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Chapter 1 : Greece--Second and third periodic reports of States parties

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Treaties are written agreements between governments. In the United States, treaties are negotiated by the executive branch and take force when approved by the United States Senate. Treaties remain "the law of the land" unless they are abrogated revoked by one of the parties. In some instances, a slightly less formal "agreement" between governments may also have the force of law. Hundreds of treaties and agreements between the federal government and tribal nations were signed in the years to when Congress mandated an end to treaty-making. Not every tribe has a treaty or agreement with the federal government, but when one exists it is the cornerstone of a tribal legal history. Tribal names are generally distinctive enough to serve as effective search terms. Definitive treaty identification is aided by a book with a careful listing of all the tribes involved in a treaty, whatever the treaty name: Government Printing Office, , One of the best available collections of Indian treaties is found in Volume 2. Kappler is available in online at Oklahoma State University: Volume 7 prints treaties from through After Volume 7, Indian treaties are published with other treaties in a separate section at the end of each volume. Volume 16 contains the last substantial number of treaties, although a few show up in later volumes. Search by tribal name or the term "Indian treaties. Documents of American Indian Diplomacy: Treaties, Agreements, and Conventions, , 2 vols. University of Oklahoma Press, Includes all identified treaty texts, whether or not ratified or currently in force including the "lost" California treaties , as well as the treaties concluded with Indian tribes by the Republic of Texas and the Confederate States of America. Agreements between and among tribes are also included. The set is fully indexed in Volume 2. Presidents of the United States may issue orders and proclamations to carry out their duties. Historically, many were issued in the conduct of Indian affairs. Between to blocks of public land were reserved to Indian tribes by presidential action. Executive orders also were used to extend federal trust periods over allotted reservation land, redefine reservation boundaries, and otherwise prescribe conditions of Indian land holdings. Congress voted itself exclusive power to set aside public lands for Indian reservations in , but relevant orders and proclamations on other topics may appear after that date. Orders and proclamations have the the same legal significance--look for both. The manner of publishing presidential orders has changed over the years. They were not originally organized into numbered series. For these reasons it is best to bypass the difficult-to-research official sources in favor of compilations. Use of historical tribal names can be very effective in locating relevant orders and proclamations in indexes, but generic terms such as "Indian lands" and "Indian reservations" also should be checked. Congressional Information Service, Thousands of executive orders and proclamations issued from forward are indexed. Search in this index by tribal names, geographical locations e. The publisher issued a companion set of microfiche to reproduce the text of each document. Laws and Treaties, vols. Kappler is one of the best sources for early proclamations and executive orders relating to Indian law and policy. Proclamations also are listed with a brief explanation of their content. Kappler is available online at Oklahoma State University: Executive Orders Relating to Indian Reservations, , 2 vols. This collection arranges a selection of executive orders geographically by the state location of reservation land affected by an order. An index by reservation is provided for the first volume, but not the second. The detailed table of contents can be used to find orders relating to a particular reservation.

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Chapter 2 : PTLG - Revenue and Taxation Code - Property Taxation Part 05 - Chapter 6

Business Laws of the United Arab Emirates Vols. Basic Work and Supplement Service avg rating â€" 0 ratings â€" published

State Budgeting, Planning and Appropriations Processes. Standards for establishing congressional district boundaries. Standards for establishing legislative district boundaries. The senate shall designate a Secretary to serve at its pleasure, and the house of representatives shall designate a Clerk to serve at its pleasure. The legislature shall appoint an auditor to serve at its pleasure who shall audit public records and perform related duties as prescribed by law or concurrent resolution. Sessions of the legislature. On the fourteenth day following each general election the legislature shall convene for the exclusive purpose of organization and selection of officers. A regular session of the legislature shall convene on the first Tuesday after the first Monday in March of each odd-numbered year, and on the first Tuesday after the first Monday in March, or such other date as may be fixed by law, of each even-numbered year. A regular session of the legislature shall not exceed sixty consecutive days, and a special session shall not exceed twenty consecutive days, unless extended beyond such limit by a three-fifths vote of each house. During such an extension no new business may be taken up in either house without the consent of two-thirds of its membership. Neither house shall adjourn for more than seventy-two consecutive hours except pursuant to concurrent resolution. Each house shall determine its rules of procedure. In any legislative committee or subcommittee, the vote of each member voting on the final passage of any legislation pending before the committee, and upon the request of any two members of the committee or subcommittee, the vote of each member on any other question, shall be recorded. The rules of procedure of each house shall further provide that all prearranged gatherings, between more than two members of the legislature, or between the governor, the president of the senate, or the speaker of the house of representatives, the purpose of which is to agree upon formal legislative action that will be taken at a subsequent time, or at which formal legislative action is taken, regarding pending legislation or amendments, shall be reasonably open to the public. All open meetings shall be subject to order and decorum. This section shall be implemented and defined by the rules of each house, and such rules shall control admission to the floor of each legislative chamber and may, where reasonably necessary for security purposes or to protect a witness appearing before a committee, provide for the closure of committee meetings. Each house shall be the sole judge for the interpretation, implementation, and enforcement of this section. Such powers, except the power to punish, may be conferred by law upon committees when the legislature is not in session. Punishment of contempt of an interim legislative committee shall be by judicial proceedings as prescribed by law. No law shall be revised or amended by reference to its title only. Laws to revise or amend shall set out in full the revised or amended act, section, subsection or paragraph of a subsection. The enacting clause of every law shall read: It shall be read in each house on three separate days, unless this rule is waived by two-thirds vote; provided the publication of its title in the journal of a house shall satisfy the requirement for the first reading in that house. On each reading, it shall be read by title only, unless one-third of the members present desire it read in full. On final passage, the vote of each member voting shall be entered on the journal. Passage of a bill shall require a majority vote in each house. Each bill and joint resolution passed in both houses shall be signed by the presiding officers of the respective houses and by the secretary of the senate and the clerk of the house of representatives during the session or as soon as practicable after its adjournment sine die. Executive approval and veto. If during that period or on the seventh day the legislature adjourns sine die or takes a recess of more than thirty days, the governor shall have fifteen consecutive days from the date of presentation to act on the bill. In all cases except general appropriation bills, the veto shall extend to the entire bill. The governor may veto any specific appropriation in a general appropriation bill, but may not veto any qualification or restriction without also vetoing the appropriation to which it relates. If that house is not in session, the governor shall file them with the custodian of state records, who shall lay them

