

КОМПЕТЕНЦИЯ ОРГАНОВ МЕСТНОГО САМОУПРАВЛЕНИЯ: ДИСКУССИОННЫЕ ВОПРОСЫ

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Статья посвящена анализу спорных вопросов компетенции местного самоуправления: вопросов местного значения муниципальных образований, отдельных государственных полномочий, передаваемых органам местного самоуправления, прав органов местного самоуправления на решение вопросов, не отнесенных к вопросам местного значения соответствующего вида муниципального образования, новому институту перераспределения полномочий между органами местного самоуправления и органами государственной власти субъекта РФ и некоторых иных вопросов. Автор приходит к выводу о том, что законодатель выстраивает единую «вертикаль власти» от сельского поселения до субъекта РФ и выше, поскольку так, с его точки зрения, легче осуществлять публичное управление.

Ключевые слова: компетенция местного самоуправления, вопросы местного значения, отдельные государственные полномочия, права органов местного самоуправления, перераспределение полномочий, вертикаль власти, Федеральный закон № 131-ФЗ, Европейская хартия местного самоуправления.

COMPETENCE OF LOCAL SELF-GOVERNMENTS: DEBATABLE ISSUES

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Subject. The article is devoted to the discussion issues of competence of local self-government.

The purpose of this paper is to show that the federal government passes such laws in order to build a single «power vertical» from a rural settlement to a constituent entity of the Russian Federation and above, since from his point of view it is easier to carry out public administration.

The methodology. The author uses a dialectical method, a method of analysis and synthesis, a formal legal method, a comparative legal method.

Results, scope of application. The competence of local self-government bodies consists of two parts: compulsory competence and optional competence. The compulsory competence includes issues of local importance of municipalities and certain transferred state powers. The optional competence of local self-government bodies includes the rights of local self-government bodies to resolve issues not related to issues of local importance of municipalities and other issues not within the competence of local government bodies and not excluded from their competence by federal and regional legislatures. Certain transferred state powers should not prevail over the powers related to the solution of issues of local importance and determine the functional purpose of local self-government bodies as such. It can be assumed that by their nature they should be related to the immediate interests of the local population.

The rights of local self-government bodies to resolve issues not related to issues of local importance of municipalities are neither issues of local significance nor transferred by separate state powers. The meaning of their consolidation in Federal Law No. 131-FZ is to transfer to the local self-government authorities of powers which the state authorities cannot perform, but without the transfer of the corresponding material resources and financial resources that local governments should seek independently. The author offers his own solutions of this problem.

The author criticizes the institution of redistribution of powers, since this institution contradicts the Constitution of the Russian Federation and the European Charter of Local Self-Government and comes to the conclusion that the issues of local importance of different types of

municipalities overlap, as well as duplicate part of the powers of state authorities of the subjects of the Russian Federation

Conclusion. The new attempt to build a single vertical of power, which has been repeatedly undertaken in the history of Russia, is doomed to failure with all the ensuing consequences, especially acute during the economic crisis.

Keywords: the competence of local self-government, issues of local importance, certain state powers, the rights of local self-government bodies, the redistribution of powers, the power vertical, Federal Law No 131-FZ, the European Charter of Local Self-Government.

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Introduction.

The definition of competence as a combination of two elements which are the subjects of reference and powers is established in science. Subjects of reference, according to T.M. Byalkina, are "certain groups of social relations acting as spheres of activity of the relevant public authorities in which they are entitled and obliged to make legally significant binding decisions" [1, p. 12]. Powers of public authorities are traditionally considered as a combination of their rights and duties. T.A. Yampolskaya considers "the powers of state bodies as the unity of rights and duties, as "the right of duty" [2, p. 9]. S.A. Avakyan defines powers as the rights and obligations of a state body, a local government body, an official or other participants in public relations established by a normative legal act [3, p. 429].

The competence of local governments can be divided into two parts: the mandatory and the optional.

The composition of the mandatory competence of local self-government bodies includes issues of local significance of the urban, rural settlement, the municipal district, the urban district, the urban district with the intra-urban division, the inner city area (articles 14, 15, 16, 16.2 of Federal Law No. 131-FZ) and certain state powers transferred to local self-government bodies in the manner established by Art. 19-21 of the Federal Law No. 131-FZ.

