

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES:

"Christie signs 10 bills into law," NorthJersey.com, August 18, 2016

"Signed into law on Thursday," Herald News, August 19, 2016

RWH/JA

P.L.2016, CHAPTER 29, *approved August 18, 2016*

Assembly, No. 3851 (*First Reprint*)

1 AN ACT authorizing certain local ¹**[units]** government entities¹ to
2 adopt policies for the payment of certain claims through the use
3 of standard electronic funds transfer technologies, ¹and¹
4 supplementing ¹chapter 5 of¹ Title 40A of the New Jersey
5 Statutes.

6
7 **BE IT ENACTED** by the Senate and General Assembly of the State
8 of New Jersey:

9
10 1. a. Notwithstanding any laws, rules, or regulations to the
11 contrary, the governing body of a local unit ¹, board of education,
12 or county college¹ may adopt policies, by ordinance or resolution,
13 as appropriate, for the payment of claims pursuant to N.J.S.40A:5-
14 17, N.J.S.18A:19-2, or other applicable law, through the use of one
15 or more standard electronic funds transfer technologies in lieu of
16 payment through the use of signed checks or warrants.

17 b. (1) Any policy adopted pursuant to subsection a. of this
18 section shall explicitly list the forms of standard electronic funds
19 transfer technologies that may be used by that local unit ¹, board of
20 education, or county college¹.

21 (2) A policy adopted pursuant to subsection a. of this section
22 shall designate the chief financial officer of the local unit ¹, board
23 of education, or county college¹ as being responsible for the
24 oversight and administration of the disbursement policy and
25 associated systems. The chief financial officer shall document and
26 implement internal controls sufficient to ensure safe and proper use
27 of the system and mitigate the potential for fraud and abuse.

28 c. As used in this section:

29 “Chief financial officer” means the official designated by the
30 governing body to be responsible for the proper administration of
31 the finances of the local unit ¹, board of education, or county
32 college¹ under any statutes and such rules and regulations
33 promulgated by any State agency as may pertain to the financial
34 administration of the local unit ¹, board of education, or county
35 college¹.

36 “Governing body” means the board, body, or administrator, by
37 whatever name it may be known, having charge of the finances of
38 the local unit ¹, board of education, or county college¹.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted June 27, 2016.

1 ¹“Internal controls” mean fiscal and operational controls that
2 ensure safe and proper use of a standard electronic funds transfer
3 system and mitigate the potential for fraud and abuse.¹

4 “Local unit” means a ¹**【contracting】** local¹ unit as defined ¹【by
5 the “Local Public Contracts Law,” P.L.1971, c.198 (C.40A:11-1 et
6 seq.), a board of education as defined by the “Public School
7 Contracts Law,” N.J.S.18A:18A-1 et seq., and a county college as
8 defined by the “County College Contracts Law,” P.L.1982, c.189
9 (C.18A:64A-25.1 et seq.)】 in N.J.S.40A:5-2¹.

10 “Standard electronic funds transfer technologies” ¹**【include, but**
11 **are not limited to, wire transfers, automated clearing house**
12 **transactions, and debit cards】** mean technologies that facilitate the
13 transfer of funds, other than a transaction originated by check, draft,
14 or similar paper instrument, initiated by means such as, but not
15 limited to, an electronic terminal, telephone, or computer or
16 magnetic tape for the purpose of ordering, instructing, or
17 authorizing a financial institution to debit or credit an account, and
18 incorporate, at a minimum, internal controls set forth in regulations
19 promulgated by the Local Finance Board¹.

20 d. ¹**【(1)】¹** The Local Finance Board, in consultation with the
21 Commissioner of Education ¹and the Secretary of Higher
22 Education¹, may adopt rules and regulations ¹, pursuant to the
23 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
24 seq.),¹ for the purpose of ¹【clarifying the implementation and use of
25 standard electronic funds transfer technologies.

