

# Sub-national Government Structure and Competence of Local Municipalities and County Governors' Institutions in Lithuania: Analysis of Empirical Research Results

Jūratė Baltušnikienė

*Kaunas University of Technology,  
Panevėžys Institute Faculty of Management and Administration  
Klaipėdos str. 1, 35209 Panevėžys*

*The article presents the results of questionnaire survey on improvement possibilities of the sub-national government structure and competence of local municipalities and county governors' institutions in Lithuania. Levels of sub-national government, competence and interaction of local municipalities and county governors' institutions are analysed. Arguments of the respondents – experts of sub-national government – for and against the modification of sub-national government structure and competence of local municipalities and county governors' institutions of Lithuania are weighted; guidelines for the solution of the problem in question are being searched.*

**Keywords:** *sub-national government structure, competence of local municipalities and county governors' institutions.*

**Raktažodžiai:** *subnacionalinio valdymo struktūra, vietos savivaldybių ir apskričių viršininkų institucijų kompetencija.*

## Introduction

The establishment of sub-national governance structure and competence of territorial municipalities is one of the major problems of the sub-national government system. However, more consistent scientific studies and researches are lacking on this field. Generally, the sub-national government structure and competence of territorial municipalities are examined in a dissociated manner, without taking into account that these components are inter-related. On the other hand, as the sub-national government subjects strive to realize effectively their changed potential, the sub-national government structure should be modified as well, taking into account the specifics of the situation.

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*Jūratė Baltušnikienė* – Kauno technologijos universiteto Panevėžio instituto Vadybos mokslų katedros lektorė, socialinių mokslų daktarė. Lecturer at the Department of Management Sciences, Panevėžys Institute of Kaunas University of Technology.

E. paštas / e-mail: jurate.baltusnikiene@ktu.lt

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Problems of the sub-national government structure have been examined by different foreign and Lithuanian scientists [1 - 5; 7; 8; 15; 16; 18; 20; 21; 22; 24]. Competence of territorial municipalities has been the most widely examined by representatives of fiscal federalism, where establishment of competence of public government subjects and allocation of expenses are among the key objects of research [6; 17; 19; 22; 23]. Links between the sub-national government structure and the competence of territorial municipalities have been the most broadly examined by P. Swianiewicz [20], J. Boex, J. Martinez-Vazquez, A. Timofeev [5], W. Fox, T. Gurley [7].

The above mentioned publications help understanding the essence and problems of the sub-national government structure and competence of territorial municipalities; however, it is noteworthy that the links between the sub-national government structure and competence of territorial municipalities have been studied rather scantily, particularly in Lithuania. The expounded arguments determined the definition of the empirical research, presented in this article.

Discussions and controversies of politicians, civil servants and scientists on the size and number of administrative territories, sub-national government levels and competence of territorial government subjects show that it is not easy to form an effectively-functioning system of sub-national government. On the one hand, there is a disagreement about the sizes of municipalities (as well as counties) and the criteria to be used when determining them, as well as whether it is beneficial to democratize the counties in the country; on the other hand, there are heated discussions going on about what responsibilities should be assigned to certain subjects of territorial government, as boundaries and status of administrative territories change.

The abundance of legislative acts of the Republic of Lithuania, regulating the improvement of sub-national government system, the constant, yet desultory changes thereof show that various subjects of public government of the country are unable to find the common direction for improvement of sub-national government system. Thus, it is not clear what opinions and attitudes regarding the sub-national government structure and competence of territorial municipalities have politicians and public servants who form and enact the sub-national government in the country.

Aim of this paper is to explore the opinions and attitudes of state politicians and servants towards problem areas and possibilities for improvement of Lithuania's sub-national government structure and the competence of local municipalities and county governors' institutions. Data for empirical research was collected using the structured method of data collection – questionnaire survey.

## **1. Research organization methodology**

The examination the situation and perspectives of the sub-national government structure of Lithuania and competence of local municipalities and county governors' institutions was based upon questionnaire survey of social entities, forming and enacting the sub-national government or closely interacting with the sub-national government subjects.