The composition of the optional competence of local self-government bodies includes the rights of local self-government bodies of the city, rural settlement, municipal district, city district, urban district with the intra-urban division, the inner city area to address issues not related to local issues, respectively, urban, rural settlement, municipal district, city district, urban district with intra-urban division, inner city area (articles 14.1, 15.1, 16.1 of Federal Law No. 131-FZ) and others in polls that are not within the competence of local governments of other municipalities, public authorities and are not excluded from their competence by federal laws and laws of the subjects of the Russian Federation, at the expense of local budgets.

Obligatory competence of local self-government bodies.

In accordance with Art. 2 of the Federal Law No. 131-FZ the issues of local importance are matters of direct provision of vital activity to the population of the municipal entity, whose resolution is carried out by the population and (or) local self-government bodies independently by the Constitution and Federal Law No. 131-FZ [1]. Issues of local importance, according to T.M. Byalkina, represent "certain groups of social relations within the relevant spheres (areas) of public life, which are directly related to the livelihoods of the population of the municipality, so that their decision is the most appropriate and effective by local government bodies" [4, p. 164]. In accordance with Art. 17 of the Federal Law No. 131-FZ, local self-government bodies are empowered to address local issues.

The issues of vesting local governments with separate state powers have been studied in the most detailed way in the science of municipal law [5-6] , therefore, we will state the main points in the abstract. According to V.I. Vasilyeva state powers should be understood as "the powers, legal, organizational, social and economic consequences of the implementation of which are related not only to the direct provision of the vital activity of the population of a municipal formation, as is typical for municipal authorities, but also the population of the entire state or a subject of the Russian Federation, respectively" [7, p. 376]. There is another approach, according to which it is only necessary to determine whether it is connected with the decision of local issues stipulated by Articles 14 - 16 of the Federal Law Nr. 131-FZ. If so, this is the authority of the local government to resolve the issue of local importance, if not, it is a separate state power transferred to the local government for implementation. Supporters of such a broad interpretation of state powers are R.V. Baboon [8, p. 65], M.N. Kudilinsky and N.A. Sheveleva [9, p. 80].

T.N. Mikheyeva notes that "it is not accidental that the Constitution of the Russian Federation refers to the allocation of local government bodies to certain state powers. This means that the volume of state powers delegated to local self-government bodies cannot be too great. In any case, these powers should not prevail over the powers associated with resolving issues of local importance and determining the functional purpose of local self-government bodies as such. It can be assumed that by their nature they should be related to the immediate interests of the local population. Their meaning cannot be for the population something abstract, completely divorced from its needs" [10, p. 106].

Rights of local self-government bodies: theoretical and practical problems.

Let us examine the rights of local self-government bodies of a city, rural settlement, a municipal district, a city district, a city district with an intra-urban division, an intracity district to address issues not related to issues of local importance, respectively, urban, rural, municipal, urban district with intra-urban division, intra-urban area (Articles 14.1, 15.1, 16.1 of the Federal Law No. 131-FZ).

These rights are included in Federal Law No. 131-FZ by Federal Law No. 258-FZ of December 29, 2006 [2]. This act provides the right of local self-government bodies to exercise state powers that are not transferred to them, but participation in the implementation of which is provided by federal laws.

These rights are neither issues of local importance nor transferred by separate state powers. The bodies of local self-government have the right to solve them independently, in a voluntary manner, while forcing local governments to implement them is not justified. When deciding on the implementation of the granted rights, local self-government bodies should be guided by the local residents' need to address these issues precisely, as well as the possibilities of the municipal budget. The point is to give local governments the right to participate in the resolution of relevant issues in cases where they consider this to be appropriate.

A logical question arises – why are these rights not assigned to the issues of local significance of municipalities (as was the case in the original version of Federal Law No. 131-FZ) or are not transferred to local governments as separate state powers in the order of Art. 19-21 of the Federal Law No. 131-FZ?

In our opinion, the real goal of this innovation is the transfer to local self-government authorities of the powers that the state authorities can not fulfill, but without the transfer of the corresponding material resources and financial resources that local authorities should seek independently (for example, participation in the implementation of custodial activities and guardianship, participation in the organization and implementation of measures for mobilization training of municipal enterprises and institutions; municipal fire protection; prevention of offenses and some other authorities). The transfer of such powers was conventionally called "unfunded mandates". The introduction of voluntary, local-budgeted rights conceals the danger of a return to unfunded mandates, albeit on an optional basis.