26 (2) For the purposes of this section, a county college shall be
27 subject to the rules and regulations of the Secretary of Higher
28 Education】 implementing the provisions of this act¹.

29
30 2. This act shall take effect ¹【immediately】 on the first day of
31 the eighth month following the date of enactment, except that the
32 Local Finance Board, Commissioner of Education, and Secretary of
33 Higher Education may take any anticipatory administrative action in
34 advance as shall be necessary for the implementation of this act¹.

35
36
37
38
39 _____
40 Authorizes certain local government entities to adopt policies for
41 payment of certain claims through use of standard electronic funds
transfer technologies.

ASSEMBLY, No. 3851

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED JUNE 2, 2016

Sponsored by:

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblyman DECLAN J. O'SCANLON, JR.

District 13 (Monmouth)

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

SYNOPSIS

Authorizes certain local units to adopt policies for payment of certain claims through use of standard electronic funds transfer technologies.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/28/2016)

1 AN ACT authorizing certain local units to adopt policies for the
2 payment of certain claims through the use of standard electronic
3 funds transfer technologies, supplementing Title 40A of the New
4 Jersey Statutes.

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8
9 1. a. Notwithstanding any laws, rules, or regulations to the
10 contrary, the governing body of a local unit may adopt policies, by
11 ordinance or resolution, as appropriate, for the payment of claims
12 pursuant to N.J.S.40A:5-17, N.J.S.18A:19-2, or other applicable
13 law, through the use of one or more standard electronic funds
14 transfer technologies in lieu of payment through the use of signed
15 checks or warrants.

16 b. (1) Any policy adopted pursuant to subsection a. of this
17 section shall explicitly list the forms of standard electronic funds
18 transfer technologies that may be used by that local unit.

19 (2) A policy adopted pursuant to subsection a. of this section
20 shall designate the chief financial officer of the local unit as being
21 responsible for the oversight and administration of the disbursement
22 policy and associated systems. The chief financial officer shall
23 document and implement internal controls sufficient to ensure safe
24 and proper use of the system and mitigate the potential for fraud
25 and abuse.

26 c. As used in this section:

27 "Chief financial officer" means the official designated by the
28 governing body to be responsible for the proper administration of
29 the finances of the local unit under any statutes and such rules and
30 regulations promulgated by any State agency as may pertain to the
31 financial administration of the local unit.

32 "Governing body" means the board, body, or administrator, by
33 whatever name it may be known, having charge of the finances of
34 the local unit.

35 "Local unit" means a contracting unit as defined by the "Local
36 Public Contracts Law," P.L.1971, c.198 (C.40A:11-1 et seq.), a
37 board of education as defined by the "Public School Contracts
38 Law," N.J.S.18A:18A-1 et seq., and a county college as defined by
39 the "County College Contracts Law," P.L.1982, c.189 (C.18A:64A-
40 25.1 et seq.).

41 "Standard electronic funds transfer technologies" include, but are
42 not limited to, wire transfers, automated clearing house
43 transactions, and debit cards.

44 d. (1) The Local Finance Board, in consultation with the
45 Commissioner of Education, may adopt rules and regulations for the
46 purpose of clarifying the implementation and use of standard
47 electronic funds transfer technologies.

1 (2) For the purposes of this section, a county college shall be
2 subject to the rules and regulations of the Secretary of Higher
3 Education.

4
5 2. This act shall take effect immediately.
6
7

8 STATEMENT
9

10 This bill authorizes certain local units to adopt policies for the
11 payment of certain claims through the use of standard electronic
12 funds transfer technologies. The purpose of this bill is to simplify
13 the procedures that must be followed by local units seeking to
14 implement the use of modern payment methods in place of more
15 costly paper alternatives.

