

PROOF

STATE OF IOWA

Senate Journal

MONDAY, MARCH 25, 2019

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JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 25, 2019

The Senate met in regular session at 1:02 p.m., President Schneider presiding.

Prayer was offered by Pastor Jeff Dadisman of the United Methodist Church in Maquoketa, Iowa. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Brooklyn Price.

The Journal of Thursday, March 21, 2019, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 21, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 516](#), a bill for an act relating to voting membership on joint 911 service boards.

Read first time and referred to committee on **Local Government**.

[House File 531](#), a bill for an act concerning unemployment insurance and including effective date and applicability provisions.

Read first time and referred to committee on **Labor and Business Relations**.

[House File 590](#), a bill for an act relating to tax return preparers, and providing penalties.

Read first time and referred to committee on **State Government**.

[House File 591](#), a bill for an act providing for juvenile court jurisdiction over minor guardianship proceedings and including effective date and applicability provisions.

Read first time and attached to **similar** [Senate File 425](#).

[House File 610](#), a bill for an act relating to the opening of guardianships for adults and conservatorships for adults and minors and the administration of guardianships and conservatorships.

Read first time and attached to **similar** [Senate File 424](#).

[House File 634](#), a bill for an act relating to certain boards and councils in the department of human rights including the establishment of the justice advisory board and the elimination of the criminal and juvenile justice planning advisory council, the public safety advisory board, and the sex offender research council.

Read first time and referred to committee on **State Government**.

[House File 685](#), a bill for an act relating to the payment of required medical aid provided to prisoners of county jails.

Read first time and referred to committee on **Local Government**.

[House File 690](#), a bill for an act relating to mental health and disability services, including the establishment of a children's behavioral health system and a children's behavioral health system state board, and requiring certain children's behavioral health core services.

Read first time and attached to **similar** [Senate File 479](#).

[House File 691](#), a bill for an act relating to funding of county mental health and disability services by modifying provisions relating to the use of specified excess cash flow funds, and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Human Resources**.

[House File 694](#), a bill for an act establishing an emergency medical services personnel licensure interstate compact.

Read first time and referred to committee on **State Government**.

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Katie Averill, the governor's appointee to be Superintendent of Credit Unions. She was the guest of Senators Chapman and Lykam and the committee on Commerce.

The Secretary of the Senate introduced Dale Woolery, the governor's appointee to be the Director of the Office of Drug Control Policy. He was the guest of Senators Nunn and Wahls and the committee on Judiciary.

COMMITTEE ON CREDENTIALS

Senator Whitver moved that a committee of five be appointed as a committee on credentials.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Greene, Chair; Guth, Segebart, Dotzler, and Bolkcom.

REPORT OF THE COMMITTEE ON CREDENTIALS

MR. PRESIDENT: We, your committee on credentials, respectfully report that we find the person named in the attached copies of certification of the Secretary of State duly elected to and entitled to seat in the Senate for the Eighty-eighth General Assembly.

Thomas A. Greene, Chair
Joe Bolkcom
William A. Dotzler, Jr.
Dennis Guth
Mark Segebart

STATE OF IOWA
Office of the
Secretary Of State
CERTIFICATION

To the Honorable Secretary of the Senate:

I, PAUL D. PATE, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the state, do hereby certify that the State Canvassing Board has declared that at the General Election held on March 19, 2019, the following named person was duly elected to the office of State Senate for residue of the term ending January 2, 2021:

30th District Eric Giddens

(SEAL)

In testimony whereof, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Statehouse, in Des Moines, this twenty-fifth day of March, 2019.

PAUL D. PATE
Secretary of State

I hereby acknowledge the receipt of the original copy of this document on this twenty-fifth day of March, 2019.

W. CHARLES SMITHSON
Secretary of the Senate

State of Iowa
Abstract of Votes

We, the undersigned members of the State Board of Canvassers, hereby certify the following to be a true and correct abstract of the votes cast at the Special Election held on Tuesday, March 19, 2019, for the office of State Senator District 30 as shown by the county abstract returns.