Such a municipal legal policy does not deserve approval. To correct this unfavorable situation for local self-government, the rights of local governments to resolve issues not related to issues of local importance should be excluded from Federal Law No. 131-FZ and:

1) to hand over to the local self-government bodies in accordance with the procedure of Art. 19-21 of the Federal Law No. 131-FZ as separate state powers with the simultaneous transfer of the corresponding material resources and financial resources those rights that by their nature are not related to the immediate interests of the local population and are of a temporary nature (for example, performing notarial acts provided for by law, in the absence of a notary in a municipal formation, participation in the implementation of guardianship and trusteeship activities);

2) to include in the competence of the state authorities of the constituent entities of the Russian Federation, in accordance with Federal Law No. 184-FZ, those rights that in their nature are not related to the immediate interests of the local population and are of a permanent nature (for example, supporting public monitoring commissions exercising public control over providing for human rights and assistance to people in places of detention, providing support to public associations of disabled people, as well as established all-Russian public associations of persons with disabilities to organizations in accordance with the Federal Law of November 24, 1995, No. 181-FZ "On the Social Protection of Persons with Disabilities in the Russian Federation" [3]);

3) to include in the list of issues of local importance of the relevant type of municipal formation those rights that are inherently related to the direct interests of the local population and are of a permanent nature with the assignment of appropriate material resources and financial resources (for example, the creation of museums of settlements, the creation of conditions for the development of tourism).

Legal regulation of local government has a multi-level nature. Each level of power plays a special role in this process, regulating both the general principles of the organization of local self-government and the specific implementation of these principles in different territories.

In accordance with Art. 132 of the Constitution of the Russian Federation, local self-government bodies ***independently*** manage municipal property, formulate, approve and execute the local budget, establish local taxes and fees, maintain public order, and ***resolve*** other ***issues of local significance***. The basis of their own competence of local self-government are the issues of direct life support, i.e. ensuring the vital activity of the population of the respective municipality, rendering services to citizens residing in the territory of the respective municipality.

In accordance with Art. 4 of the European Charter of Local Self-Government, ratified by the Federal Law of 11.04.1998 No. 55-FZ [4] the existence of public powers, as a rule, should be primarily placed on the authorities closest to citizens. The transfer of a function to any other authority should be made taking into account the scope and nature of the specific task, as well as the requirements of efficiency and economy. The powers granted to local self-government bodies should, as a rule, be complete and exclusive. They can be questioned or limited to any other central or regional government only within the limits prescribed by law.

According to N.S. "The Constitution of the Russian Federation directs the federal legislator to create an effective, independent and responsible municipal authority, so he is not deprived of the discretion in determining the measure of his regulatory invasion of municipal relations at each particular stage" [11, p. 627] .

L.A. Velikhov remarked at the beginning of the 20th century: "Roughly, the competence of central government bodies and local self-government bodies is usually delimited in such a way that the former are in charge of general state affairs, while the latter serve local economic needs and needs. However, it is very difficult to draw a clear line between the first and second kinds of activities in practice. The state can hardly be not interested, for example, in the proper provision of lower education or social assistance in cities, in the regulation of urban industry and trade, not to mention hospital-sanitary measures. On the other hand, due to the complication of nation-wide

affairs, the latter can not always be satisfactorily serviced by some bureaucratic institutions, and the involvement of local government forces is sometimes inevitable" [12, p. 117].

According to Art. 5, 6 of the Federal Law No. 131-FZ, the powers of public authorities in the sphere of local self-government are formulated too vaguely and vaguely. Their content does not allow us to determine the actual scope of powers of bodies of this or that level of public authority in the sphere of local self-government, this is possible only by analyzing the entire text of Federal Law No. 131-FZ as a whole, as well as branch federal laws. Such a legal regulation can not be considered satisfactory.

A logical question arises: where is the line beyond which the legal regulation of local self-government from the state should end? The narrowing of the field of such regulation can lead to the destruction of a single political and legal space. At the same time, the unlimited expansion of the regulatory role of the state in the sphere of local self-government will not allow taking into account all its features, which carries a colossal destructive charge.