before that house at its next regular or special session, whichever occurs first, and they shall be entered on its journal. If the originating house votes to re-enact a vetoed measure, whether in a regular or special session, and the other house does not consider or fails to re-enact the vetoed measure, no further consideration by either house at any subsequent session may be taken. If a vetoed measure is presented at a special session and the originating house does not consider it, the measure will be available for consideration at any intervening special session and until the end of the next regular session. Effective date of laws. If the law is passed over the veto of the governor it shall take effect on the sixtieth day after adjournment sine die of the session in which the veto is overridden, on a later date fixed in the law, or on a date fixed by resolution passed by both houses of the legislature. Such notice shall not be necessary when the law, except the provision for referendum, is conditioned to become effective only upon approval by vote of the electors of the area affected. Such law may be amended or repealed by like vote. Pertaining to protection of public employee retirement benefits. Pertaining to state-administered or supported retirement systems. Pertaining to compensation of designated county officials. Pertaining to independent special districts. Pertaining to the creation of independent special districts having the powers enumerated in two or more of the paragraphs of s. Pertaining to the maximum rate of interest on bonds. Pertaining to the grant of authority, power, rights, or privileges to a water control district formed pursuant to ch. Pertaining to allocation of millage for water management purposes. Pertaining to taxation for school purposes and the Florida Education Finance Program. Terms and qualifications of legislators. Senators shall be elected for terms of four years, those from odd-numbered districts in the years the numbers of which are multiples of four and those from even-numbered districts in even-numbered years the numbers of which are not multiples of four; except, at the election next following a reapportionment, some senators shall be elected for terms of two years when necessary to maintain staggered terms. Members of the house of representatives shall be elected for terms of two years in each even-numbered year. Each legislator shall be at least twenty-one years of age, an elector and resident of the district from which elected and shall have resided in the state for a period of two years prior to election. Members of the legislature shall take office upon election. Vacancies in legislative office shall be filled only by election as provided by law. The legislature at its regular session in the second year following each decennial census, by joint resolution, shall apportion the state in accordance with the constitution of the state and of the United States into not less than thirty nor more than forty consecutively numbered senatorial districts of either contiguous, overlapping or identical territory, and into not less than eighty nor more than one hundred twenty consecutively numbered representative districts of either contiguous, overlapping or identical territory. Should that session adjourn without adopting such joint resolution, the governor by proclamation shall reconvene the legislature within thirty days in special apportionment session which shall not exceed thirty consecutive days, during which no other business shall be transacted, and it shall be the mandatory duty of the legislature to adopt a joint resolution of apportionment. In the event a special apportionment session of the legislature finally adjourns without adopting a joint resolution of apportionment, the attorney general shall, within five days, petition the supreme court of the state to make such apportionment. No later than the sixtieth day after the filing of such petition, the supreme court shall file with the custodian of state records an order making such apportionment. Within fifteen days after the passage of the joint resolution of apportionment, the attorney general shall petition the supreme court of the state for a declaratory judgment determining the validity of the apportionment. The supreme court, in accordance with its rules, shall permit adversary interests to present their views and, within thirty days from the filing of the petition, shall enter its judgment. A judgment of the supreme court of the state determining the apportionment to be valid shall be binding upon all the citizens of the state. Should the supreme court determine that the apportionment made by the legislature is invalid, the governor by proclamation shall reconvene the legislature within five days thereafter in extraordinary apportionment session which shall not exceed fifteen days, during which the legislature shall adopt a joint resolution of apportionment conforming to the judgment of the supreme court. Within fifteen days after the adjournment of an extraordinary apportionment session, the attorney general shall file a petition in the

supreme court of the state setting forth the apportionment resolution adopted by the legislature, or if none has been adopted reporting that fact to the court. Consideration of the validity of a joint resolution of apportionment shall be had as provided for in cases of such joint resolution adopted at a regular or special apportionment session. Should an extraordinary apportionment session fail to adopt a resolution of apportionment or should the supreme court determine that the apportionment made is invalid, the court shall, not later than sixty days after receiving the petition of the attorney general, file with the custodian of state records an order making such apportionment. The house of representatives by two-thirds vote shall have the power to impeach an officer. The speaker of the house of representatives shall have power at any time to appoint a committee to investigate charges against any officer subject to impeachment. The chief justice of the supreme court, or another justice designated by the chief justice, shall preside at the trial, except in a trial of the chief justice, in which case the governor shall preside. The senate shall determine the time for the trial of any impeachment and may sit for the trial whether the house of representatives be in session or not. The time fixed for trial shall not be more than six months after the impeachment. During an impeachment trial senators shall be upon their oath or affirmation. No officer shall be convicted without the concurrence of two-thirds of the members of the senate present. Judgment of conviction in cases of impeachment shall remove the offender from office and, in the discretion of the senate, may include disqualification to hold any office of honor, trust or profit. Conviction or acquittal shall not affect the civil or criminal responsibility of the officer. XI, State Constitution, for constitutional effective date. Identical language to s. III, State Constitution, was enacted in s. Separate sections within the general appropriation bill shall be used for each major program area of the state budget; major program areas shall include: Each major program area shall include an itemization of expenditures for: This itemization threshold shall be adjusted by general law every four years to reflect the rate of inflation or deflation as indicated in the Consumer Price Index for All Urban Consumers, U. The long-range financial outlook must include major workload and revenue estimates. In order to implement this paragraph, the joint legislative budget commission shall use current official consensus estimates and may request the development of additional official estimates. All general appropriation bills shall be furnished to each member of the legislature, each member of the cabinet, the governor, and the chief justice of the supreme court at least seventy-two hours before final passage by either house of the legislature of the bill in the form that will be presented to the governor. A final budget report shall be prepared as prescribed by general law. The final budget report shall be produced no later than the th day after the beginning of the fiscal year, and copies of the report shall be furnished to each member of the legislature, the head of each department and agency of the state, the auditor general, and the chief justice of the supreme court. By law the legislature may set a shorter time period for which any trust fund is authorized. The legislature shall provide criteria for withdrawing funds from the budget stabilization fund in a separate bill for that purpose only and only for the purpose of covering revenue shortfalls of the general revenue fund or for the purpose of providing funding for an emergency, as defined by general law. General law shall provide for the restoration of this fund. The budget stabilization fund shall be comprised of funds not otherwise obligated or committed for any purpose. General law shall provide for a long-range state planning document. The governor shall recommend to the legislature biennially any revisions to the long-range state planning document, as defined by law. General law shall require a biennial review and revision of the long-range state planning document and shall require all departments and agencies of state government to develop planning documents that identify statewide strategic goals and objectives, consistent with the long-range state planning document. The long-range state planning document and department and agency planning documents shall remain subject to review and revision by the legislature. The long-range state planning document must include projections of future needs and resources of the state which are consistent with the long-range financial outlook. The department and agency planning documents shall include a prioritized listing of planned expenditures for review and possible reduction in the event of revenue shortfalls, as defined by general law. No later than January of , and each fourth year thereafter, the president of the senate, the speaker of the house of representatives, and the governor shall appoint a