16 Under the bill, the governing body of a local unit may adopt
17 policies, by ordinance or resolution, as appropriate, for the payment
18 of claims pursuant to N.J.S.40A:5-17, N.J.S.18A:19-2, or other
19 applicable law, through the use of one or more standard electronic
20 funds transfer technologies in lieu of payment through the use of
21 signed checks or warrants. The bill requires any policies adopted
22 by local units to explicitly list the forms of standard electronic
23 funds transfer technologies that may be used by that local unit.

24 In addition, the bill requires policies adopted by local units for
25 the payment of claims through standard electronic funds transfer
26 technologies to designate the chief financial officer of the local unit
27 as being responsible for the oversight and administration of the
28 disbursement policy and associated systems. In furtherance of this
29 duty, the bill requires the chief financial officer to document and
30 implement internal controls sufficient to ensure safe and proper use
31 of the system and mitigate the potential for fraud and abuse.

32 The bill defines "standard electronic funds transfer technologies"
33 to include, but not be limited to, wire transfers, automated clearing
34 house transactions, and debit cards. A "local unit" is defined to
35 include a contracting unit as defined by the "Local Public Contracts
36 Law," P.L.1971, c.198 (C.40A:11-1 et seq.), a board of education as
37 defined by the "Public School Contracts Law," N.J.S.18A:18A-1 et
38 seq., and a county college as defined by the "County College
39 Contracts Law," P.L.1982, c.189 (C.18A:54A-25.1 et seq.).

40 The bill authorizes the Local Finance Board, in consultation with
41 the Commissioner of Education, to adopt rules and regulations to
42 clarify the implementation and use of standard electronic funds
43 transfer technologies. The bill provides that a county college is
44 subject to the rules and regulations of the Secretary of Higher
45 Education.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3851

STATE OF NEW JERSEY

DATED: JUNE 20, 2016

The Assembly Appropriations Committee reports favorably on Assembly Bill No. 3851.

This bill authorizes certain local units to adopt policies for the payment of certain claims through the use of standard electronic funds transfer technologies. The purpose of this bill is to simplify the procedures that must be followed by local units seeking to implement the use of modern payment methods in place of more costly paper alternatives.

The bill provides that the governing body of a local unit may adopt policies, by ordinance or resolution, as appropriate, for the payment of claims pursuant to N.J.S.40A:5-17, N.J.S.18A:19-2, or other applicable law, through the use of one or more standard electronic funds transfer technologies in lieu of payment through the use of signed checks or warrants. The bill requires any policies adopted by local units to explicitly list the forms of standard electronic funds transfer technologies that may be used by that local unit.

In addition, the bill requires policies adopted by local units for the payment of claims through standard electronic funds transfer technologies to designate the chief financial officer of the local unit as being responsible for the oversight and administration of the disbursement policy and associated systems. In furtherance of this duty, the bill requires the chief financial officer to document and implement internal controls sufficient to ensure safe and proper use of the system and mitigate the potential for fraud and abuse.

The bill defines “standard electronic funds transfer technologies” to include, but not be limited to, wire transfers, automated clearing house transactions, and debit cards. A “local unit” is defined to include a contracting unit as defined by the “Local Public Contracts Law,” P.L.1971, c.198 (C.40A:11-1 et seq.), a board of education as defined by the “Public School Contracts Law,” N.J.S.18A:18A-1 et seq., and a county college as defined by the “County College Contracts Law,” P.L.1982, c.189 (C.18A:54A-25.1 et seq.).

The bill authorizes the Local Finance Board, in consultation with the Commissioner of Education, to adopt rules and regulations to clarify the implementation and use of standard electronic funds transfer technologies. The bill provides that a county college is

subject to the rules and regulations of the Secretary of Higher Education.

FISCAL IMPACT:

This bill has not been certified as requiring a fiscal note.