It is necessary to clearly distinguish and understand that the list of issues of local importance of the municipality, as per. with Part 1. Art. 18 of the Federal Law № 131-FZ, can only be changed through amendments and additions to the Federal Law № 131-FZ.

Redistribution of powers of local governments.

Federal Law № 136-FZ introduced a completely new institution which is the redistribution of powers. According to Art. 17 of the Federal Law № 131-FZ laws of the RF subjects may redistribute powers between the local authorities and public authorities of subjects of the Russian Federation. Redistribution of powers is permitted for a period of not less than the term of office of the legislative (representative) body of state power of subjects of the Russian Federation. Such laws are the subject of the Russian Federation shall come into force at the beginning of the next fiscal year. The legislator outlined the main areas of public relations, in which the possible redistribution of powers between the local authorities and public authorities of subjects of the Russian Federation, "the burial and funeral business; treatment of waste production and consumption; land relations; housing relations; urban development; regulation of tariffs and allowances of municipal utilities; advertising activity; the organization of the retail markets, the organization and implementation of activities for the sale of goods (works, services) in retail markets; heating; water supply and sanitation" [5]. According to Art. 17 of the Federal Law № 131-FZ allocation to the powers of public authorities of subjects of the Russian Federation of powers of local self-government is not allowed.

The term "redistribution" of powers can be understood in a narrow and in a broad sense. In a narrow sense, the redistribution of powers involves the removal of powers from local authorities and their transfer to the state authorities (regional or federal). In a broad sense, devolution implies the removal of powers from local authorities and their transfer to the state authorities (regional or federal), and the reverse process - the transfer of the powers of public authorities (federal and subjects of the RF) local authorities. The Federal Law № 131-FZ federal legislator understands the redistribution of powers in the narrow sense as a one-way transfer of powers of local self-government bodies of the RF subjects.

Noteworthy is the fact that in the current edition of the Federal Law № 131 - FZ no limit the scope and number of powers to address issues of local importance, which can be transferred to the public authorities of the RF subjects. Not ruled out a situation in which the local self-government bodies are disposed of all powers, with the exception of those matters which are not subject to reallocation owing to direct instructions of the Federal Law № 131-FZ. And it will be mean the virtual elimination of local government in the territory.

Yu.V. Kim said: "When once a novelization of the Federal Law № 131-FZ of 2014 was the development of an approach that strengthens the position of the subjects of the Russian Federation by weakening self government, but actually creates the preconditions to overload and complexity of the legal framework of local government excessive legislative regulation. Suffice it odious, creates prerequisites for manifestations of voluntarism on the sub-national level is represented vesting subject of the Russian Federation law on the redistribution of powers

between the local authorities and public authorities of subjects of the Russian Federation " [13, p. 58] .

NS Cooper writes: "The reality is that the expansion of the regulatory powers of the RF subjects stimulates the increased dependence of municipal bodies in their relations with the regional government and the further integration of local government in state-bureaucratic relations" [14, p. 91].

Some subjective factors should be taken into account. In recent years, Russian regions have developed quite tense relations between the leaders of Russian regions and large urban settlements (urban districts). The practice of implementation of the provisions of the Federal Law № 136-FZ, once again clearly demonstrated that the relationship between regional and local authorities are often based not so much on a legal basis, but on a personal relationship manager in the region, and municipality head [7].

In fact, the federal legislator abandoned the basic principles underlying the division of powers of public authorities in the sphere of local self-government. The norms of the Constitution there is no reference to the possibility of transmission to public authorities of powers of local authorities to address issues of local importance. According to Art. 130 of the Constitution of the Russian Federation local issues are resolved by the population directly or through elected and other bodies of local self-government. Enabling the redistribution of powers of local authorities to address issues of local importance by their perpetual transmission of the law of the RF subject public authorities of subjects of the Russian Federation effectively excludes from the jurisdiction of the municipalities own powers to address issues of local importance, that does not meet the standards of the Constitution and contrary to the industry by the federal law establishing these powers precisely as the authority to address local issues.

According to the Resolution of the Constitutional Court of the Russian Federation dated November 30, 2000 № 15-P [8] it was found not to comply the Constitution, its Articles 132 and 133, pp position 3 and 5, Art. 21 of the Constitution (Fundamental Law) of the Kursk region, as they allow the transfer of bodies of state power authority, which must be carried out only by local governments or the population of the municipality itself. Similar legal position has been expressed by the Russian Constitutional Court in its judgment of 24.01.1997 number 1-P [9] and in the judgment of 15.01.1998 № 3-n [10]. The views expressed by the Constitutional Court of the Russian Federation legal position remain valid today.