government efficiency task force, the membership of which shall be established by general law. The task force shall be composed of members of the legislature and representatives from the private and public sectors who shall develop recommendations for improving governmental operations and reducing costs. Staff to assist the task force in performing its duties shall be assigned by general law, and the task force may obtain assistance from the private sector. The task force shall complete its work within one year and shall submit its recommendations to the joint legislative budget commission, the governor, and the chief justice of the supreme court. There is created within the legislature the joint legislative budget commission composed of equal numbers of senate members appointed by the president of the senate and house members appointed by the speaker of the house of representatives.

Chapter 3 : Pension - Wikipedia

You will work with government agencies, scientists, and landowners to work toward ways to conserve natural resources, including soil and water. Conservationists may work in the field, in an office, for a government agency, or as consultants.

Employment-based pensions[edit] A retirement plan is an arrangement to provide people with an income during retirement when they are no longer earning a steady income from employment. Often retirement plans require both the employer and employee to contribute money to a fund during their employment in order to receive defined benefits upon retirement. It is a tax deferred savings vehicle that allows for the tax-free accumulation of a fund for later use as a retirement income. Funding can be provided in other ways, such as from labor unions, government agencies, or self-funded schemes. Pension plans are therefore a form of "deferred compensation". Some countries also grant pensions to military veterans. Military pensions are overseen by the government; an example of a standing agency is the United States Department of Veterans Affairs. Ad hoc committees may also be formed to investigate specific tasks, such as the U. Pensions may extend past the death of the veteran himself, continuing to be paid to the widow; see, for example, the case of Esther Sumner Damon , who was the last surviving American Revolutionary War widow at her death in Many countries have also put in place a " social pension ". These are regular, tax-funded non-contributory cash transfers paid to older people. Over 80 countries have social pensions. Disability pension Some pension plans will provide for members in the event they suffer a disability. This may take the form of early entry into a retirement plan for a disabled member below the normal retirement age. Benefits[edit] Retirement plans may be classified as defined benefit or defined contribution according to how the benefits are determined. A defined contribution plan will provide a payout at retirement that is dependent upon the amount of money contributed and the performance of the investment vehicles utilized. Hence, with a defined contribution plan the risk and responsibility lies with the employee that the funding will be sufficient through retirement, whereas with the defined benefit plan the risk and responsibility lies with the employer or plan managers. Some types of retirement plans, such as cash balance plans, combine features of both defined benefit and defined contribution plans. They are often referred to as hybrid plans. Such plan designs have become increasingly popular in the US since the s. Examples include Cash Balance and Pension Equity plans. Defined benefit plans[edit] Main article: Defined benefit pension plan A traditional defined benefit DB plan is a plan in which the benefit on retirement is determined by a set formula, rather than depending on investment returns. Government pensions such as Social Security in the United States are a type of defined benefit pension plan. Traditionally, defined benefit plans for employers have been administered by institutions which exist specifically for that purpose, by large businesses, or, for government workers, by the government itself. The final accrued amount is available as a monthly pension or a lump sum, but usually monthly. A simple example is a Dollars Times Service plan design that provides a certain amount per month based on the time an employee works for a company. While this type of plan is popular among unionized workers, Final Average Pay FAP remains the most common type of defined benefit plan offered in the United States. Averaging salary over a number of years means that the calculation is averaging different dollars. For example, if salary is averaged over five years, and retirement is in , then salary in dollars is averaged with salary in dollars, etc. The pension is then paid in first year of retirement dollars, in this example dollars, with the lowest value of any dollars in the calculation. Thus inflation in the salary averaging years has a considerable impact on purchasing power and cost, both being reduced equally by inflation This effect of inflation can be eliminated by converting salaries in the averaging years to first year of retirement dollars, and then averaging. In the US, 26 U. This method is advantageous for the employee since it stabilizes the purchasing power of pensions to some extent. If the pension plan allows for early retirement, payments are often reduced to recognize that the retirees will receive the payouts for longer periods of time. In the United States, under the Employee Retirement Income Security Act of , any reduction factor less than or equal to the actuarial early retirement reduction