A stratified sample was selected for the research, which was obtained after dividing the entire population into certain parts (strata), having distinguishing features. Representatives were selected from institutions in different strata of government:

- Stratum I: sub-national level of government (total number - 1 610).
- Stratum II: national level of government (territorial regional subjects of state government) (total number - 79).
- Stratum III: national level of government (central subjects of state government) (total number - 50).

After adding up the respondents of the three strata, a decision was made to send 1189 questionnaires. 396 questionnaires have been returned, i.e., in the first stratum, 310 respondents have been surveyed (response ratio – 29 per cent), in the second – 48 (response ratio – 61 per cent), in the third – 38 (response ratio – 76 per cent). Based on the sample size calculation formula and after selecting a probability of 0.95, we obtain that the error of the survey of stratum I respondents is 5 per cent, stratum II – 9 per cent, and stratum III – 8 per cent.

The questionnaire comprises 3 diagnostic blocks, 3 groups of criteria and 150 indicators. On the basis of these indicators a set of 34 questions was created. Assessment: 1) *of the territorial composition (system of administrative territories)* permitted to determine the opinions and attitudes of respondents towards the establishment of new local municipalities, modification of their borders, change in the number of counties, establishment of new administrative territories – regions; 2) *of the levels of sub-national government* allowed determining the opinions of respondents regarding peculiarities of reorganization of neighbourhoods' activities, dissolution of county governor's institution and validation of regional self-government in the country; 3) *of the competence and interaction of local municipalities and county governors' institutions* allowed determining the respondents' opinions about problem areas of the competence and interaction of municipalities and county governors' institutions.

The research was carried out in April-May 2008.

## **2. Sub-national government structure: assessment of the territorial composition**

In order to meet the citizens' needs, it is necessary to constantly improve the sub-national government structure, on which the success of municipalities' competence exercising depends [3; 5]. The need to work on improving the sub-national government structure in the country is also determined by the unfinished second stage of the administrative territorial reform in Lithuania, the issues of continuous political initiatives to develop the regional self-government, circle-type municipalities, etc.

Thus, when studying the situation and perspectives pertaining to the sub-national government structure and competence of local municipalities and county governors' institutions, the respondents were first of all asked if they approved of establishment of new municipalities in the country. The survey showed that the majority of representatives of all the three strata (61 per cent) were against the establishment of new municipalities in the country. However, when assessing the individual strata of the sample, opinions of

respondents distributed ambiguously. 66 per cent of those surveyed from the sub-national government level (further - stratum I respondents) and 48 per cent of representatives of territorial regional state government subjects (further - stratum II respondents) believed that it was not wise to increase the number of municipalities in Lithuania. 58 % of stratum III respondents were in favour of increasing the number of the minor administrative territories.

It is likely that stratum I respondents, representing the sub-national government level, seek to avoid the changes, which might directly affect their activities, if the current municipalities would be fragmented. On the other hand, representatives of stratum I, while being the closest to the “hot line”, are in the position to understand the possible negative consequences (such as financial and administrative impotency) of the reform the best.

It is paradoxical that the idea to increase of the number of municipalities and “to bring them closer to people” is mostly supported by representatives of stratum III. Nonetheless, such a resolve might have been determined by specifics of activities of stratum III respondents, i. e., searching for the sub-national government system improvement opportunities, the spreading of decentralization ideas, interest in more active involvement of local residents in the management of public local affairs. Disapproval of the majority of respondents of establishment of new municipalities in the country, the existing controversy of opinions as well as the results of surveys of residents organized by the Ministry of Interior on establishment of new municipalities show that in the short term the number of municipalities in the country is not likely to change.