State Senator District 30

Walt Rogers, Republican Party	Received five thousand six hundred thirty-five (5,635) votes
Eric Giddens, Democratic Party	Received seven thousand six hundred eleven (7,611) votes
Fred Perryman, Libertarian Party	Received one hundred forty-three (143) votes
Scattering	Received seven (7) votes
Total	Thirteen thousand three hundred ninety-six (13,396)

We therefore declare:

Eric Giddens duly elected to fill a vacancy for the office of State Senate District 30 for the residue of the term ending January 2, 2021.

IN TESTIMONY WHEREOF, we have hereunto set our hands and caused to be affixed the Great Seal of the State of Iowa at Des Moines, this Monday, March 25, 2019.

(SEAL)

BOARD OF STATE CANVASSERS

KIM REYNOLDS
PAUL D. PATE
ROB SAND
MICHAEL L. FITZGERALD
MICHAEL NAIG

On motion of Senator Whitver, the report was duly adopted by a voice vote, and the duly elected senator appeared before the bar of the Senate, was duly sworn, and subscribed their name to the oath of office.

OATH OF OFFICE

Senator Giddens was administered the oath of office by the President of the Senate, Charles Schneider.

RECESS

On motion of Senator Whitver, the Senate recessed at 1:18 p.m. until 3:00 p.m.

RECONVENED

The Senate reconvened at 3:24 p.m., President Schneider presiding.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 306](#).

[Senate File 306](#)

On motion of Senator Dawson, [Senate File 306](#), a bill for an act establishing a lake Manawa state park user fee pilot program and providing for a future repeal, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 306](#)), the vote was:

Yeas, 50:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dawson
Dotzler	Edler	Feenstra	Garrett
Giddens	Greene	Guth	Hogg
Jochum	Johnson	Kapucian	Kinney
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Miller-Meeks	Nunn	Petersen
Quirmbach	Ragan	Rozenboom	Schneider
Schultz	Segebart	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, R.
Taylor, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 364 and 448.

[Senate File 364](#)

On motion of Senator Dawson, [Senate File 364](#), a bill for an act relating to the Iowa sobriety and drug monitoring program, was taken up for consideration.

Senator Dawson offered amendment [S-3069](#), filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment [S-3069](#) was adopted by a voice vote.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 364](#)), the vote was:

Yeas, 50:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dawson
Dotzler	Edler	Feenstra	Garrett
Giddens	Greene	Guth	Hogg
Jochum	Johnson	Kapucian	Kinney
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Miller-Meeks	Nunn	Petersen
Quirnbach	Ragan	Rozenboom	Schneider
Schultz	Segebart	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, R.
Taylor, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 448](#)

On motion of Senator Dawson, [Senate File 448](#), a bill for an act relating to consent agreements for domestic abuse and sexual abuse protective orders, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 448](#)), the vote was:

Yeas, 50:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dawson
Dotzler	Edler	Feenstra	Garrett
Giddens	Greene	Guth	Hogg
Jochum	Johnson	Kapucian	Kinney
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Miller-Meeks	Nunn	Petersen
Quirnbach	Ragan	Rozenboom	Schneider
Schultz	Segebart	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, R.
Taylor, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 306, 364, and 448** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 64, 330, and 442.

[Senate File 64](#)

On motion of Senator Lofgren, [Senate File 64](#), a bill for an act relating to the use of a mass notification and emergency messaging system for endangered missing persons, with report of committee recommending passage, was taken up for consideration.

Senator Lofgren offered amendment [S-3068](#), filed by him from the floor striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-3068](#) was adopted by a voice vote.

Senator Lofgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 64](#)), the vote was:

Yeas, 50:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dawson
Dotzler	Edler	Feenstra	Garrett
Giddens	Greene	Guth	Hogg
Jochum	Johnson	Kapucian	Kinney
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Miller-Meeks	Nunn	Petersen
Quirnbach	Ragan	Rozenboom	Schneider
Schultz	Segebart	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, R.
Taylor, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

[Senate File 330](#)

On motion of Senator Sinclair, [Senate File 330](#), a bill for an act relating to the division of domestic stock insurers, was taken up for consideration.

Senator Sinclair asked and received unanimous consent that [House File 264](#) be substituted for [Senate File 330](#).

