

# infonet

A publication of the Governor's DD Council & ID Action

## BUDGET TARGETS ANNOUNCED

Legislative leaders release their budget targets which include a 5% cut in spending and big cuts to the Health and Human Services Budget.

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## Bills Die at Halfway Point

Bills die in the first legislative deadline as the legislative session hits its halfway point.

Legislators are celebrating the halfway point of the legislative session – Friday, February 19 was day 40 of the 80-day Iowa legislative session. They have been working long days and a few Fridays to keep the session on track for the March 31 end date.

**February 12 marked the Legislature's first deadline** – called a funnel. Committees needed to act on bills by that date if they wanted to keep them alive. Bills that failed to make it out of committee by February 12 are done for the year. While hot button issues like a constitutional amendment on marriage died in the funnel, others that ban texting while driving, toughen laws against puppy mills, and require seatbelts for kids of any age in the back seat all survived to see another day.

An entire list of bills that survived the “funnel” is available at: [www.iowapolitics.com/1009/Eligible\\_bills\\_first\\_funnel.pdf](http://www.iowapolitics.com/1009/Eligible_bills_first_funnel.pdf). This list was prepared by legislative staff and is sorted by subject (agriculture, environment, labor, etc). You can also view our list of bills that impact the state's disability policy at: [www.infonetiaowa.com](http://www.infonetiaowa.com).

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“The most important political office is that of the private citizen.”

Former Supreme Court Justice Louis Brandeis

## Halfway Point *(continued)*

Below is a list of bills that didn't make the deadline (so they are done for the year):

- ☑ [SF 2021](#) would have required all divorcing couples to disclose whether they have a mental illness (and required the court to consider this when dividing property). *Status: Dead*
- ☑ [SF 2094](#) would have annually increased the personal needs allowance for people living in nursing homes or intermediate care facilities. *Status: Dead*
- ☑ [SF 2099](#) would have required all nursing home residents to receive information within 30 days of admission on where to find resources to assist with Medicaid eligibility and long-term care regulations. *Status: Dead*
- ☑ [SF 2116](#) would have required schools to teach American Sign Language (and students would be required to take it). *Status: Dead*
- ☑ [SSB 3145](#) & [HSB 655](#) would have required county CPCs to find a place and arrange transportation for persons with mental illness that need emergency hospitalization. *Status: Dead*
- ☑ Bills creating new DHS service districts ([SSB 3072](#) & [HSB 572](#)) and made changes to the duties and name of the MH/MR/DD/BI Commission ([SSB 3075](#) & [HSB 569](#)) were added to the State Government Reorganization Bill ([SF 2088](#)). *Because these bills were added to SF 2088, they are no longer needed.*

**Curious how many days are left in the legislative session?** Visit our website at [www.infonetiowa.com](http://www.infonetiowa.com) and check out our session countdown. It will tell you on any day how many days are left in the 80-day session.

## The Capitol Beat

Legislative leaders held **two public hearings** at the Capitol over the last two weeks – the first on the proposed reorganization bill and the second on a labor issue called “fair share” that requires non-union employees to pay a fee to unions if they receive benefits of a union-negotiated contracts. More than half of the 50-plus people testifying at the reorganization hearing came to speak about the closure of a Mental Health Institute. Half of the town of Clarinda came to show their support for their MHI (okay, it only seemed like half of the town). The other half of the people testifying spoke about a local program called “community empowerment” which funds a number of health and education programs for kids age 0 to 3. The bill had changed how that program operated; the change was met with intense opposition.

The Iowa Board of Pharmacy surprised Iowans with a unanimous vote this week to recommend the **state allow marijuana use for medical purposes**. The bill legalizing medical marijuana ([HF 2179](#)) died in the first funnel, but legislative supporters say they will try to bring it back to life. The Board suggested legislators appoint a committee to discuss details and get input from other states that have done this.

Sen. Joe Bolkcom (D-Iowa City), a key supporter of medical marijuana, said he would work on a bill for the 2011 legislative session instead of trying to move a bill forward this year. *“I don't think we are going to find common ground this session on this bill,”* said Sen. Bolkcom.

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## Budget Targets Released

Legislative leaders release budget targets, which include 5% cut in spending and big cuts to Health and Human Services Budget.

The first step in state budgeting is the release of budget targets. Before legislators can decide how to spend money, they have to know how much money they have to spend. Legislative leaders give their budget chairs a “target” – basically they decide how to slice up the budget pie. This year, the Health & Human Services Budget is going to leave the table hungry.