One of the most acute problems pertaining to the sub-national government structure of Lithuania refers to the existence of circle-type municipalities of Alytus, Kaunas, Panevėžys, Šiauliai and Vilnius Districts, surrounding the largest cities of the country. Findings of the study show that although the majority of those surveyed disapprove of fragmentation of municipalities in the country, they would, nonetheless, like to solve the issue of circle-type municipalities. Opinions of respondents on the issue in question were ambiguous (see Figure 1). Slightly more than one third (34 per cent) of respondents from all three strata believed that the problem of circle-type municipalities should be resolved by abolishing the circle-type municipalities and re-distributing their territories between the existing and newly established municipalities. Another third (33 per cent) of respondents from all three strata believed that circle-type municipalities should remain. More than one fifth (28 per cent) of the respondents expressed an opinion that circle-type municipalities ought to be abolished and their territories distributed between the existing municipalities. The survival of circle-type municipalities was mostly backed up by stratum I respondents (35%). This position was also supported by 33 per cent of stratum II respondents. However, the majority of respondents of strata II and III (42 per cent and 55 per cent respectively) were in favour of abolishment of circle-type municipalities, while redistributing their territories to the existing and newly established municipalities.

It can be concluded that the majority of representatives of stratum III are in favor of fragmentation of municipalities particularly due to the fact that this would resolve the problem of circle-type municipalities, while redistributing their territories to the existing and newly established municipalities. However, when assessing the opinions of respondents of all three strata individually and jointly, the lack of firm and unambiguous opinion on how the problem of circle-type municipalities should be solved (except for

opinions of stratum III respondents) became apparent. It can be, therefore, stated that in the immediate future the second stage of administrative territorial reform will not be yet completed. On the other hand, findings of the study allow contending that the abolishment of circle-type municipalities while redistributing their territories to existing and newly established municipalities represents a plausible opportunity for improvement of the sub-national government structure.

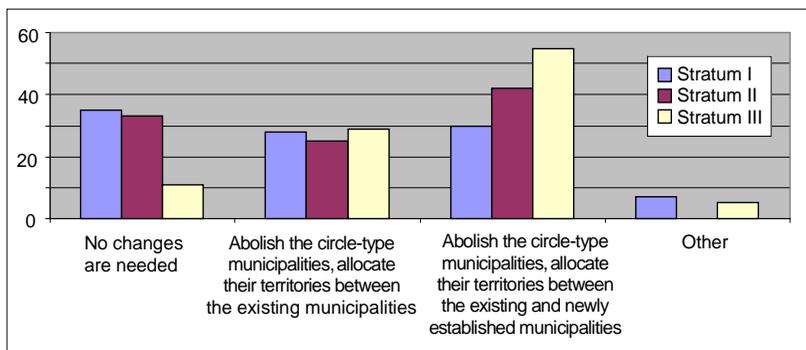


Figure 1: Comparison of respondents' opinions on solution of the problem of circle-type municipalities (*per cent*)

More than a half (52 per cent) of respondents in the three strata believed that the number of counties in Lithuania should be reduced. This position was mostly upheld by stratum I respondents (59 per cent). However, respondents of strata II and III disapproved of this most actively (52 per cent and 81 per cent respectively).

It is noteworthy, that stratum I respondents, who were in favour of the reduction in the number of counties, commented that counties should be abolished altogether<sup>1</sup> (this opinion was expressed by as many as 45 representatives of stratum I). However, after going deeper into the comments of respondents, it became evident that they essentially supported the abolishment of the county governor's institution and not of the counties as administrative territories (which would contradict the *Constitution of the Republic of Lithuania*).

Concurrence of representatives of stratum I with the reduction of the number of counties and negative attitude to county governors' institutions could have been anticipated due to unsettled interaction between the municipalities and county governor's institutions, regular reassignment and duplication of competencies. It is probable that the majority of respondents of strata II and III disapproved of the reduction in the number of counties because they were afraid of losing their positions.

<sup>1</sup> The problem of abolishing the county governors' institutions is quite often approached as abolishment of administrative territory. However, identification of the county as administrative territory with the county governor's institution only is an erroneous belief. In counties, there function prefect-type institutions (i.e., county governor's institutions, State's representatives in counties) as well as many deconcentrated administrations. The discussion should, therefore, surround the abolishment or improvement of activities not of counties themselves, but of institutions functioning within them.