[House File 264](#)

On motion of Senator Sinclair, [House File 264](#), a bill for an act relating to the division of domestic stock insurers, was taken up for consideration.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 264](#)), the vote was:

Yeas, 50:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dawson
Dotzler	Edler	Feenstra	Garrett
Giddens	Greene	Guth	Hogg
Jochum	Johnson	Kapucian	Kinney
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Miller-Meeks	Nunn	Petersen
Quirnbach	Ragan	Rozenboom	Schneider
Schultz	Segebart	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, R.
Taylor, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Sinclair asked and received unanimous consent that [Senate File 330](#) be **withdrawn** from further consideration of the Senate.

[Senate File 442](#)

On motion of Senator Brown, [Senate File 442](#), a bill for an act relating to authorized emergency vehicles, and making penalties applicable, was taken up for consideration.

Senator Brown offered amendment [S-3072](#), filed by him from the floor to pages 1 and 3–5 of the bill, and moved its adoption.

Amendment [S-3072](#) was adopted by a voice vote.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 442](#)), the vote was:

Yeas, 50:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dawson
Dotzler	Edler	Feenstra	Garrett
Giddens	Greene	Guth	Hogg
Jochum	Johnson	Kapucian	Kinney
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Miller-Meeks	Nunn	Petersen
Quirnbach	Ragan	Rozenboom	Schneider
Schultz	Segebart	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, R.
Taylor, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 64** and **442** and [House File 264](#) be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 478 and 510.

Senate File 478

On motion of Senator Shipley, [Senate File 478](#), a bill for an act relating to lighting devices and other equipment on snow plows and authorized emergency vehicles, and making penalties applicable, was taken up for consideration.

Senator Shipley offered amendment [S-3070](#), filed by him from the floor to pages 2 and 3 and amending the title page of the bill, and moved its adoption.

Amendment [S-3070](#) was adopted by a voice vote.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 478](#)), the vote was:

Yeas, 50:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dawson
Dotzler	Edler	Feenstra	Garrett
Giddens	Greene	Guth	Hogg
Jochum	Johnson	Kapucian	Kinney
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Miller-Meeks	Nunn	Petersen
Quirnbach	Ragan	Rozenboom	Schneider
Schultz	Segebart	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, R.
Taylor, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

Senate File 510

On motion of Senator Koelker, [Senate File 510](#), a bill for an act relating to franchisor-franchisee relationships for the purposes of certain employment laws and including applicability provisions, was taken up for consideration.

Senator Koelker asked and received unanimous consent that [House File 327](#) be **substituted** for [Senate File 510](#).

House File 327

On motion of Senator Koelker, [House File 327](#), a bill for an act relating to franchisor-franchisee relationships for the purposes of certain employment laws and including applicability provisions, was taken up for consideration.

Senator Koelker moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 327](#)), the vote was:

Yeas, 32:

Behn	Breitbach	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Edler	Feenstra	Garrett	Greene
Guth	Johnson	Kapucian	Koelker
Kraayenbrink	Lofgren	Miller-Meeks	Nunn
Rozenboom	Schneider	Schultz	Segebart
ShIPLEY	Sinclair	Smith, R.	Sweeney
Whiting	Whitver	Zaun	Zumbach

Nays, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirnbach	Ragan	Smith, J.	Taylor, R.
Taylor, T.	Wahls		

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Koelker asked and received unanimous consent that [Senate File 510](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [Senate File 478](#) and [House File 327](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 4:23 p.m. until 9:00 a.m., Tuesday, March 26, 2019.

APPENDIX

REPORT OF COMMITTEE MEETING

LABOR AND BUSINESS RELATIONS

Convened: Monday, March 25, 2019, 2:10 p.m.

Members Present: Schultz, Chair; Whiting, Vice Chair; T. Taylor, Ranking Member; Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, Nunn, and R. Taylor.

Members Absent: None.

Committee Business: Governor's appointees.

Adjourned: 2:20 p.m.

INTRODUCTION OF BILL

[Senate File 603](#), by committee on Appropriations, a bill for an act authorizing use of concurrent enrollment programs for teaching certain subjects required under the educational standards and making an appropriation to fund enrollment of pupils under concurrent enrollment program agreements between certain accredited nonpublic schools and community colleges, and including retroactive applicability provisions.

Read first time under Rule 28 and **placed on Appropriations calendar.**

STUDY BILL RECEIVED

[SSB 1248](#) **Ways and Means**

Relating to the established season for hunting game birds on a preserve, and providing for fees.