The budget presented by leaders this week includes a 5% cut in current spending levels. This cut is AFTER the 10% across the board cut imposed by the Governor last fall. That means the next year budget will 15% less than the budgets adopted by legislators in 2009.

The Governor had recommended spending more, but he also included increased revenues and more reorganization efficiencies that would have freed up more money to spend. Legislators are not banking on the \$300-plus millions in efficiency the Governor included. Their reorganization plan only cuts between \$65-75 million, most of which is made up by an early retirement package for state employees.

**The budget targets are listed in the next column – numbers in ( ) are negative and less than the current year.** You might notice about \$3 billion missing from these budget targets (this year’s budget will be about \$5.3 billion). That is because these budget targets only show money spent in the seven budget subcommittees and does not include general fund money that will be spent in the “standings budget” which funds things like K-12 education) and tax credits. You can look at the budget targets at: [www.infonetiowa.com](http://www.infonetiowa.com).

### Administration/Regulation

Target: \$ 63,836,703  
Difference: \$ 2,897,461

### Agriculture/Natural Resources

Target: \$ 35,917,312  
Change: (\$ 340,780)

### Economic Development

Target: \$ 41,754,957  
Change: \$ 1,138,322

### Education

Target: \$ 844,371,902  
Change: \$ 28,514,198

### Health/Human Services

Target: \$ 954,340,874  
Change: (\$168,162,109)

### Justice System

Target: \$ 634,366,394  
Change: \$ 8,593,422

### Transportation

Target: \$ 0  
Change: (\$1,350,000)

*Transportation is funded with federal funds; this change just shifts administrative costs over to federal dollars.*

### Reorganization Savings Target - \$70.9 million

### GRAND TOTAL FOR FISCAL YEAR 2011

Target: \$ 2,494,647,642  
Change: (\$ 208,689,986)

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## Budget Targets Released (continued from page 4)

**Health and Human Services will be getting a whopping \$168 million cut.** Legislators serving on this budget subcommittee were stunned this week when they saw the numbers – none seem to know how they will make up this cut. To make matters worse, the state loses its enhanced federal Medicaid match in December. The state had been relying on extra federal Medicaid money coming into the state through the economic stimulus package passed by Congress last year. That money runs out in December, leaving half of a fiscal year with less federal dollars. That means Medicaid will really have \$375 million less to work with next year.

The Health/Human Services Budget Subcommittee cancelled its meetings this week, and instead met privately (in caucus) to figure out their game plan. Legislative leaders have asked each of the seven budget subcommittees to get their budgets done by Thursday, February 25. Their hope is to have all budgets done and ready to go when the Revenue Estimating Conference (REC) meets March 11.

The REC is the group of economists that predicts how much money the state will collect in taxes and other revenue during the year. By law, Iowa can only spend 99% of what it collects, so these estimates are very important. They tell legislators how much money they can spend. The October 2009 estimates are what drove the Governor to cut spending by 10% across the board, because the group predicted the state would collect far less than they thought when the Legislature passed its budget bills last year.

If the REC predicts the state's economy is turning around and we are collecting more money than they thought, legislators can spend more. They will add that to their budgets and finish up

session. If the numbers come back worse, the Legislature is required by law to adjust its budgets and cut even more.

Again, Iowa's budgets are much better than some states, including neighbor Illinois that is battling budget deficits bigger than Iowa's entire budget. However, many other states can borrow money and spend more than they take in. Iowa cannot. Iowans want to only spend what they have in the bank, and save a little for a "rainy day." March 11 is the day when we'll know how much it is raining (or snowing as the case may be this year). Keep your fingers crossed.

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## Halfway Point (continued)

Under a bill ([SF 2215](#)) passed by the Iowa Senate this week, insurance companies would be banned from using information from **genetic tests** to deny coverage. Sen. Pam Jochum of Dubuque, the bill's sponsor, asked for this bill after a group of doctors told her patients and their family members were nervous about testing for the genetic markers for breast cancer and other diseases for fear that their insurance companies would cancel their health insurance or call it a pre-existing condition. Under the bill, genetic information could still be used for criminal investigations, newborn screening and for scientific research.

Utility companies would be allowed to explore the development of a second Iowa nuclear power plant under to bills that cleared committee this week ([HF 2100](#) and [SF 2314](#)). These bills would allow utility companies to begin the process of finding a site for a nuclear facility in Iowa. Iowa's only other nuclear power plant is located in Palo, just outside of Cedar Rapids.