Another important aspect, which might influence the changing of the sub-national government structure in the country, deals with the establishment of regions as administrative territories. When it was working on the concept for improvement of the government of regions (counties) of Lithuania in the second and subsequent stages of the government of regions' reform from 2012, the Seimas Committee for State Government and Municipalities recommended to the Government to establish larger regions as formations with the status of administrative territory, in order to ensure long-term growth of the national economy. In this case, Lithuania would have three types of administrative territories: municipalities, counties and regions.

Consequently, the respondents were asked if it made sense to form yet another type of administrative territories in Lithuania (besides counties and municipalities) – regions. The majority of respondents (85 per cent) of all three strata did not approve this idea. Thus, the idea of Lithuania being too small a state for accommodating three types of administrative territories is essentially concurred with, and this direction of territorial government reform is, therefore, not much plausible.

### **3. Sub-national government structure: assessment of the sub-national government levels**

Because the democratization of territorial government by forming a self-governing representative institution of the county has been forgone, the issue of direct involvement of the citizens in the government of regions remains relevant. Due to this, when analyzing the problem of forming the sub-national government structure - sub-national government levels, the first and foremost task was to find out whether respondents approved validation of self-governance of regions (in counties).

Opinions of the survey participants on the issue in question distributed ambiguously. 45 per cent of respondents of all three strata disapproved of the validation of self-governance of regions (in counties). To 37 per cent of those surveyed this idea was acceptable. Moreover, it is noteworthy that almost one fifth (18 per cent) of respondents did not have a clear position towards validation of self-governance of regions. Stratum III respondents disapproved self-governance of regions the most actively (61 per cent), while representatives of stratum II were the stronger supporters of the idea (44 per cent).

It is likely that the willingness of a significant number of respondents of strata I and II to validate the self-governance of regions was determined by the striving to dispel the tension existing between the local municipalities and county governor's institutions. It should also be assumed that this direction of territorial government is connected with the wish to retain or acquire certain positions and to reinforce their positions.

When analyzing the possibilities for validation of regional self-governance, the issue pertaining to existence or performance improvement of county governor's institutions becomes very important. The study was aimed at finding out how the respondents of all three strata viewed the perspective to abolish the county governor's institution.

After summarizing the opinions of all three strata, it is evident that 69 per cent of all respondents approved the abolishment of county governor's institution. However, when assessing the positions on the issue concerned of representatives of

individual strata, differences in opinion became obvious. The vast majority of representatives of stratum I (79 per cent) approved of abolishment of county governor's institution. However, the majority of stratum II respondents (60 per cent) found this idea unacceptable. Opinions of stratum III respondents on abolishment of county governor's institution distributed ambiguously: 47 per cent of those surveyed were in favour, 42 per cent were against.

Such distribution of opinions could have been expected, seeing as representatives of local municipalities themselves experience the negative consequences of interaction between the municipalities and county governor's institutions. On the other hand, an assumption could be made that in the event of abolishment of county governor's institution, representatives of stratum I foresaw the possibilities to expand the competence of municipalities and, consequently, the strengthening of municipalities' positions (in the country's system of public government) as well as possibilities for more effective and faster meeting of the local community needs of local inhabitants. It is also plausible that the majority of representatives of stratum II, who did not concur with the abolishment of county governor's institution and were in favour of validation of self-governance of regions in counties, would prefer the self-governance of regions be established on the basis of county governor's institutions. Thus, in summary it could be stated that the majority of stratum I respondents are in favour of abolishment of county governor's institution, whereas the majority of representatives of strata II and III – in favour of continuity and improvement of county governor's institution.