In this context, the question arises. Why in accordance with Part 1 of Art. 18 of the Federal Law № 131-FZ list of local issues cannot be changed except by making changes and amendments to the Federal Law № 131-FZ (except where noted), but at the same time in accordance with Part. 1.2 Art. 17 of the Federal Law № 131-FZ of the laws of the RF subject redistribution can be carried out (in fact, in favor of the withdrawal of the subject of the Russian Federation) of powers between the local authorities and public authorities of subjects of the Russian Federation? Why is the federal legislator allows such a contradiction?

In our opinion, the reason for this contradiction lies in the fact that the legislator fundamentally flawed regulations secured the category of "local issues" it as an element of the competence of local government. We believe the correct point of view of T.M. Byalkina: "a precise definition of the content of local importance as a normative term and, accordingly, its use as a legal category is not possible. Its use is quite acceptable as a scientific-theoretical definitions to characterize the specificity of the circle of public affairs, which should deal with subjects of local government. More promising is another variant of the legal regulation of the competence of local self-government, in which the term "local issues" in normative legal acts is not used, and make a clear separation of powers of public authorities of subjects in various fields of social life" [4, p. 164]. Powers to address issues of local importance - is both a right and a duty of the local government. As rightly observes I.V. Zakharov: "On the one hand, the local authorities have the right to address issues of local importance, and on the other - do not address these issues municipal government can not. If local issues can call the municipal policies, the authority -

specific actions of the local government on the implementation of the proposed areas " [15, p. 90].

Main powers of local government to address issues of local importance bodies enshrined in Art. 17 of the Federal Law № 131-FZ. However, the text of the Federal Law № 131-FZ of issues of local importance and powers constantly mixed. For example, in Articles 14, 15, 16, 16.2 of the Federal Law № 131-FZ of budget formulation and project review, approval and execution of the budget, control its execution, preparation and approval of the performance report related to the issue of local importance of the corresponding municipality. At the same time, in accordance with Part. 10 Art. 35 of the Federal Law № 131-FZ approval of local budget and report on its implementation is the exclusive authority of the representative body of the municipality. The same thing we see in the establishment, modification and cancellation of local taxes and fees. The same elements are fixed in the Federal Law № 131-FZ as both local issues and how the authority, which is absolutely unacceptable.

Returning to the question of a different order changes to the list of issues of local municipalities and the list of powers of local self-government, we arrive at the following conclusion. RF Constitution in Art. 130, 132 speaks of independent decision population and the local government is local issues. For this reason, local issues can only be changed through the implementation of special complicated procedure: by making changes and additions directly to the Federal Law № 131-FZ. Change of local issues by adopting a federal subject of the law, according to the logic of the federal legislator, would be contrary to Articles 130, 132 of the Constitution.

The powers of local authorities in the text of the Constitution does not mention, so the change of the list of powers, the redistribution of local government powers law of the subject of the Russian Federation, according to the logic of the federal legislator, directly contrary to the Constitution of the Russian Federation does not.

As mentioned above, local issues and powers are constantly mixed in the text of the Federal Law № 131-FZ. This opens regional legislators wide scope for legislative drafting.

From the above norms of the Constitution, the European Charter of Local Self-Government, the legal positions of the Constitutional Court is apparent that the public authorities as a general rule is not entitled to decide local issues and seize powers from the jurisdiction of local government. Withdrawal of any mandate from the jurisdiction of local self-government may be permitted only in exceptional cases and only in order to improve performance of the authority and improve the situation of the population of the municipality. Such removal can be carried out only by amending the Federal Law № 131-FZ. Another approach poses a potential threat to the gradual replacement of local government to local governance.

As is known, the failure of one of the most important elements of the system leads to a malfunction of the system as a whole. Unfounded deprivation of the competence of local self-government as an independent public authority level inevitably leads to failure in the functioning of the entire public power system in Russia, the foundation of which is laid down in the Constitution.