# Final Negotiations on Reorganization Begin

Legislators spent the summer and early part of this session finding ways to save money by changing how state agencies operate. They hoped to find efficiencies in restructuring government operations. Their plan, as passed by the Iowa Senate earlier this month, would have saved the state about \$74 million.

By the time the House passed the bill ([SF 2088](#)), the savings were down to \$60.7 million. Under both plans, local governments will see about \$44.2 million in savings. The Governor's original proposal would have saved \$341 million, but legislators and fiscal analysts disagreed with the math behind those estimates.

## Here are a few things about the reorganization budget that you might find of interest:

- ☑ **Area Education Agencies (AEAs)** are restructured, giving the Department of Education the authority to standardize services and develop a collaborative plan. The Senate had required redistricting into five areas after the 2010 census, a study to find alternative ways to finance the AEA system, and restructured local board memberships. The House took out those parts, and established a local AEA advisory group to help with these changes (which could end up adding to costs instead of saving them). *The AEAs provide special education services to local school districts.*
  - ☑ The **Clarinda Mental Health Institute (MHI)** would be closed under the Senate version of the bill, moving the 20 adult psychiatric beds to the Cherokee MHI, and moving the 12 child/adolescent beds to the Independence MHI. The House had originally considered giving the Department of Human Services the flexibility to close a facility and move other services around, but that language was rejected and the House ended up taking out all language about the closure of an MHI.
  - ☑ The House added language that would amend the Medicaid **Intellectual Disabilities (ID) Waiver** to eliminate unnecessary annual evaluations – evaluations would only be done as needed. About 2/3 of the 10,761 people on the ID Waiver would not need this annual evaluation, which cost about \$400 each. The state's savings here is \$105,000.
  - ☑ The House also added language that would again amend the Medicaid ID Waiver to cover **employment-related transportation** provided by Supported Community Living service providers. Employment-related transportation is currently covered under the waiver when provided by a transportation or supported employment provider, but not a supported community living provider. This adds them.
  - ☑ The **MH/MR/DD/BI Commission** duties were revised in both House and Senate versions of the bill, at the request of the Commission. They will also get a mercifully shorter name – Mental Health/Disability Services Commission.
  - ☑ Both bills still include changes that would take brand name **psychiatric drugs** off the Medicaid preferred drug list (requiring people try out less expensive drugs first) unless their manufacturers give the state rebates and lower pricing. Both bills also allow doctors to prescribe a seven-day supply of drugs that are not on the preferred drug list, instead of the current 30-day supply.
  - ☑ The House and Senate were also in agreement about a controversial **review of Medicaid waiver expenses**. Under both versions, the state would review some expense payments that exceed the median. Providers say this will delay services, and could result in more denials for coverage. DHS says that this will expand their oversight and make sure public money is being spent appropriately and weed out fraud.
  - ☑ Finally, both House and Senate included the phase-out of the **Family Support Subsidy** program, ending it after all current recipients are out of the program. No new families will be accepted, and people on the waiting list will be told the program has ended.
- You can read a full analysis of the bill at: [www3.legis.state.ia.us/noba/noba.do?ga=83&session=2&bill=647](http://www3.legis.state.ia.us/noba/noba.do?ga=83&session=2&bill=647).

# What Next?

Check out what is ahead as the Legislature continues its work over the next two weeks.

Things are moving at lightening speed around the Capitol these days. Even you are under the gold dome every day, it can be tough to keep up on things. Here is a quick review of what's ahead this next two weeks:

- ☑ **Budget Subcommittees are to have their budgets done by Thursday, February 25.** This probably won't happen – or at least budgets won't be in final form.
- ☑ **The second legislative “funnel” deadline is just two weeks away (Friday, March 5).** Bills need to be pretty far along in the process to be alive after this date – they need to have passed out of one chamber (House or Senate) and out of committee in the other chamber. Again, tax and budget bills can be debated at any time (the funnel doesn't apply to them).
- ☑ **Final decisions on the reorganization bill will be made.** While things change daily at the Capitol, most legislators think the bill will end up in a “conference committee.” Conference committees are appointed when legislators cannot agree to a compromise. A group is appointed to a conference committee; they meet and develop a compromise that must be passed by both House and Senate to become law – and conference committee reports cannot be amended.

## *infoNET* Bill Tracker

The *infoNET* bill tracking system is updated daily with new bills and changes in status. You can check on bills at any time at: [www.ialobby.com/CPCBillTracker/tabid/59/Default.aspx?cid=INFONET](http://www.ialobby.com/CPCBillTracker/tabid/59/Default.aspx?cid=INFONET).

