

CALIFORNIA LEGISLATURE
2015–16 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, February 8, 2016

**ONE HUNDRED FORTY-EIGHTH SESSION DAY
FOUR HUNDRED THIRTY-FIFTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**



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

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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, February 8, 2016

The Assembly met at 12 noon.

Hon. David Chiu, Assistant Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Reading Clerk Kathleen M. Lewis reading.

ROLLCALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Medina moved a quorum call of the Assembly. Motion carried. Time, 12 noon.

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

Quorum Present

At 12:03 p.m., Assistant Speaker pro Tempore Chiu declared a quorum of the Assembly present.

The rollcall was completed, and the following answered to their names—70:

Achadjian	Eggman	Jones	Patterson
Alejo	Frazier	Jones-Sawyer	Quirk
Baker	Gaines	Lackey	Rendon
Bloom	Gallagher	Levine	Ridley-Thomas
Bonta	Garcia, C.	Linder	Rodriguez
Brown	Garcia, E.	Lopez	Salas
Burke	Gatto	Low	Santiago
Campos	Gipson	Maienschein	Steinorth
Chang	Gomez	Mathis	Stone
Chau	Gonzalez	Mayes	Thurmond
Chávez	Gordon	McCarty	Ting
Chiu	Gray	Medina	Weber
Chu	Grove	Melendez	Wilk
Cooley	Hadley	Mullin	Williams
Cooper	Harper	Nazarian	Wood
Dababneh	Hernández	Obernolte	Mme. Speaker
Dahle	Holden	O'Donnell	
Dodd	Irwin	Olsen	

PRAYER

Upon invitation of Assistant Speaker pro Tempore Chiu, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, Today, with the Internet, Facebook, television and radio, many people are saying many, many things. Indeed, with so much saying going on, what people say is becoming less and less important. At the same time, people are moved by what we are, our personal experience, our commitment, and our dedication. Lord, grant us Your grace to be an example by showing love and by helping encourage others to follow You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Chiu, Assembly Member Chau 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 Holden, seconded by Assembly Member Mayes.

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Members Bigelow and Bonilla.

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

Because of illness: Assembly Member Waldron.

Because of a travel delay: Assembly Members Calderon, Daly, Kim, and Wagner.

The following Assembly Member was not excused for the day:

Not excused, and per diem waived: Assembly Member Travis Allen.

EXPLANATIONS OF ABSENCE

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

February 1, 2016

*The Honorable Toni G. Atkins
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Madame Speaker: I would like to ask for a Session excuse for Monday, February 8, 2016. I have some meetings in my Madera office prior to attending the World Ag Expo in Tulare early Tuesday morning, February 9. I will return the late afternoon of the 9th. Thank you for your consideration and if you have any questions, please call Diana Knoles at (916) 319-2034.

Sincerely,

FRANK BIGELOW, Assembly Member
Fifth District

February 3, 2016

*The Honorable Toni G. Atkins
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Madame Speaker: I am respectfully requesting an excused absence from Floor Session for Monday, February 8, 2016. I will be meeting with constituents in my district and unable to be in Sacramento by 12 noon. Please contact me or my Chief of Staff, Luis Quinonez, at (916) 319-2014, if you need additional information regarding this request.

Sincerely,

SUSAN A. BONILLA, Assembly Member
Fourteenth District

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

February 8, 2016

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

Dear Dotson: Please be advised that I have appointed the following membership to the Select Committee on Regional Planning in the San Francisco Bay Area for the 2015–16 Regular Session:

Assemblymember Tony Thurmond, Chair
Assemblymember Catharine Baker
Assemblymember Rob Bonta
Assemblymember Nora Campos
Assemblymember David Chiu
Assemblymember Bill Dodd
Assemblymember Richard Gordon
Assemblymember Marc Levine
Assemblymember Kevin Mullin
Assemblymember Bill Quirk
Assemblymember Philip Ting

Sincerely,

TONI G. ATKINS
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Banking and Finance, on Monday, February 29, 2016, at 2 p.m., in Room 4202;

Budget Subcommittee No. 1 on Health and Human Services, to convene jointly with Budget Subcommittee No. 4 on State Administration, and the Committee on Housing and Community Development, on Monday, February 22, 2016, at 1:30 p.m., in Room 444;

Budget Subcommittee No. 6 on Budget Process, Oversight and Program Evaluation, on Wednesday, February 24, 2016, at 2 p.m., in Room 437;

Transportation, on Monday, March 28, 2016, at 1:30 p.m., in Room 4202;

Select Committee on Youth and California’s Future, on Tuesday, March 1, 2016, at 10 a.m., in Room 437.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 8, 2016

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

Assembly Concurrent Resolution No. 114

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, February 8, 2016

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

Assembly Concurrent Resolution No. 132

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, February 8, 2016

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

Assembly Concurrent Resolution No. 128

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

REFERRAL OF BILLS TO COMMITTEE

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

Assembly

Bill No.