SUBCOMMITTEE ASSIGNMENTS

[Senate Joint Resolution 6](#)
(Reassigned)

STATE GOVERNMENT: Schultz, Chair; Giddens and Whiting

[Senate File 35](#)
(Reassigned)

STATE GOVERNMENT: R, Smith, Chair; Chapman and Giddens

[Senate File 56](#)
(Reassigned)

STATE GOVERNMENT: R, Smith, Chair; Cournoyer and Giddens

[Senate File 95](#)
(Reassigned)

STATE GOVERNMENT: Feenstra, Chair; Chapman and Giddens

[Senate File 128](#)
(Reassigned)

STATE GOVERNMENT: Whiting, Chair; Giddens and Schultz

[Senate File 134](#)

(Reassigned)

STATE GOVERNMENT: Whiting, Chair; Giddens and Schultz

[Senate File 145](#)

(Reassigned)

STATE GOVERNMENT: Whiting, Chair; Chapman and Giddens

[Senate File 162](#)

(Reassigned)

STATE GOVERNMENT: R, Smith, Chair; Chapman and Giddens

[House File 310](#)

(Reassigned)

STATE GOVERNMENT: Miller-Meeks, Chair; Chapman and Giddens

[House File 392](#)

(Reassigned)

STATE GOVERNMENT: Chapman, Chair; Bisignano and R. Smith

[House File 532](#)

HUMAN RESOURCES: Miller-Meeks, Chair; Costello and Quirnbach

[House File 598](#)

EDUCATION: Sinclair, Chair; Giddens and Kraayenbrink

[House File 698](#)

LOCAL GOVERNMENT: Lofgren, Chair; Garrett and Quirnbach

[House File 707](#)

JUDICIARY: Garrett, Chair; Bisignano and Nunn

[House File 716](#)

NATURAL RESOURCES AND ENVIRONMENT: Cournoyer, Chair; Celsi and Shipley

[House File 735](#)

NATURAL RESOURCES AND ENVIRONMENT: Behn, Chair; Boulton and Sweeney

[SSB 1248](#)

WAYS AND MEANS: Edler, Chair; Brown and Dotzler

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: *[SENATE FILE 603](#) (formerly [SF 488](#)), a bill for an act authorizing use of concurrent enrollment programs for teaching certain subjects required under the educational standards and making an appropriation to fund enrollment of pupils under concurrent enrollment program agreements between certain accredited nonpublic schools and community colleges, and including retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 21: Breitbach, Kraayenbrink, Bolkom, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 603](#), and they were attached to the committee report.

COMMITTEE CHANGES

The following changes were made to standing committees:

Education – Senator Giddens replacing Senator Ragan

State Government – Senator Giddens replacing Senator Lykam

Transportation – Senator Giddens replacing Senator T. Taylor as Ranking Member; Senator T. Taylor replacing Senator Wahls as member

Veterans Affairs – Senator Giddens replacing Senator Kinney

Ways and Means – Senator Giddens replacing Senator J. Smith

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

LABOR AND BUSINESS RELATIONS

Rick Coffman – Plumbing and Mechanical Systems Board

Robert Kunkel – Plumbing and Mechanical Systems Board

Matthew Wyant – Plumbing and Mechanical Systems Board

Quentin Hart – Iowa Workforce Development Board
 John (Jack) Hasken – Iowa Workforce Development Board
 Amy Larsen – Iowa Workforce Development Board
 Andrew Roberts – Iowa Workforce Development Board
 LuAnn Scholbrock – Iowa Workforce Development Board

**GOVERNOR'S APPOINTEE PLACED ON
 INDIVIDUAL CONFIRMATION CALENDAR**

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation:

LABOR AND BUSINESS RELATIONS

Beth Townsend – Director of Workforce Development Board

BILL ATTACHED

[House File 499](#) attached to similar [Senate File 186](#).

AMENDMENTS FILED

S-3068	S.F. 64	Mark Lofgren
S-3069	S.F. 364	Dan Dawson
S-3070	S.F. 478	Tom Shipley
S-3071	S.F. 368	Jake Chapman
S-3072	S.F. 442	Waylon Brown