When working on improvement of the sub-national government structure and seeking to ensure faster and more efficient management of local affairs as well as provision of public services in the country, internal decentralization of existing municipalities while focusing on reorganization of neighbourhoods' activities has been foreseen as an alternative to fragmentation of municipalities and self-government of regions. Given this, the respondents have been asked if they approved of reorganization of neighbourhoods' activities. 77 per cent of respondents of all three strata approved of reorganization of neighbourhoods' activities. Representatives of strata I and III supported this position the most actively (79 per cent each).

Thus, it can be stated that reorganization of neighbourhoods' activities currently represents a more acceptable alternative than the much-debated and discussed establishment of new municipalities or validation of regional self-government.

Participants of the survey, who approved of reorganization of neighbourhoods' activities, were also asked to elaborate on changes needed in the activities of neighbourhoods. After summarizing the opinions of respondents of all three strata, it was apparent that strengthening of economic and financial autonomy of neighbourhood's managers was supported the most (71 per cent) as well as encouragement of communities of populated localities to get actively involved in the decision-making process of municipalities (65 per cent). Establishment of neighbourhoods as budget enterprises - legal entities was the least appreciated (42 per cent) (see Figure 2).

When analyzing individual strata of population, it can be seen that stratum I respondents mostly (73 per cent) supported the strengthening of economic and financial autonomy of neighbourhood managers and together with the respondents of stratum II and III – the encouragement of communities of populated localities to get actively involved in

decision-making process of municipalities (64 per cent, 61 per cent and 83 per cent respectively). In addition, the majority of stratum I respondents (64 per cent) supported the idea of validating the neighbourhood managers' elections. Representatives of strata II and III were the least in favour of this idea (39 per cent and 14 per cent respectively).

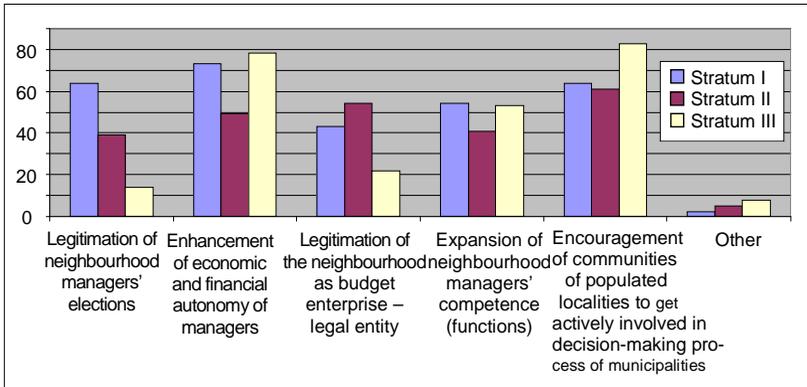


Figure 2: Comparison of respondents' opinion on reorganization of neighbourhoods' activities (*per cent*)

Thus, the findings of the study show that the *Concept for Internal Decentralization of Municipalities* [13], the *Plan of Measures for Implementation of the Concept for Internal Decentralization of Municipalities 2007-2010* [14] and directions for improvement of neighbourhoods' activities, embedded in these documents, are essentially approved of. It is noteworthy that the majority of representatives of stratum I, contrarily to the majority of respondents of strata II and III, supported the validation of neighbourhood managers' elections as a plausible means to make the local communities more active, by getting them directly involved in local government.

#### 4. The competence and interaction of local municipalities and county governors' institutions

The majority of respondents of all three strata (55 per cent) believed that the current competence of municipalities was overly narrow. Representatives of stratum I agreed with this notion the most (65 per cent). However, more than a half of respondents of strata II and III (52 per cent and 60 per cent respectively) believed that the current competence of municipalities was adequate. It is also noteworthy that among representatives of strata II and III there were quite many those (23 per cent and 32 per cent respectively), who believed that the competence of municipalities was excessively broad. Such distribution of opinions of respondents representing the national level of government makes doubtful the efforts to increase the independence of municipalities' activities by expanding their functions, embedded in various legal acts of the country (e. g., *Long-term Development*

*Strategy of the State* [9], *Public Administration Development Strategy until 2010* [11], the *Fourteenth (2006-2008) Government Programme* [12], *Concept for Deconcentration and Decentralization of Certain Central Government Institutions* [10]).