factor is acceptable. Companies would rather hire younger employees at lower wages. Some of those provisions come in the form of additional temporary or supplemental benefits, which are payable to a certain age, usually before attaining normal retirement age. In an unfunded defined benefit pension, no assets are set aside and the benefits are paid for by the employer or other pension sponsor as and when they are paid. This method of financing is known as pay-as-you-go. Social Security system is partially funded by investment in special U. In a funded plan, contributions from the employer, and sometimes also from plan members, are invested in a fund towards meeting the benefits. All plans must be funded in some way, even if they are pay-as-you-go, so this type of plan is more accurately known as pre-funded. The future returns on the investments, and the future benefits to be paid, are not known in advance, so there is no guarantee that a given level of contributions will be enough to meet the benefits. If a plan is not well-funded, the plan sponsor may not have the financial resources to continue funding the plan. This section needs additional citations for verification. Please help improve this article by adding citations to reliable sources. Unsourced material may be challenged and removed. Defined benefit pensions tend to be less portable than defined contribution plans, even if the plan allows a lump sum cash benefit at termination. Most plans, however, pay their benefits as an annuity, so retirees do not bear the risk of low investment returns on contributions or of outliving their retirement income. The open-ended nature of these risks to the employer is the reason given by many employers for switching from defined benefit to defined contribution plans over recent years. The risks to the employer can sometimes be mitigated by discretionary elements in the benefit structure, for instance in the rate of increase granted on accrued pensions, both before and after retirement. The age bias, reduced portability and open ended risk make defined benefit plans better suited to large employers with less mobile workforces, such as the public sector which has open-ended support from taxpayers. This coupled with a lack of foresight on the employers part means a large proportion of the workforce are kept in the dark over future investment schemes. Defined benefit plans are sometimes criticized as being paternalistic as they enable employers or plan trustees to make decisions about the type of benefits and family structures and lifestyles of their employees. However they are typically more valuable than defined contribution plans in most circumstances and for most employees mainly because the employer tends to pay higher contributions than under defined contribution plans , so such criticism is rarely harsh. The "cost" of a defined benefit plan is not easily calculated, and requires an actuary or actuarial software. However, even with the best of tools, the cost of a defined benefit plan will always be an estimate based on economic and financial assumptions. So, for this arrangement, the benefit is relatively secure but the contribution is uncertain even when estimated by a professional. This has serious cost considerations and risks for the employer offering a pension plan. One of the growing concerns with defined benefit plans is that the level of future obligations will outpace the value of assets held by the plan. This "underfunding" dilemma can be faced by any type of defined benefit plan, private or public, but it is most acute in governmental and other public plans where political pressures and less rigorous accounting standards can result in excessive commitments to employees and retirees, but inadequate contributions. Many states and municipalities across the United States of America and Canada now face chronic pension crises. In the United States, the Social Security system is similar in function to a defined benefit pension arrangement, albeit one that is constructed differently from a pension offered by a private employer; however, Social Security is distinct in that there is no legally guaranteed level of benefits derived from the amount paid into the program. Individuals that have worked in the UK and have paid certain levels of national insurance deductions can expect an income from the state pension scheme after their normal retirement. The state pension is currently divided into two parts: Individuals will qualify for the basic state pension if they have completed sufficient years contribution to their national insurance record. The S2P pension scheme is earnings related and depends on earnings in each year as to how much an individual can expect to receive. It is possible for an individual to forgo the S2P payment from the state, in lieu of a payment made to an appropriate pension scheme of their choice, during their working life. For more details see UK pension provision. Defined contribution plans[edit] Main article: Defined contribution plan In a defined

contribution plan, contributions are paid into an individual account for each member. Defined contribution plans have become widespread all over the world in recent years, and are now the dominant form of plan in the private sector in many countries. For example, the number of defined benefit plans in the US has been steadily declining, as more and more employers see pension contributions as a large expense avoidable by disbanding the defined benefit plan and instead offering a defined contribution plan. Money contributed can either be from employee salary deferral or from employer contributions. The portability of defined contribution pensions is legally no different from the portability of defined benefit plans. In the United Kingdom, for instance, it is a legal requirement to use the bulk of the fund to purchase an annuity. The "cost" of a defined contribution plan is readily calculated, but the benefit from a defined contribution plan depends upon the account balance at the time an employee is looking to use the assets. So, for this arrangement, the contribution is known but the benefit is unknown until calculated. Despite the fact that the participant in a defined contribution plan typically has control over investment decisions, the plan sponsor retains a significant degree of fiduciary responsibility over investment of plan assets, including the selection of investment options and administrative providers. A defined contribution plan typically involves a number of service providers, including in many cases:

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Chapter 4 : RMIT GSBL Justice Smith Collection - Victorian Collections

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It is the legislative intent that speech-language pathologists and audiologists who fall below minimum competencies or who otherwise present a danger to the public health and safety be prohibited from practicing in this state. A person whose state of residence does not license speech-language pathologists or audiologists may also qualify for this exemption, if the person holds a certificate of clinical competence from the American Speech-Language and Hearing Association and meets all other requirements of this paragraph. In either case, the board shall hold the supervising Florida licensee fully accountable for the services provided by the out-of-state licensee. Offer, render, plan, direct, conduct, consult, or supervise services to individuals or groups of individuals who have or are suspected of having disorders of hearing, including prevention, identification, evaluation, treatment, consultation, habilitation, rehabilitation, instruction, and research. Participate in hearing conservation, evaluation of noise environment, and noise control. Conduct and interpret tests of vestibular function and nystagmus, electrophysiologic auditory-evoked potentials, central auditory function, and calibration of measurement equipment used for such purposes. Habilitate and rehabilitate, including, but not limited to, hearing aid evaluation, prescription, preparation, fitting and dispensing, assistive listening device selection and orientation, auditory training, aural habilitation, aural rehabilitation, speech conservation, and speechreading. Offer, render, plan, direct, conduct, and supervise services to individuals or groups of individuals who have or are suspected of having disorders of human communication, including identification, evaluation, treatment, consultation, habilitation, rehabilitation, amelioration, instruction, and research. Determine the need for personal alternatives or augmentative systems, and recommend and train for the utilization of such systems. Direct supervision shall require the physical presence of the licensed speech-language pathologist for consultation and direction of the actions of the certified speech-language pathology assistant, or the physical presence of the licensed audiologist for consultation and direction of the actions of the certified audiology assistant, unless the assistant is acting under protocols established by the board. The board shall establish rules further defining direct supervision of a certified speech-language pathology assistant or a certified audiology assistant. Two members shall be practicing speech-language pathologists. Two members shall be practicing audiologists. At least one of the two shall be a hearing aid user. Members shall serve until their successors are appointed. These rules shall be effective on or before October 1,

