight, and Wolk.

NOES (0)—None.

SB 407—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (6)—Senators Beall, DeSaulnier, Emmerson, Hernandez, Knight, and Wolk.

NOES (0)—None.

SB 409—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Beall, DeSaulnier, Emmerson, Hernandez, Knight, and Wolk.

NOES (0)—None.

SB 470—Do pass as amended and re-refer to Committee on Environmental Quality

AYES (6)—Senators Beall, DeSaulnier, Emmerson, Hernandez, Knight, and Wolk.

NOES (0)—None.

SB 614—Do pass

AYES (4)—Senators Beall, DeSaulnier, Hernandez, and Wolk.

NOES (2)—Senators Emmerson and Knight.

SB 629—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Beall, DeSaulnier, Emmerson, Hernandez, Knight, and Wolk.

NOES (0)—None.

SB 636—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Beall, DeSaulnier, Emmerson, Hernandez, Knight, and Wolk.

NOES (0)—None.

Date of Hearing: 4/3/2013

Wolk (Chair)



LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Price and Steinberg.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, April 4, 2013.

PAULA K. ROSSETTO, Minute Clerk

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