Because space is limited, we can only list new bills in mailed copies of *infoNET* – but the entire list is available in the Bill Tracker.

**HF 234 - Mental Health Parity (Status: House Floor)**  
– Makes insurance plans pay for mental illnesses in the same way they pay for physical illnesses. *Floor Manager: Rep. Wessel-Kroeschell*

**HF 2295 - AEA Task Force (Status: House Floor)** - Creates a Task Force to review the mission, structure, governance, and funding of the Area Education Agency (AEA). *Floor Manager: Rep. Wendt*

**HF 2339 & SF 2332 - HCBS Waiver/Intellectual Disabilities (Status: House & Senate Floors)** - Lowers the cap on administrative costs for supported community living in the ID waiver from 20% to 18%. *Floor Managers: Rep. Smith & Sen. Bolkcom*

**HF 2404 - Insurance Mandate/Hearing Aids for Children (Status: House Floor)** - Requires health insurance plans to cover audiological services and hearing aids for children, beginning 1/1/2011. *Floor Manager: Rep. Petersen*

**HF 2410 - Anti-Epileptic Drugs (Status: House Floor)** - Prohibits a pharmacist from substituting a anti-epileptic drug, whether brand name or generic. *Floor Manager: Rep. T. Olson*

**HF 2429 - Disabled Veteran Property Tax Protection (Status: House Floor)** - Keeps property taxes the same on a disabled veteran's home (no more increases). *Floor Manager: Rep. Ficken*

**HF 2451 - Dependent Adult Abuse/Due Process (Status: House & Senate Floors)** - A "shell bill" that states the Legislature's intent to do something about this issue. *Floor Manager: Rep. Hunter*

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## Bill Tracker (continued from page 6)

**HF 2470 - Election Law Technical Changes (Status: House Floor)** - Makes various changes to absentee voting and voter registration laws. Election officials who refuse to allow a voter to cast a provisional ballot will be guilty of an aggravated misdemeanor under this bill (punishable by two years in jail and up to \$6,350 fine). Adds to the list of documents that can be used to prove residency when registering on Election Day or for in-person absentee voter registration. Currently a voter can show a property tax statement or utility bill with their name and address on it. This bill allows a receipt for payment of these items to be used, as long as the person's name and address are on that receipt. The bill also adds a "printed blank check" with the person's name and address or on it as proof of residency. Finally, the bill allows a current bank statement in either electronic or printed form be used as proof (right now it must be printed). Adds to the voter registration form a check box allowing a person to indicate if they wish to request an absentee ballot. Eliminates the law allowing a precinct election official to ask for identification of any voter they do not know. Election officials will now need to include in their post-election list the name and address of all persons casting a provisional ballot (this is list is available for public inspection, but now only includes the numbers in aggregate). Strikes the reasons a voter may request an absentee ballot from law (replacing it with language that a voter may request it). This change clarifies that a voter can cast an absentee ballot for any reason. Allows a voter to request an absentee ballot at any time (current law does not allow a request more than 70 days before the election). Under this bill, an election commissioner would hold onto the request and process it when ballots become available. Requires absentee ballots be redesigned so all required information is at the top, and optional information at the end. Makes additional changes related to county election commissioner duties. Effective upon enactment and applicable to elections beginning 5/15/2010. *Floor Manager: Rep. Gaskill*

**SF 2349 - Autism Insurance Coverage (Status: Senate Floor)** - Requires state employee insurance plans include coverage for the diagnosis and treatment of autism spectrum disorders. *Floor Manager: Sen. Beall*

**SF 2072 - Involuntary Hospitalization (Status: Senate Floor)** - Requires a hospital or mental health facility to accept custody of a person who has been involuntarily hospitalized within two hours of delivery by a sheriff. *Floor Manager: Sen. Kreiman*

**SF 2088 - State Government Reorganization (Status: Senate Floor, Second Time)** – See story for details. *Passed Senate 35-15; Passed & amended by House 98-0; Floor Manager: Sen. Appel*

**SF 2145 - Truck Registration/Persons with Disabilities (Status: Senate Floor)** - Sets a flat registration fee for all trucks equipped to assist a person with a disability at \$60. *Floor Manager: Sen. Heckroth*