The division of the opinions of representatives from the sub-national and national levels of government was to be anticipated. It is believable that the majority of stratum I respondents are not happy about the expansion of municipalities' competence due to supplementation of the set of national (transferred to municipalities) and prescribed (independent with restrictions) functions of municipalities, instead of the independent ones. This contributes even more to the increase of dependence of municipalities on the state powers. As the study showed, it is likely that representatives of stratum II, whose majority disapproved of the abolishment of county governors' institutions, associate the expansion of municipalities' competence with the weakening of county governor's institution and view this as a threat to the existence of county governors' institutions.

Respondents who supported the opinion that competence of municipalities was too narrow were asked in what areas the municipalities lacked independence and what methods should be invoked to broaden the competence of municipalities. The majority of respondents who replied to this question believed that the competence of municipalities was overly narrow, firstly, in land management (77 per cent), secondly, in public order and security (58 per cent), thirdly – in territory planning (57 per cent) (see Figure 3).

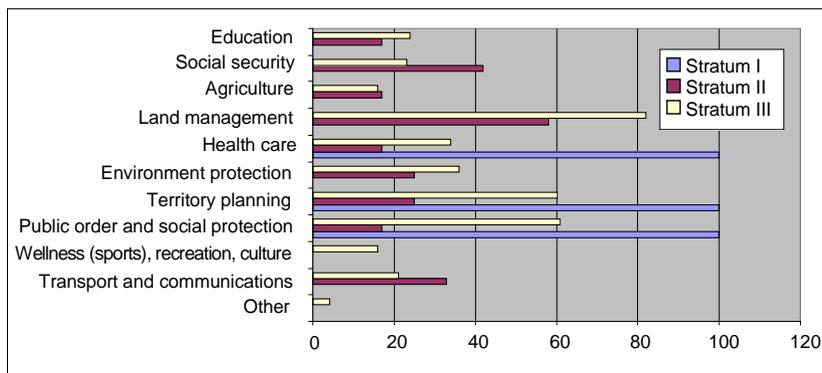


Figure 3: Comparison of respondents' opinion on narrow areas of municipalities' competence (*per cent*)

When analyzing the distribution of opinions of representatives of different strata, it could be seen that the position of the majority in strata II and III differed from that of stratum I. The majority of respondents in stratum II believed that the competence of municipalities was too narrow in land management (58 per cent) and social security (42 per cent). Representatives of stratum III were unanimous (100 per cent): the competence was too narrow in the fields of health care, territory planning, public order and social security. The majority of respondents in all three strata who concurred that the competence of municipalities was too narrow believed that it should be broadened by increasing the

number of independent functions (81 per cent) and by handing over certain functions (55 per cent). The majority of stratum II respondents believed that the competence of municipalities should be broadened by handing over certain functions to municipalities (83 per cent) and reducing the number of national functions (42 %). Stratum III respondents were unanimously (100 per cent) in favour of increasing the number of independent functions of municipalities (see Figure 4).

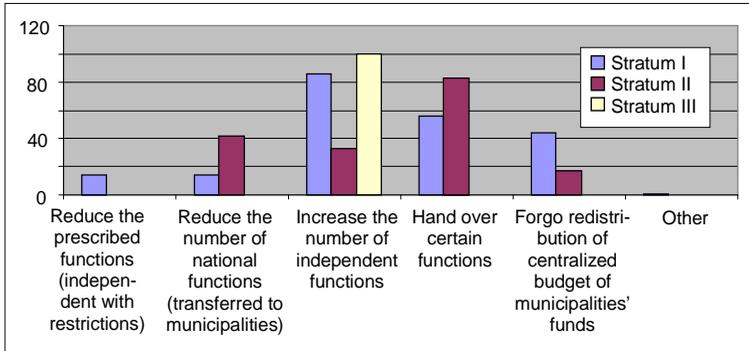


Figure 4: Comparison of respondents' opinion on ways to broaden the municipalities' competence (*per cent*)