The board may also establish, by rule, a late renewal penalty. The board shall establish fees which are adequate to ensure continued operation of the board and to fund the proportionate expenses incurred by the department in carrying out its licensure and other related responsibilities under this part. Fees shall be based on department estimates of the revenue required to implement this part and the provisions of law with respect to the regulation of speech-language pathologists and audiologists. A provisional license shall be required of all applicants for a license in audiology who cannot document a minimum of 11 months of supervised clinical experience and a passing score on the national examination. An applicant who graduated from or is currently enrolled in a program at a university or college outside the United States or Canada must present documentation of the determination of equivalency of the program to standards established by an accrediting body recognized by the Council for Higher Education Accreditation or its successor or the United States Department of Education in order to qualify. The applicant must have completed the program requirements by academic course work, practicum experience, or laboratory or research activity, as verified by the program, including: Knowledge of basic human communication and swallowing processes, including their biological, neurological, acoustic, psychological, developmental, and linguistic and cultural bases. Knowledge of the nature of speech, language, hearing, and communication disorders and differences and swallowing disorders, including their etiologies, characteristics, anatomical or physiological, acoustic, psychological, developmental, and linguistic and cultural correlates, voice and resonance, including respiration and phonation, receptive and

expressive language in speaking, listening, reading, writing, and manual modalities, hearing, including the impact on speech and language, swallowing, cognitive aspects of communication, social aspects of communication, and communication modalities. Knowledge of the principles and methods of prevention, assessment, and intervention for people having communication and swallowing disorders, including consideration of anatomical or physiological, psychological, developmental, and linguistic and cultural correlates of the disorders, articulation, fluency, voice and resonance, receptive and expressive communication, hearing, swallowing, cognitive aspects of communication, social aspects of communication, and communication modalities. The program must include appropriate supervised clinical experiences. The board may waive the requirements for education, practicum, and professional employment experience for an applicant who received a professional education in another country if the board is satisfied that the applicant meets the equivalent education and practicum requirements and passes the examination in speech-language pathology. The program must assure that the student obtained knowledge of foundation areas of basic body systems and processes related to hearing and balance. The program must assure that the student obtained skills for the diagnosis, management, and treatment of auditory and vestibular or balance conditions and diseases. The program must assure that the student can effectively communicate with patients and other health care professionals. The program must assure that the student obtained knowledge of professional ethical systems as they relate to the practice of audiology. The program must assure that the student obtained clinical experiences that encompass the entire scope of practice and focus on the most current evidence-based practice. The board may waive the education, practicum, and professional employment experience requirements for an applicant who received a professional education in another country if the board is satisfied that the applicant meets equivalent education and practicum requirements and passes the examination in audiology. However, a provisional license may not exceed a period of 24 months. Each applicant for licensure as an audiologist must demonstrate, prior to licensure, a minimum of 11 months of full-time professional employment, or the equivalent in part-time professional employment. A person who fails an examination may make application for reexamination to the appropriate examining entity. A licensee or certificateholder who receives initial licensure or certification 6 months or less before the end of the biennial licensure cycle is exempt from the continuing education requirements for the first renewal of the license or certificate. The board may establish by rule standards for the approval of such continuing education activities. The board may make exception from the requirements of continuing education in emergency or hardship cases. The continuing education requirements for reactivating a license or certificate may not exceed 25 contact hours for each year the license was inactive in addition to the continuing education that was required for renewal on the date the license became inactive. The board, by rule, shall establish minimum education and on-the-job training and supervision requirements for certification as a speech-language pathology assistant or audiology assistant. If, upon inspection of the ear canal with an otoscope in the common procedure of fitting a hearing aid and upon interrogation of the client, there is any recent history of infection or any observable anomaly, the client shall be instructed to see a physician, and a hearing aid shall not be fitted until medical clearance is obtained for the condition noted. If, upon return, the condition noted is no longer observable and the client signs a medical waiver, a hearing aid may be fitted. Any person with a significant difference between bone conduction hearing and air conduction hearing must be informed of the possibility of medical or surgical correction. Such request shall be documented by a waiver which includes the written notice and is signed by the licensee and the client prior to the testing. The waiver shall be executed on a form provided by the department. The board shall adopt and enforce rules necessary to carry out the provisions of this subsection and subsection 6. The receipt also shall specify whether the hearing aid is new, used, or rebuilt, and shall specify the length of time and other terms of the guarantee and by whom the hearing aid is guaranteed. When the client has requested an itemized list of prices, the receipt shall also provide an itemization of the total purchase price, including, but not limited to, the cost of the aid, ear mold, batteries, and other accessories, and the cost of any services. Notice of the availability of this service must be displayed in a conspicuous manner in the office. The receipt also shall state