STATEMENT TO
ASSEMBLY, No. 3851

with Senate Floor Amendments
(Proposed by Senator WEINBERG)

ADOPTED: JUNE 27, 2016

These floor amendments would require that a standard electronic funds transfer technology that may be employed by a local government entity under the bill incorporate, at a minimum, internal controls set forth in regulations promulgated by the Local Finance Board. The amendments also revise the definition of a local unit to mean the same as that term is defined under the “Local Fiscal Affairs Law,” N.J.S.40A:5-1 et seq., provide a more specific definition of “standard electronic funds transfer technologies” consistent with other similar terms defined in the law, and add a definition for “internal controls.”

The amendments would also eliminate the provision that a county college would be subject to the rules and regulations of the Secretary of Higher Education, and instead provide that the Local Finance Board adopt rules in consultation with the Secretary. Lastly, the amendments revise the effective date from immediately to the first day of the eighth month following the date of enactment.

The amendments make the bill identical to Senate No. 2033(1R).

SENATE, No. 2033

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED APRIL 18, 2016

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

SYNOPSIS

Authorizes certain local units to adopt policies for payment of certain claims through use of standard electronic funds transfer technologies.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT authorizing certain local units to adopt policies for the
2 payment of certain claims through the use of standard electronic
3 funds transfer technologies, supplementing Title 40A of the New
4 Jersey Statutes.

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8
9 1. a. Notwithstanding any laws, rules, or regulations to the
10 contrary, the governing body of a local unit may adopt policies, by
11 ordinance or resolution, as appropriate, for the payment of claims
12 pursuant to N.J.S.40A:5-17, N.J.S.18A:19-2, or other applicable
13 law, through the use of one or more standard electronic funds
14 transfer technologies in lieu of payment through the use of signed
15 checks or warrants.

16 b. (1) Any policy adopted pursuant to subsection a. of this
17 section shall explicitly list the forms of standard electronic funds
18 transfer technologies that may be used by that local unit.

19 (2) A policy adopted pursuant to subsection a. of this section
20 shall designate the chief financial officer of the local unit as being
21 responsible for the oversight and administration of the disbursement
22 policy and associated systems. The chief financial officer shall
23 document and implement internal controls sufficient to ensure safe
24 and proper use of the system and mitigate the potential for fraud
25 and abuse.

26 c. As used in this section:

27 “Chief financial officer” means the official designated by the
28 governing body to be responsible for the proper administration of
29 the finances of the local unit under any statutes and such rules and
30 regulations promulgated by any State agency as may pertain to the
31 financial administration of the local unit.

32 “Governing body” means the board, body, or administrator, by
33 whatever name it may be known, having charge of the finances of
34 the local unit.

35 “Local unit” means a contracting unit as defined by the “Local
36 Public Contracts Law,” P.L.1971, c.198 (C.40A:11-1 et seq.), a
37 board of education as defined by the “Public School Contracts
38 Law,” N.J.S.18A:18A-1 et seq., and a county college as defined by
39 the “County College Contracts Law,” P.L.1982, c.189 (C.18A:64A-
40 25.1 et seq.).

41 “Standard electronic funds transfer technologies” include, but are
42 not limited to, wire transfers, automated clearing house
43 transactions, and debit cards.

44 d. (1) The Local Finance Board, in consultation with the
45 Commissioner of Education, may adopt rules and regulations for the
46 purpose of clarifying the implementation and use of standard
47 electronic funds transfer technologies.

1 (2) For the purposes of this section, a county college shall be
2 subject to the rules and regulations of the Secretary of Higher
3 Education.

4

5 2. This act shall take effect immediately.

6

7

8

STATEMENT

9

10 This bill authorizes certain local units to adopt policies for the
11 payment of certain claims through the use of standard electronic
12 funds transfer technologies. The purpose of this bill is to simplify
13 the procedures that must be followed by local units seeking to
14 implement the use of modern payment methods in place of more
15 costly paper alternatives.