Until this day, in Lithuania the problem of competence distribution between separate levels and stages of government has not been solved completely. Competencies of municipalities and county governors' institutions are not entirely formulated and undergo, therefore, regular amendments. Respondents were requested to explain how they assessed the relationships between municipalities and county governors' institutions. It is paradoxical, but respondents of the three strata believed that inter-relationships of municipalities and county governors' institutions were the best characterized by collaboration (53 per cent) and antagonism (32 per cent) (see Figure 5). Cooperation, in the opinion of respondents, was the least characteristic to relationships of the institutions concerned (10 per cent).

Thus, it could be stated that inter-relationships of municipalities and county governors' institutions were mostly characterized by collaboration and antagonism, subject to the nature of interaction. The majority of respondents in all three strata believed that inter-relationships between municipalities and county governors' institutions were irrational due to unsuitable division of competence and political motives (see Figure 6).

When analyzing the opinions of respondents of different strata, it could be seen that stratum III respondents (50 per cent) indicated regular re-distribution of competence of institutions concerned as a significant cause for irrationality of inter-relationships between municipalities and county governors' institutions.

The majority of respondents noted that land management (74 per cent) and territory planning (63 per cent) represented the areas, in which the competencies of municipalities and county governors' institutions were divided irrationally (see Figure 7).

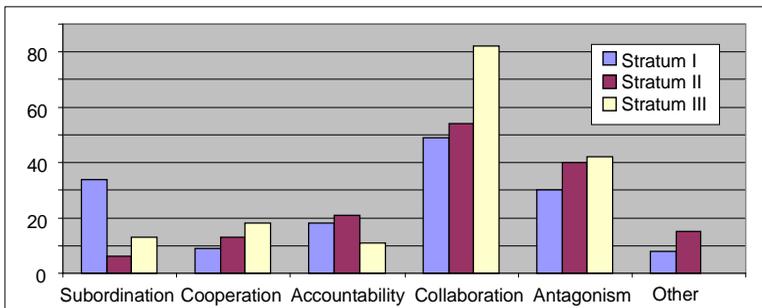


Figure 5: Comparison of respondents' opinion on nature of inter-relationships between municipalities and county governors' institutions (per cent)

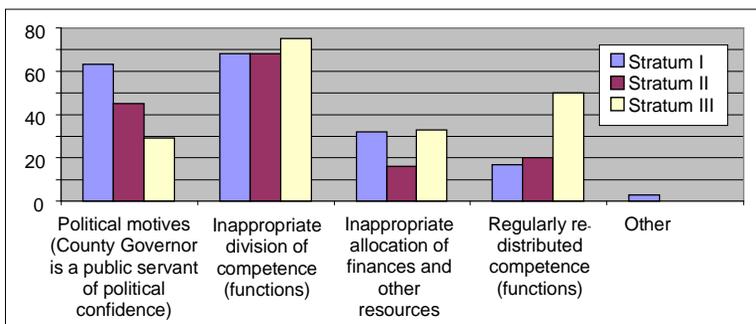


Figure 6: Comparison of respondents' opinions on irrationality causes of inter-relationships between municipalities and county governors' institutions (per cent)

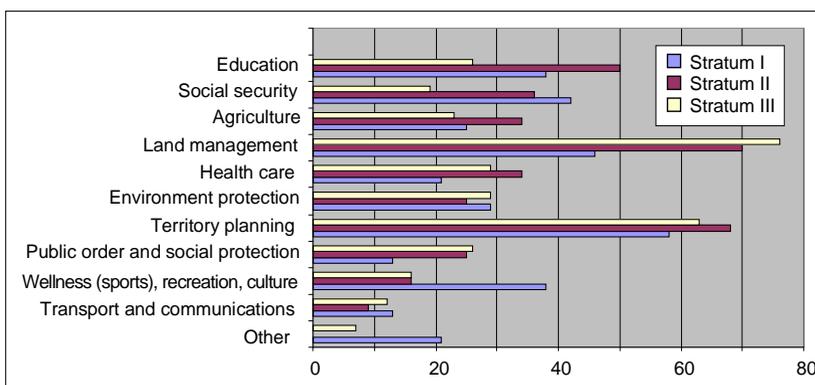


Figure 7: Comparison of respondents' opinions on irrational division of competencies between municipalities and county governors' institutions (per cent)