**SF 2151 - Funding Shifts for Federal Recovery (Status: House Floor)** - Makes \$12.8 million of funding reallocations to allow the state to collect federal ARRA funds (economic stimulus funds). Transfers \$1.8 million from the Mental Health Risk Pool to the Mental Health State Cases Program for FY 2010 to prevent service reductions in the program (there may still be some losing services). *Passed Senate 31-16; Floor Manager: Rep. Heddens*

**SF 2175 - Veteran Membership on Boards & Commissions (Status: House Veterans Affairs Committee)** - Adds a military veteran to the Mental Health Planning & Advisory Council and the MH/MR/DD/BI Commission. *Passed Senate 47-0*

**SF 2179 - Passenger Restraints for Minors (Status: House Transportation Committee)** - Requires that all persons under 18 years of age be in a car seat or wear a seat in the back seat. *Passed Senate 39-9*

**SF 2202 & HF 2433 - Rights of Persons with Disabilities (Status: House Floor)** - Changes the term "persons with physical disabilities" to "persons with disabilities" in Iowa law. Requires curb cuts (accessible slopes) at all intersections of newly constructed or repaired curbs, including paths. Eliminates the requirement that hearing dogs and service dogs be trained at a recognized training facility. Continues the current simple misdemeanor penalty for someone denying or interfering with the use of a hearing or service dog, or other assistive animal. Requires these laws be implemented, even though they may cost more money (exempt from state mandate law). *Passed Senate 47-0; Floor Manager: Rep. Heddens*

**SF 2246 - Accessible Parking Permit Rules Waiver (Status: Senate Floor)** - Allows the Department of Transportation (DOT) to waive the requirement that persons with disabilities applying for an accessible parking permit give either a social security number, driver's license number, or state-issued ID if the permit is for a person who is an infant (less than 1 year old) and the permit is temporary. *Floor Manager: Sen. Rielly*

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## Bill Tracker (continued from page 7)

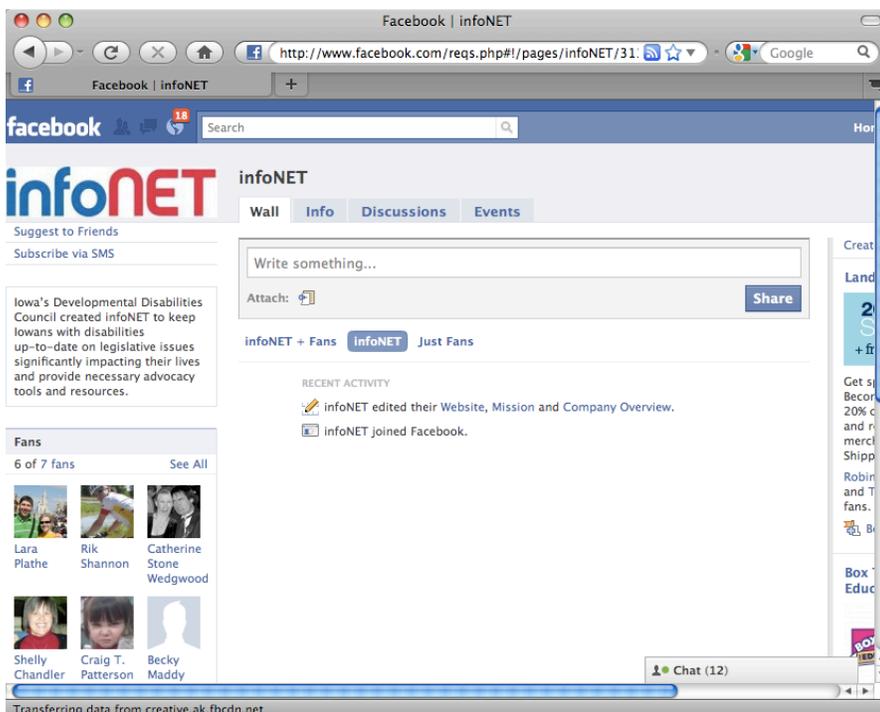
**SF 2291 & HF 2497 - Special Education Updates (Status: House Floor)** - Allows a child who becomes 21 during the school year to continue to receive special education services until the end of the school year. *Passed Senate 46-0; Floor Manager: Rep. Winckler*

**SF 2333 - Nursing Home Inspections (Status: Senate Floor)** - Lists the qualifications for persons who inspect hospitals and nursing homes (must have been employed in a hospital, be free of conflicts of interest, and obtain continuing education). *Floor Manager: Sen. Dotzler*