Committee

1662 ----- P. & C.P. and Trans.

1665 ----- L. Gov. and Rev. & Tax.

1681 ----- P. & C.P. and Jud.

1682 ----- Jud.

1683 ----- Rev. & Tax.

1684 ----- Jud.

1687 ----- A.,E.,S.,T., & I.M. and P. & C.P.

1688	-----	Hum. S.
1689	-----	Ed.
1690	-----	Higher Ed.
1691	-----	Trans.
1692	-----	P.E.,R., & S.S.
1693	-----	Appr.
1695	-----	Pub. S.
1696	-----	Health
1697	-----	E. & R.
1700	-----	Jud.
1701	-----	Appr.
1703	-----	Pub. S. and Health
1704	-----	W.,P., & W.
1705	-----	Pub. S.
<i>Senate</i>		
<i>Bill No.</i>		<i>Committee</i>
380	-----	U. & C.

REQUEST FOR PHOTOGRAPHER

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

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:
Senate Bill No. 503, on request of Assembly Member Holden.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Low was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting a guest to sit at his desk in the Assembly Chamber, whereupon he introduced his mother Stella Dea.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 113 (Low)—Relative to Lunar New Year celebration.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 113**

Assembly Member Low was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of Assembly Concurrent Resolution No. 113.

Additional Coauthors

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

Achadjian, Alejo, Atkins, Baker, Bloom, Brown, Burke, Campos, Chávez, Cooley, Cooper, Dahle, Dodd, Eggman, Frazier, Beth Gaines, Gallagher, Cristina Garcia, Eduardo Garcia, Gatto, Gipson, Gomez, Gordon, Grove, Hadley, Harper, Roger Hernández, Holden, Irwin, Jones, Jones-Sawyer, Lackey, Levine, Linder, Lopez, Maienschein, Mathis, Mayes, McCarty, Medina, Melendez, Mullin, Nazarian, Obernolte, O'Donnell, Olsen, Patterson, Quirk, Rendon, Rodriguez, Salas, Santiago, Steinorth, Mark Stone, Thurmond, Weber, Wilk, and Wood.

Request for Unanimous Consent

Assembly Member Low was granted unanimous consent to take up Assembly Concurrent Resolution No. 113, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 113, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 113—Relative to Lunar New Year celebration.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

REQUEST FOR USE OF VISUAL AIDS

Assembly Member Low was granted unanimous consent to use visual aids on the Floor.

SPECIAL PRESENTATION

Assembly Member Low of the Joint Asian Pacific Islander Legislative Caucus presented symbolic gifts to the Members of the Assembly to mark the Lunar New Year; a tangerine to represent prosperity and happiness; a red envelope with candy to represent good luck; three stalks of bamboo to represent life, happiness, and wealth; and a fact sheet on the Lunar New Year for the year of the monkey.

ASSEMBLY CONCURRENT RESOLUTION NO. 132 (Atkins)—Relative to V-Day.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 132**

Assembly Member Atkins was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of Assembly Concurrent Resolution No. 132.

Additional Coauthors

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

Achadjian, Alejo, Baker, Bloom, Bonta, Brown, Burke, Campos, Chang, Chau, Chávez, Chiu, Chu, Cooley, Cooper, Dababneh, Dahle, Dodd, Eggman, Frazier, Beth Gaines, Cristina Garcia, Eduardo Garcia, Gatto, Gipson, Gomez, Gonzalez, Gordon, Gray, Hadley, Harper, Holden, Irwin, Jones-Sawyer, Lackey, Levine, Linder, Lopez, Low, Maienschein, Mathis, Mayes, Medina, Melendez, Mullin, Nazarian, Obernolte, O'Donnell, Olsen, Patterson, Quirk, Ridley-Thomas, Rodriguez, Salas, Santiago, Steinorth, Mark Stone, Thurmond, Ting, Weber, Wilk, Williams, and Wood.