When analyzing the distribution of opinions between individual strata, it could be seen that this position was highly supported by representatives of all three strata. It is, therefore, believable that the general competence of municipalities and county governors' institutions will be mostly adjusted in the fields of land management and territory planning.

## **Conclusions**

Results of the research showed that respondents representing different levels and stages of public government did not have a clear and unambiguous direction for the improvement of sub-national government structure and competence of local municipalities and county governors' institutions.

The majority of representatives of the sub-national level of government (stratum I) and representatives of the subjects of territorial regional state government (stratum II) disapproved of the idea to establish new municipalities in the country, however, the majority of representatives of the central state government subjects (stratum III) agreed to the fragmentation of municipalities. Although the majority of respondents believed that circle-type municipalities should be dissolved, there was nonetheless a disagreement about whether the territory of the dissolved municipalities should be added to the existing ones or allocated to the newly-established municipalities, too. The majority of representatives of stratum III were the only ones to believe that it would be advantageous after dissolution of circle-type municipalities to allocate their territories to the existing and newly established municipalities. The majority of representatives of stratum I believed that the competence of municipalities was too narrow, whereas the majority of respondents from strata II and III maintained that the municipalities had been granted sufficient competence.

The majority of respondents of stratum I, contrary to the representatives of strata II and III, believed that it was necessary to reduce the number of counties in Lithuania. Respondents of stratum I and II evaluated the validation of self-government of regions ambiguously. In the meantime, the majority of those surveyed from stratum III disapproved of this idea. The majority of representatives of stratum I approved of the dissolution of county governor's institution, however, to the majority of respondents of stratum II this position was unacceptable. The opinion of representatives of stratum III on this issue distributed irregularly.

Nonetheless, the research helped to determine that the majority of respondents were convinced of the following: 1) it is not beneficial to form regions within the country as administrative territories; 2) it is necessary to reorganize the activities of neighbourhoods, while increasing economic and financial autonomy of neighbourhood managers and encouraging the local communities to take active part in the decision-making process of municipalities; 3) relationships of municipalities and county governors are irrational due to unsuitably divided competence (particularly in the field of land management and territory planning) as well as due to political motives.

Based on the findings of the research, it can be stated that regardless of the rapid changes in various circumstances surrounding the public government system, the heterogeneity of respondents' opinions on the sub-national government structure of Lithuania and competence of local municipalities and county governors' institutions cause the stagnation of public government system in the country.

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Jūratė Baltušnikienė

**Lietuvos subnacionalinio valdymo struktūros ir vietos savivaldybių bei apskričių viršinininkų institucijų kompetencija: empirinio tyrimo rezultatų analizė**

Santrauka

Straipsnyje pateikiami Lietuvos subnacionalinio valdymo struktūros ir vietos savivaldybių bei apskričių viršinininkų institucijų kompetencijos tobulinimo galimybių anketinio tyrimo rezultatai. Pasirinkta tyrimo problema analizuojama remiantis šiais kriterijais: teritorine sandara (teritorijos administracinių vienetų sistema), subnacionalinio valdymo lygiais, vietos savivaldybių ir apskričių viršinininkų institucijų kompetencija ir sąveika. Svarstomi respondentų - subnacionalinio valdymo ekspertų argumentai, pritariantys ir prieštaraujantys tam, kad reikalinga koreguoti Lietuvos subnacionalinio valdymo struktūros ir vietos savivaldybių bei apskričių viršinininkų institucijų kompetenciją, taip pat ieškoma nagrinėjamos problemos sprendimo gairių.

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