16 Under the bill, the governing body of a local unit may adopt
17 policies, by ordinance or resolution, as appropriate, for the payment
18 of claims pursuant to N.J.S.40A:5-17, N.J.S.18A:19-2, or other
19 applicable law, through the use of one or more standard electronic
20 funds transfer technologies in lieu of payment through the use of
21 signed checks or warrants. The bill requires any policies adopted
22 by local units to explicitly list the forms of standard electronic
23 funds transfer technologies that may be used by that local unit.

24 In addition, the bill requires policies adopted by local units for
25 the payment of claims through standard electronic funds transfer
26 technologies to designate the chief financial officer of the local unit
27 as being responsible for the oversight and administration of the
28 disbursement policy and associated systems. In furtherance of this
29 duty, the bill requires the chief financial officer to document and
30 implement internal controls sufficient to ensure safe and proper use
31 of the system and mitigate the potential for fraud and abuse.

32 The bill defines “standard electronic funds transfer technologies”
33 to include, but not be limited to, wire transfers, automated clearing
34 house transactions, and debit cards. A “local unit” is defined to
35 include a contracting unit as defined by the “Local Public Contracts
36 Law,” P.L.1971, c.198 (C.40A:11-1 et seq.), a board of education as
37 defined by the “Public School Contracts Law,” N.J.S.18A:18A-1 et
38 seq., and a county college as defined by the “County College
39 Contracts Law,” P.L.1982, c.189 (C.18A:54A-25.1 et seq.).

40 The bill authorizes the Local Finance Board, in consultation with
41 the Commissioner of Education, to adopt rules and regulations to
42 clarify the implementation and use of standard electronic funds
43 transfer technologies. The bill provides that a county college is
44 subject to the rules and regulations of the Secretary of Higher
45 Education.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 2033

STATE OF NEW JERSEY

DATED: JUNE 16, 2016

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 2033.

This bill would authorize certain local units to pay certain claims through the use of standard electronic funds transfer technologies. Under the bill, the governing body of such local unit may adopt policies for the payment of claims pursuant to N.J.S.40A:5-17, N.J.S.18A:19-2, or other applicable law, through the use of one or more standard electronic funds transfer technologies in lieu of payment through the use of signed checks or warrants.

The bill requires any policies adopted by a local unit for the payment of claims through standard electronic funds transfer technologies to explicitly list the forms of standard electronic funds transfer technologies that may be used by that local unit. In addition, the bill requires these policies to designate the chief financial officer of the local unit as being responsible for the oversight and administration of the disbursement policy and associated systems. In furtherance of this duty, the bill requires the chief financial officer to document and implement internal controls sufficient to ensure safe and proper use of the system and mitigate the potential for fraud and abuse.

The bill defines “standard electronic funds transfer technologies” to include, but not be limited to, wire transfers, automated clearing house transactions, and debit cards. A “local unit” is defined to include a contracting unit as defined by the “Local Public Contracts Law,” P.L.1971, c.198 (C.40A:11-1 et seq.), a board of education as defined by the “Public School Contracts Law,” N.J.S.18A:18A-1 et seq., and a county college as defined by the “County College Contracts Law,” P.L.1982, c.189 (C.18A:54A-25.1 et seq.).

The bill authorizes the Local Finance Board, in consultation with the Commissioner of Education, to adopt rules and regulations to clarify the implementation and use of standard electronic funds transfer technologies. The bill provides that a county college is subject to the rules and regulations of the Secretary of Higher Education.

STATEMENT TO
SENATE, No. 2033

with Senate Floor Amendments
(Proposed by Senator WEINBERG)

ADOPTED: JUNE 23, 2016

These floor amendments would require that a standard electronic funds transfer technology that may be employed by a local government entity under the bill incorporate, at a minimum, internal controls set forth in regulations promulgated by the Local Finance Board. The amendments also revise the definition of a local unit to mean the same as that term is defined under the “Local Fiscal Affairs Law,” N.J.S.40A:5-1 et seq., provide a more specific definition of “standard electronic funds transfer technologies” consistent with other similar terms defined in the law, and add a definition for “internal controls.”