Request for Unanimous Consent

Assembly Member Atkins was granted unanimous consent to take up Assembly Concurrent Resolution No. 132, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 132, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 132—Relative to V-Day.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

ADJOURN IN MEMORY

Speaker Atkins was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Elizabeth Melkye Berger of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Bonta was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jeremiah Jackson of Oakland.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Linder was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of his father, Robert Frederic Linder of Norco.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Nazarian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alice Sylvester of West Hollywood.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Patterson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rhonda Shackelford and Justin Van Meter of Clovis, and Serena Guadarrama of Fresno.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Assistant Speaker pro Tempore Chiu announced the following session schedule:

Tuesday, February 9, 2016, Check-in Session, 7 a.m.–3 p.m.;

Wednesday, February 10, 2016, Check-in Session, 7 a.m.–3 p.m.;

Thursday, February 11, 2016, Check-in Session, 7 a.m.–3 p.m., or Floor Session, upon call of the Speaker;

Friday, February 12, 2016, Floor Session, 9 a.m.

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS****MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 533 and Senate Bill No. 7 were continued until Friday, February 12, 2016.

ADJOURN IN MEMORY

Assembly Member Daly was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Juan Francisco Lara of Pasadena.

Assembly Member Gipson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Michael Turner and Florine Eline Adams of Compton.

Assembly Members Ting and Chiu were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hadley Roff of San Francisco.

MOTION TO ADJOURN

At 12:34 p.m., Assembly Member Holden moved that the Assembly do now adjourn.

Assembly Member Mayes seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:34 p.m., Assistant Speaker pro Tempore Chiu 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. 1798—Cooper. An act to amend Section 16700 of the Penal Code, relating to firearms.

ASSEMBLY BILL NO. 1799—Mayes. An act to amend Section 5100 of the Civil Code, relating to common interest developments.

ASSEMBLY BILL NO. 1800—Hadley. An act to add Chapter 6 (commencing with Section 8390) to Division 4.1 of the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 1801—Ting. An act to amend Section 21006 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1802—Chávez. An act to amend Sections 13901 and 13902 of the Government Code, relating to state government.

ASSEMBLY BILL NO. 1803—Melendez. An act to amend Section 65580 of the Government Code, relating to local government.

ASSEMBLY BILL NO. 1804—Melendez. An act to amend Section 66001 of the Government Code, relating to development fees.

ASSEMBLY BILL NO. 1805—Melendez. An act relating to elder abuse.

ASSEMBLY BILL NO. 1806—Melendez. An act relating to domestic violence.

ASSEMBLY BILL NO. 1807—Bonta. An act to amend Section 10176.1 of the Business and Professions Code, relating to escrow agents.

ASSEMBLY BILL NO. 1808—Wood. An act to amend Section 6924 of the Family Code, and to amend Section 124260 of the Health and Safety Code, relating to minors.

ASSEMBLY BILL NO. 1809—Lopez. An act to amend Section 95504 of the Government Code, and to amend Sections 11151, 11257.5, 11322.5, 11375, 11450, 11450.5, 14140, and 18923 of, and to repeal Sections 11155, 11155.1, 11155.2, 11155.6, 11157.5, 11257, and 11260 of, the Welfare and Institutions Code, relating to CalWORKs.

ASSEMBLY BILL NO. 1810—Levine. An act to amend Sections 52288, 52311, 52451, and 52486 of, and to add Sections 52258.1 and 52258.2 to, the Food and Agricultural Code, relating to seed.

ASSEMBLY BILL NO. 1811—Dodd. An act to amend Section 14513 of, and to add Section 14513.5 to, the Food and Agricultural Code, relating to fertilizer.

ASSEMBLY BILL NO. 1812—Wagner. An act to add Section 7514.7 to the Government Code, relating to public employees' retirement.

ASSEMBLY BILL NO. 1813—Frazier. An act to amend Sections 185020 and 185022 of the Public Utilities Code, relating to high-speed rail.

ASSEMBLY BILL NO. 1814—Travis Allen. An act to amend Section 220 of the Streets and Highways Code, relating to state highways.

ASSEMBLY BILL NO. 1815—Alejo. An act to amend Section 39713 of, and to add Section 39713.5 to, the Health and Safety Code, relating to greenhouse gases.