that any complaint concerning the hearing aid and its guarantee, if not reconciled with the licensee from whom the hearing aid was purchased, should be directed by the purchaser to the department. The address and telephone number of such office shall be stated on the receipt. The guarantee must permit the purchaser to cancel the purchase for a valid reason as defined by rule of the board within 30 days after receiving the hearing aid, by returning the hearing aid or mailing written notice of cancellation to the seller. A repaired, remade, or adjusted hearing aid must be claimed by the purchaser within 3 working days after notification of availability. The running of the day trial period resumes on the day the purchaser reclaims a repaired, remade, or adjusted hearing aid or on the 4th day after notification of availability. Such rule shall provide, at a minimum, that the charges for earmolds and service provided to fit the hearing aid may be retained by the licensee. The rules shall also set forth any reasonable charges to be held by the licensee as a cancellation fee. Such rule shall be effective on or before December 1, Should the board fail to adopt such rule, a licensee may not charge a cancellation fee which exceeds 5 percent of the total charge for a hearing aid alone. The terms and conditions of the guarantee, including the total amount available for refund, shall be provided in writing to the purchaser prior to the signing of the contract. The purchaser shall incur no additional liability for rescinding the transaction. Any person who violates this section commits a misdemeanor of the second degree, punishable as provided in s. In enforcing this paragraph, upon a finding by the State Surgeon General, his or her designee, or the board that probable cause exists to believe that the licensee or certificateholder is unable to practice the profession because of the reasons stated in this paragraph, the department shall have the authority to compel a licensee or certificateholder to submit to a mental or physical examination by a physician, psychologist, clinical social worker, marriage and family therapist, or mental health counselor designated by the department or board. The department shall be entitled to the summary procedure provided in s. A licensee or certificateholder affected under this paragraph shall at reasonable intervals be afforded an opportunity to demonstrate that he or she can resume the competent practice for which he or she is licensed or certified with reasonable skill and safety to patients. Sexual misconduct means to induce or to attempt to induce the patient to engage, or to engage or to attempt to engage the patient, in sexual activity outside the scope of practice or the scope of generally accepted examination or treatment of the patient. In any such unabated proceeding, the Board of Speech-Language Pathology and Audiology and the department shall be deemed parties in interest and shall be made parties to the proceeding.

Chapter 5 : M. Hall (Author of Children's Sunday School Skits)

(2) No later than January 1, , in accordance with Section , a board, as defined in Section 22, and the State Bar and the Department of Real Estate shall require either the individual taxpayer identification number or social security number if the applicant is an individual for purposes of this subdivision.

Minnesota Statutes Supplement, section A. For the purpose of this subdivision, intermediate districts and other employing units, as defined in Minnesota Statutes , section The general education mill rate shall be a rate, rounded up to the nearest tenth of a mill, that, when applied to the adjusted assessed valuation for all districts, raises the amount specified in this subdivision. The aid in section The amount of the deduction equals the difference between: However, for fiscal year , the amount of the deduction shall be one-fourth of the difference between clauses 1 and 2 ; for fiscal year , the amount of the deduction shall be one-third of the difference between clauses 1 and 2 ; for fiscal year , the amount of the deduction shall be one-half of the difference between clauses 1 and 2 ; and for fiscal year , the amount of the deduction shall be four-sixths of the difference between clauses 1 and 2 ; and for fiscal year , the amount of the deduction shall be three-fourths five-sixths of the difference between clauses 1 and 2. The school board shall determine which programs to provide, the manner in which they will be provided, and the extent to which other money may be used for the programs. Except for the requirements of sections A. These needs may be met by providing at least some of the following: The report must conform to uniform financial and reporting standards established for this purpose. The study shall include an analysis of at least the following factors: This sum is added to the sum appropriated in Laws , chapter , article 1, section 26, subdivision 2. Section 2 is repealed June 30, Minnesota Statutes , section A school board is authorized to require payment of fees in the following areas: A school board is not authorized to charge fees in the following areas: Minnesota Statutes Supplement, section The board may provide for the free transportation of pupils to and from school, and to schools in other districts for grades and departments not maintained in the district, including high school, at the expense of the district, when funds are available therefor and if agreeable to the district to which it is proposed to transport the pupils, for the whole or a part of the school year, as it may deem advisable, and subject to its rules. Every driver shall possess all the qualifications required by the rules of the state board of education. In any school district, the board shall arrange for the attendance of all pupils living two miles or more from the school through suitable provision for transportation or through the boarding and rooming of the pupils who may be more economically and conveniently provided for by that means. The board shall provide transportation to and from the home of a handicapped child not yet enrolled in kindergarten when special instruction and services under section When transportation is provided, scheduling of routes, establishment of the location of bus stops, manner and method of transportation, control and discipline of school children and any other matter relating thereto shall be within the sole discretion, control, and management of the school board. The district may provide for the transportation of pupils or expend a reasonable amount for room and board of pupils whose attendance at school can more economically and conveniently be provided for by that means or who attend school in a building rented or leased by a district within the confines of an adjacent district. A district may levy less than the amount raised by 2. Transportation aid shall be computed as if the district had levied the amount raised by 2. The commissioner of revenue shall establish the basic transportation mill rate and certify it to the commissioner of education by August September 1 of each year for levies payable in the following year. The basic transportation mill rate shall be a rate, rounded up to the nearest hundredth of a mill, that, when applied to the adjusted assessed valuation of taxable property for all districts, raises the amount specified in this subdivision. The basic transportation mill rate for the payable levies and for transportation.

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Chapter 6 : Codes: Code Search

INTRODUCTION. This Web site describes a step-by-step process for finding the documents needed to build a tribal legal history. Step 1 identifies very basic information.