**SF 2352 - Law Enforcement Notification/Release of Mentally Ill (Status: House Judiciary Committee)** - Allows a law enforcement official to request that a hospital or facility treating a person incapacitated by a serious mental illness or chemical substance notify them when the person is released. This is in response to the Parkersburg killing. *Passed Senate 48-0*

**SF 2356 - Health Care Reform & IowaCare Plus (Status: Senate Floor)** - Revises the IowaCare program, establishes a diabetes registry, and sets up a non-profit Exchange to help uninsured Iowans get affordable health insurance. *Floor Manager: Sen. Hatch*

**SSB 3197 - Governor's Supplemental Appropriations (Status: Senate Appropriations Committee)** - Adds \$50 million back funding for items the Governor held harmless from his 10% across the board cuts last fall (the "backfill"). Adds back funding for the current fiscal year (FY 2010) for community-based corrections and the prison system. Reinstates funding for public libraries (Enrich Iowa), community empowerment, four-year-old pre-school programs, substance abuse treatment and prevention, tobacco prevention and control, oral health programming, HOPES, child health specialty clinics, University of Iowa contract to provide services to persons with muscular dystrophy and birth defects, Ryan White AIDS drug case management, PKU funding, prescription drug donation program, epilepsy foundation, brain injury association, local public health nursing, local home care aide service contracts, lead screenings for children and follow-up services for those testing positive for exposure, and continued childhood vaccinations. Cuts \$1 million from juvenile detention and uses it to pay for juvenile delinquent graduated sanction services. Transfers remaining funds (about \$1.5 million) from the MH/MR/DD Risk Pool to state cases program. Effective upon enactment. *Floor Manager: Sen. Dvorsky*



## Friend Us!

Some of you are real news hounds. You want the gossip, the breaking news, the scoop. We love that about you! To help you out – we are now on **Facebook**. You can post your questions, talk to other advocates, and keep up to date on all things legislative. **So become a fan:**

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## Action Center

### Making contacts with your legislators simple & fast.

Don't wait – try out our new website tool that allows you to contact your legislators about the issues you care about quickly. The system makes advocacy easy:

- ☑ Your legislator is automatically identified.
- ☑ You get tips on writing your note.
- ☑ The system addresses and signs the note for you.
- ☑ You can send the same note to both your legislators with the click of one button.

**Join the many advocates that have already tried it out!**

**Step One.** Go to the Action Center ([www.infonetiowa.com](http://www.infonetiowa.com)).

**Step Two.** Sign in with your email address and zip code. This tells the Action Center who you are. The first time you use this tool, you need to verify your address and name. We need a street address or the system will not work (PO boxes will not work). *You only need to do this once.*

**Step Three.** You are now in the Action Center. You will be given the choice of advocating on a hot topic, or an issue of your choice. Simply click on your choice.

**Step Four.** The system automatically finds your elected officials, and addresses and signs your email for you. All you need to do is write your message (sometimes we'll help you get started). Then click "send."

**Step Five.** You will now have the option of forwarding our Action Center to a friend. This allows friends to use the action center to contact their elected officials.

## Upcoming Public Forums

Legislative town hall meetings and public forums are a great place to advocate for you issues. A full list of forums is at: [www.infonetiowa.com](http://www.infonetiowa.com).

Because of space, we cannot print all of the 200-plus forums planned in the next three months. Below is a list of the communities having forums over the next two weeks – check your local newspaper, call your legislator, or go to [www.infonetiowa.com](http://www.infonetiowa.com).

### Forums are planned in the following communities on:

- ☑ **Friday, February 26** – Ames, Floyd, Lacona, New Virginia, Osceola, Rudd & Truro
- ☑ **Saturday, February 27** – Adel, Arnold's Park, Bellvue, Bettendorf, Burnside, Callender, Carroll, Center Point, Clarinda, Clive, Coralville, Council Bluffs, Dallas Center, Decorah, Des Moines, Dyersville, Fort Dodge, George, Hiawatha, Huxley, Independence, Jefferson, Lidderdale, Maquoketa, Marengo, Mt. Pleasant, Neveda, Oelwein, Osage, Oskaloosa, Readlyn, Riceville, Rock Rapids, Shenandoah, Sioux City, Spencer, Tripoli, Waukon & Winterset
- ☑ **Saturday, March 5** – Ankeny, Ames, Cedar Falls, Dubuque, Estherville, Greenfield, Janesville, Muscatine, Ottumwa, Plainfield, Shell Rock, Waverly & Webster City

Speak Out.  
Get Involved.  
Take Action.



Educate your elected officials about the issues that matter most to you!

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# infoNET

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