ASSEMBLY BILL NO. 1816—Dahle. An act to amend Sections 22527, 22528, and 22529 of the Water Code, relating to irrigation districts.

ASSEMBLY BILL NO. 1817—Mark Stone. An act to amend Section 49123 of the Public Resources Code, relating to solid waste.

ASSEMBLY BILL NO. 1818—Melendez. An act to amend Section 163 of the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 1819—Melendez. An act to amend Section 231 of the Streets and Highways Code, relating to state highways.

ASSEMBLY BILL NO. 1820—Quirk. An act to add Title 14 (commencing with Section 14350) to Part 4 of the Penal Code, relating to unmanned aircraft systems.

ASSEMBLY BILL NO. 1821—Maienschein. An act to amend Sections 667.61 and 667.9 of the Penal Code, relating to sex offenses.

ASSEMBLY BILL NO. 1822—Irwin. An act to add Section 647.01 to the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 1823—Bonilla. An act to add Part 7 (commencing with Section 101990) to Division 101 of the Health and Safety Code, relating to clinical trials.

ASSEMBLY BILL NO. 1824—Chang. An act to amend Sections 600.2 and 600.5 of the Penal Code, relating to guide, signal, or service dogs, and making an appropriation therefor.

ASSEMBLY BILL NO. 1825—Gordon and Maienschein (Coauthors: Atkins, Baker, Bloom, Chang, Chiu, Hadley, Kim, Lackey, Linder, Mullin, Quirk, Steinorth, Mark Stone, and Williams) (Coauthors: Senators Allen, Block, Hill, Jackson, and Pan). An act to amend Section 31603 of the Food and Agricultural Code, relating to dogs.

ASSEMBLY BILL NO. 1826—Mark Stone. An act to amend Section 46000 of the Food and Agricultural Code, relating to organic foods.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 134—Wilk (Principal coauthor: Senator Pavley). Relative to the Simi Valley Police Officer Michael Clark Memorial Overcrossing.

ASSEMBLY CONCURRENT RESOLUTION NO. 135—Dahle. Relative to the Officer Jack Polen Memorial Highway.

AUTHOR'S AMENDMENTS **Committee on Revenue and Taxation**

February 8, 2016

Mme. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Constitutional Amendment No. 6

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

TING, Chair

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article XIII thereof, and by amending Section 2 of Article XIII A thereof, relating to taxation.

Resolution read second time.

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

Committee on Water, Parks, and Wildlife

February 8, 2016

Mme. Speaker: The Chair of your Committee on Water, Parks, and Wildlife reports:
Assembly Bill No. 1585

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

LEVINE, Chair

ASSEMBLY BILL NO. 1585—An act relating to water resources, 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.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: February 8, 2016

Mme. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 126

With the recommendation: Be adopted.

GORDON, Chair

Above resolution ordered to third reading.

Date of Hearing: February 8, 2016

Mme. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 127

With the recommendation: Amend, and be adopted as amended.

GORDON, Chair

Above resolution ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, February 8, 2016

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

Senate Concurrent Resolution No. 99

DANIEL ALVAREZ, Secretary of the Senate
By Bernadette McNulty, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 99—Relative to the 28th Annual State Scientist Day.

INTRODUCTION OF GUESTS

Assistant Speaker pro Tempore Chiu, of the 17th Assembly District, introduced Hon. Sharon Quirk-Silva, former Member of the Assembly.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Holden, the Assembly adjourned until 7 a.m., Tuesday, February 9, 2016, out of respect to the memory of Elizabeth Melkye Berger on motion of Speaker Atkins; out of respect to the memory of Jeremiah Jackson on motion of Assembly Member Bonta; out of respect to the memory of Robert Frederic Linder on motion of Assembly Member Linder; out of respect to the memory of Alice Sylvester on motion of Assembly Member Nazarian; out of respect to the memory of Rhonda Shackelford, Justin Van Meter, and Serena Guadarrama on motion of Assembly Member Patterson; out of respect to the memory of Dr. Juan Francisco Lara on motion of Assembly Member Daly; out of respect to the memory of Michael Turner and Florine Eline Adams on motion of Assembly Member Gipson; and out of respect to the memory of Hadley Roff on motion of Assembly Members Ting and Chiu.

TONI G. ATKINS, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 8, 2016**

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

AB RN	
1585 1605039	
ACA RN	
6 1605034	
Daily Total:	2
Cumulative Total:	2676

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