A mobile unit located off nonpublic school premises is a neutral site as defined in section The pupil weighting factor for the regular transportation category is one. Minnesota Statutes Supplement, section The amount of the levy shall be the result of the following computation: Minnesota Statutes , section Boards are encouraged to offer programs cooperatively with other districts and organizations. Programs may not be limited to district residents. The program must be approved by the commissioner of education. In approving a program, the commissioner may use the process used for approving state designated area learning centers under section B. For a course having an independent study component, the pupil must complete coursework and receive credit for each course for which the aid is claimed. The school district must develop with the pupil a continual learning plan for the pupil. The plan must identify the learning experiences and expected outcomes needed for satisfactory credit for the year and for graduation. The plan must be updated each year. General education revenue for a pupil in an approved alternative program without an independent study component must be prorated for a pupil participating for less than a full school year, or its equivalent. General education revenue for a pupil in an approved alternative program that has an independent study component must be prorated for a pupil receiving fewer than six credits in a year paid for each hour of teacher contact time and each hour of independent study time completed toward a credit necessary for graduation. Average daily membership for a pupil shall equal the number of hours of teacher contact time and independent study time divided by 1, hours, but not more than one, except as otherwise provided in section For an alternative program having an independent study component, the commissioner shall require a description of the courses in the program, the kinds of independent study involved, the expected learning outcomes of the courses, and the means of measuring student performance against the expected outcomes. A credit for a year in an approved alternative program shall, for the purposes of audit, be considered to be hours of teacher contact time and independent study time. The amount of aid is derived by: To receive payments, the district must comply with relevant state and federal statutes. A district may contract for services, and may contract with a third party agency to assist in administering and billing for these services. Minnesota Statutes , section A. The adjustments must be made according to this subdivision. The tuition shall be equal to 1 the actual cost of providing special instruction and services to the pupil, including a proportionate amount for debt service and for capital expenditure facilities and equipment, and debt service but not including any amount for transportation, minus 2 the amount of special education aid, attributable to that pupil, that is received by the district providing special instruction and services. The tuition must be equal to the average general education revenue per pupil unit attributable to the student, or the average per pupil cost of operating the area learning center, whichever is less. Minnesota Statutes Supplement, section B. The school and the land must not be included, for the purpose of determining federal impact aid, in independent school district No. Private schools teaching a method or procedure to increase the speed with which a student reads are not within this exemption; k Driver training schools and instructors as defined in section In making this determination the commissioner may seek the advice and recommendation of the Minnesota board of the arts; n Classes, courses, or programs intended to fulfill the continuing education requirements for licensure or certification in a profession, which classes, courses, or programs have been approved by a legislatively or judicially established board or agency responsible for regulating the practice of the profession, and which are offered primarily to a person who currently practices the profession. Paul, and up to nine additional school districts to provide prevention services as an alternative to special education and other compensatory programs during the , , and school years. A district with an approved program may, on a pilot basis, provide instruction and services in the regular education classroom to eligible pupils. Pupils eligible to participate in the program are those low-performing pupils who, based on

documented experience or the professional judgment of a classroom teacher or a team of licensed professionals, would eventually qualify for special education instruction or related services under Minnesota Statutes, section Pupils may be provided services during extended school days and throughout the entire year. The commissioner shall not approve aid for any expenditures determined to be unnecessary. A pupil who is eligible for services under Minnesota Statutes, section Failure to comply with this subdivision will at least cause a district to become ineligible to participate in this program. Notwithstanding Minnesota Statutes, section For each of fiscal years and , the amount to be paid to a district with an approved program shall be the amount paid for the previous fiscal year multiplied by 1. For fiscal years , , and , the ratio of aid.

Chapter 7 : Statutes & Constitution :Constitution : Online Sunshine

Vols Editors American Jurisprudence Proof of Facts, 3rd Series Evidence West Group 08/01/ Vols Editors American Jurisprudence Proof of Facts, 3rd Series Trial Practice West Group 08/01/

Kiriakatiki Eleftherotipia, 26 February Moreover, the total number of convicted women per category of offences is much less than that of men. Ministry of Justice, Therefore, all discrimination in the treatment of prisoners is prohibited, especially discrimination based on race, colour, sex, language, religion, national or social descent, property or ideological convictions. However, on the basis of scientific criteria, there may be different treatment of prisoners per categories, as stipulated by law. Under paragraph 2 of article 22 of the same law, during the procedure of entry into the prison, the prisoner is submitted to a bodily search and search of their personal items, which is carried out at a special place and in such a way as not to prejudice the dignity of the prisoner. The search is carried out by at least two officers of the same sex as the prisoner. Under paragraph 7 of article 38 of the same law, mothers who have their babies with them are always detained in individual cells with a surface of at least 40 square metres, properly arranged. Under article 72 of the same law, detained mothers who raise their children in the prison and pregnant women who work enjoy all the advantages provided for in legislation applicable to free working women in general. Under article of the same law, the custody of women prisoners is assigned to personnel consisting mainly of women. At Koridallos Prison, which is the central prison of the county, of the approximately women prisoners are detained. The remaining ones are detained in sections of other prisons. At Koridallos Prison, jobs have been created textile, goldsmith workshop, auxiliary jobs for convicted women. The existing problems mainly concern the lack of personnel, scientific or otherwise. Detained mothers can keep their children in prison up to the age of 2 years. General assessment on the application of laws The legislative framework now applicable in Greece concerning the elimination of all forms of discrimination between women and men is considered one of the most advanced. Since , significant changes have been made for the safeguarding of equality between men and women and the elimination of all forms of discrimination against women, such as the amendment and revision of the family law and the introduction of new legislation concerning the elimination of discrimination in the access of women to education, vocational training, employment and working relations. The Greek courts apply the principle of equal treatment of men and women in a satisfactory way in all cases referred to them. In fact, the Supreme Courts of Cassation, namely the Supreme Court Arios Pagos and the Council of State, recently issued judgements that constitute successful examples of provision of effective judicial protection in a way that conforms with the stipulations of Greek legislation concerning sanctions arts. In any case, the number of court judgements is relatively restricted, if one takes into account the direct and obvious discrimination that still exists, particularly in collective contracts and indirect discrimination. An important reason for this is that the concerned parties do not appeal to the courts because of the lack of adequate and proper information concerning their rights, and the fear of vindictive measures by the employer dismissal, unfavourable treatment, etc. There are cases that are either not covered at all by the existing legislation or are insufficiently covered; as a result, the application of equal treatment becomes impossible. There are also individual cases of elimination of provisions of law. This stipulation was a positive action measure for the promotion of the participation of women at all levels of administrative hierarchy. Concerning the efficiency of the modernization provisions of family law stipulated in , a special law drafting committee has been established in the Ministry of Justice with the participation of the General Secretariat for Equality in order to assess their application and suggest new regulations. Furthermore, the same committee has suggested the creation of a family court, which would be a very important step towards the improvement and modernization of the stipulations concerning family relations. It would be a special chamber consisting of regular judges specialized in family law and would include a social service consisting of pedagogues, sociologists and other special scientists, which would support their task. In any case the legislative framework, progressive as it may be, is not sufficient by itself to