Questions local municipalities: current status

Analysis of issues of local importance of different types of municipalities, enshrined in Articles 14 1 5, 16, 16.2 of the Federal Law № 131-FZ, it allows us to conclude that they are, in addition to being formulated vague and imprecise, largely overlap. Duplication can be traced when comparing the distribution of issues of local importance between municipal districts and settlements in one case, and urban districts with intra-urban division and inner city areas - in the other. While the original version of the Federal Law № 131-FZ of issues of local importance of the rural or urban settlements and municipal area, and today rural or urban settlements and municipal area, city district (including intra-urban division) and rural or urban settlements and municipal districts seriously different. Specific issues of local settlements were and remain the questions set out in paragraphs 4, 6, 9, 15, 19, 24, 33 of Art. 14 of the Federal Law № 131-FZ (organization within the boundaries of the settlement of electricity, heat, gas and water supply,

sanitation, supply of fuel population, provision of living in the settlement and in need of accommodation of needy citizens living spaces, organization of construction and maintenance of municipal housing Fund, the creation of conditions for housing construction, the implementation of the municipal housing control, ensuring the primary measures of fire safety within the boundaries of settlements settlements, creating conditions s for the mass recreation of residents of the settlement and resettlement organization of places of mass recreation of the population, adoption of the rules landscaping settlements; establish procedures for the participation of the owners of buildings (premises therein) and facilities in the improvement of adjacent territories; organization landscaping settlements, as well as the use, conservation, protection, regeneration of urban forests, forests of protected areas located within the boundaries of settlements settlements; establishment, maintenance and organization of the emergency services and (or) emergency rescue teams on the territory of the settlement; support citizens and their associations involved in the protection of public order, the creation of conditions for the activities of national teams).support citizens and their associations involved in the protection of public order, the creation of conditions for the activities of national teams).support citizens and their associations involved in the protection of public order, the creation of conditions for the activities of national teams).

Specific issues of local importance municipal area were and still are the issues fixed in paras 8, 9, 11, 12, 15.1, 20 of Art. 15 of the Federal Law № 131-FZ (the organization of the protection of public order on the territory of the municipal district of the municipal police (police); organization of events intersettlement nature of environmental protection, the organization of public and free pre-school, primary general, basic general, secondary general education in basic general education programs in the municipal educational institutions, the organization of additional education of children in municipal educational organizations, creation of conditions for the implementation and supervision of child care, child support in the municipal educational institutions, as well as the implementation within its authority measures to ensure the organization of leisure activities for children during the holidays, including measures to ensure the safety of their life and health; creating conditions for the provision of medical care on the territory of the municipal district; approval scheme of placing of advertising designs, the issuance of permits for the installation and maintenance of advertising structures on the territory of the municipal district, the revocation of such permits, the issuance of orders to dismantle the illegally installed advertising structures on the territory of the municipal district; equalization of budgetary security of settlements within the municipal area, from the budget of the municipal district). The rest of the issues of local importance of settlements and municipal area of overlap, which should not be.

In accordance with Part. 3 tbsp. 16 of the Federal Law № 131-FZ of the Russian Federation subjects of the laws may establish additional local issues of urban districts with intracity division with the transfer necessary for their implementation of material and financial resources. By simple logical reasoning we conclude that, as mentioned above, additional issues of local importance of urban districts with intracity division can act only questions that are related to the conduct of the subjects of the Russian Federation by the federal legislator.

Meanwhile, on October 23, 2002 the Russian President V.V. Putin said: "First of all, we need to clarify and detail the list of issues of local importance. Today, much of it too vague and therefore overlap with the tasks assigned to public authorities. Lack of clarity on this issue gives rise today, often, unfortunately, the irresponsibility of the authorities before the man and the impossibility of rational allocation of public finance" [11]. It took 15 years, "and things are there", as stated in the well-known adage. Thus, the organization of health care in the territory of the subject of the Russian Federation within the competence of bodies of state power of the subject of the Russian Federation, and the competence of urban district local government - issues of creating conditions for the provision of medical care. The vagueness data formulations leads to litigation [12].

Conclusion.

From the analysis of the above, it follows that the federal legislator has the legal regulation to build a single "vertical of power" from the rural settlement to the subject of the Russian Federation and above, as it is easier to carry out public administration. Another attempt to build a single chain of command has repeatedly been made in the history of Russia, it is doomed to failure with all its consequences, which are particularly acute in times of economic crisis.

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