The amendments would also eliminate the provision that a county college would be subject to the rules and regulations of the Secretary of Higher Education, and instead provide that the Local Finance Board adopt rules in consultation with the Secretary. Lastly, the amendments revise the effective date from immediately to the first day of the eighth month following the date of enactment.

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Governor Chris Christie Takes Action On Pending Legislation

Thursday, August 18 2016

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State of New Jersey
OFFICE OF THE GOVERNOR

Trenton, NJ – Governor Chris Christie announced action that has been taken on the following legislation:

BILLS SIGNED:

S-1379/A-3003 (Turner, Pennacchio/McKeon, Zwicker, Houghtaling, Jasey) - Concerns NJ Transit's treatment of people with guide or service dogs; establishes Access Link Customer Service Group

S-2061/A-3610 (Sweeney, Allen/Conaway, Singleton, Greenwald, Taliaferro, Quijano, Benson) - Increases accidental death benefit to 70% of final compensation for surviving children of SPRS or PFRS member; redefines child in SPRS

S-2099/A-3728 (Vitale, Turner/Singleton) - Places two-year moratorium on moving date of Type II school district's annual school election from day of general election in November back to third Tuesday in April; creates study commission

A-3841/S-2296 (Lampitt/Cunningham) - Allows School of Osteopathic Medicine at Rowan University to maintain principal clinical affiliation with either osteopathic or allopathic hospital

A-3851/S-2033 (Quijano, O'Scanlon/Weinberg, Oroho) - Authorizes certain local government entities to adopt policies for payment of certain claims through use of standard electronic funds transfer technologies

A-3882/S-2287 (Chaparro, Caride, Kennedy/Bateman, Smith) - Changes submission and notice requirements for short-term and long-term financing for environmental infrastructure projects

A-3883/S-2292 (Zwicker, Green, Andrzejczak, Tucker, Benson, Mukherji/Greenstein, Kyrillos) - Authorizes New Jersey Environmental Infrastructure Trust to expend certain sums to make loans for environmental infrastructure projects for FY2017

A-3884/S-2293 (Chiaravalloti, Mukherji, Caputo/Whelan, Gordon) - Appropriates funds to DEP for environmental infrastructure projects for FY2017

AJR-95 (Conaway, McKnight) - Designates August of each year as "Adult Vaccine Preventable Disease Awareness and Improvement Month" in New Jersey

AJR-101/SJR-61 (Prieto, Bramnick, Phoebus, Space/Sweeney, T. Kean) - Recognizes 100th anniversary of National Park Service on August 25, 2016

BILLS VETOED:

A-1944/S-1228 (Coughlin, Schaer, Eustace, Downey, Benson, Wimberly, McKeon, Jasey, Chiaravalloti/Vitale, Gill) - **CONDITIONAL** - Automatically registers or updates voter registration as part of driver's license application or renewal

A-3591/S-2116 (Zwicker, Holley, Muoio, Eustace, Barclay, McKnight, Mukherji/Beach, Gill) - **ABSOLUTE** - "New Voter Empowerment Act"; permits 17 year olds to vote in primary election if they turn 18 years old before next succeeding general election

Press Contact:
Brian Murray
609-777-2600

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Governor Chris Christie Takes Action On Pending Legislation

Thursday, August 18 2016

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State of New Jersey
OFFICE OF THE GOVERNOR

Trenton, NJ – Governor Chris Christie announced action that has been taken on the following legislation:

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A-3851/S-2033 (Quijano, O'Scanlon/Weinberg, Oroho) - Authorizes certain local government entities to adopt policies for payment of certain claims through use of standard electronic funds transfer technologies

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AJR-101/SJR-61 (Prieto, Bramnick, Phoebus, Space/Sweeney, T. Kean) - Recognizes 100th anniversary of National Park Service on August 25, 2016

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