resolve the problems, safeguard equal treatment and promote equal opportunities. There should also be actions and measures in order to safeguard the application and extension of the existing legal provisions and to inform the public concerning the rights and obligations of women. The policy of the competent governmental agency, the General Secretariat for Equality, moves towards this direction with suggestions concerning the improvement of the legislative provisions as well as measures for informing the public on the rights of women. The Constitution, , safeguards the principle of equality between men and women. In particular, paragraphs 1 and 2 of article 4 of the Constitution ratify and delimit the equality of the sexes before the law and stipulate that all Greeks are equal before the law and that Greek men and women have equal rights and equal obligations. Moreover, the Constitution embodies principles on equality as included in international laws. Under article 28 of the Constitution, the generally acknowledged rules of international law, as well as international conventions as of the time they are sanctioned by law and become operative according to the conditions therein, are an integral part of domestic Greek law and prevail over any contrary provision of the law. Apart from the general constitutional provisions, the Constitution also includes other provisions referring to specific areas such as: Under article 22, paragraph 1, work constitutes a right and enjoys the protection of the State. It is also stipulated that all working people, irrespective of sex or other distinctions, are entitled to equal pay for work of equal value rendered; b Education. Under article 16, paragraphs 1 to 4, art and science, research and teaching are free and all Greeks are entitled to free education regardless of sex; c Health. Under article 21, paragraph 3, the State is responsible for the health of citizens and for adopting special measures for the protection of youth, old age, disability and for the relief of the needy irrespective of sex. This right is also enforced in any administrative action or measure adopted at the expense of their rights or interests. Special legislation Code of Civil Procedure, Code of Criminal Procedure, Code of Administrative Procedure does not contain any discrimination and deals with the parties, men and women, under the same conditions. Applicable laws per sector Marriage, family Therefore, the following were eliminated: It was stipulated that both spouses should contribute, depending on their capacities, in dealing with the needs of the family; b The institution of dowry. It was stipulated that: Employment, vocational training Under the Civil Code art. The same law establishes an Equality Office at each labour inspection. It also regulates the age limit for entry in the occupation at equal levels for both sexes. Workers with Family Responsibilities. By the same law art. A mother with four or more children receives a monthly benefit equal to one and half daily wages of unspecialized workers multiplied by the number of her unmarried children up to the age of 25 years. This benefit is paid until the mother ceases to have unmarried children up to the age of 25 years. Moreover, the mother who is no longer entitled to the said benefit receives a pension for life equal to four times the daily wages of unspecialized workers. The said benefits are paid to the mother, regardless of any other benefit, salary, pension, fee, etc. The time of this leave does not constitute real service time. Furthermore, a pregnancy leave at half pay is granted to civil servants and employees of the Legal Entity of Public Law who need treatment at home. The National Collective Labour Contract of includes provisions concerning equal treatment of men and women; equal pay for equal work; parental leave for raising children, which may extend up to 3. Moreover, there is reference to the dignified treatment and behaviour in working places on issues concerning the sex. Health and social security The hospital expenses are paid by the insurance carrier of the public or private sector of the pregnant woman if the abortion is carried out in a State hospital. Furthermore, the same law regulates the establishment and operation of artificial insemination units in specifically organized hospitals, the legal Entity of Public Law or private clinics. The hospital expenses up to the sum of , drachmas are paid by the insurance carrier of the public or private sector. Violence - criminality Moreover, it provides for and punishes as a criminal offence the actions of persons who insult with obscene gestures and suggestions the dignity of another person arts. It provides for the following: Legislative measures for women of the European Union and adjustment of Greek legislation The Convention of Rome for the establishment of the European Community art. The achievement of the equality of sexes is a difficult target since it aims at changing conceptions and mentality. However, it seems that everybody now realizes that women have as

much to offer as men in all areas and, consequently, their positions should be revised. This effort is also supported by the State through a series of positive measures taken for women and those planned for the future. These programmes are mentioned both in the introduction to and in the body of the present report. For the coming years, the action plan includes legislative initiatives and regulations, institutional interventions and creation of support infrastructure and mechanisms, as well as the implementation of a series of research projects and studies aimed at identifying the present situation and the elaboration of suggestions and flexible solutions on issues concerning equal opportunities. Furthermore, action is planned in the field of information and awareness, such as special publications, conferences, seminars, meetings and training programmes for teachers, judges, elected councils for the first and second degrees of local administration, police officers, etc. In the second Community Support Framework, the immediate priority is to make women a target group in the proposed business programmes at the national and regional levels. Finally, a series of actions has been planned to deal with the unemployment that is currently affecting women. Mechanism for promoting equality General Secretariat for Equality. The task of the General Secretariat is multidimensional, is implemented at many different levels and consists of: The General Secretariat cooperates directly with all ministries in order to reform the institutional framework and include the principles of equality in new draft laws. These programmes receive national and community co-funding. In the framework of its powers, the General Secretariat makes interventions to several agencies aiming at eliminating discrimination and applying the principle of equality of the two sexes in all areas. At the same time, the legal office of the General Secretariat informs the public on new legislative regulations. In the processing of the Presidential Decree for the Regulations of the General Secretariat for Equality was completed. These Regulations, which were to be applied within the first six months of , provide for: The budget of the General Secretariat is part of the national budget. Under this decree, the following parties participated in the Committees: The General Secretariat and the prefectural equality committees organized a programme aiming at improving the position of Greek women in all areas. In the framework of this effort, some of the organized activities were the following: In their place, equality departments were created in the prefectures and the head of department was responsible for their operation. This position is not permanent, is not paid and the head of department deals with equality issues simultaneously with her main duties. This means that the establishment and operation of services dealing with equality matters is now the exclusive responsibility of the elected prefects. The objective of the equality offices is to carry out continuous studies on the existing legislation and case-law of community and domestic law concerning equality and to have continuous contact with other competent services in order to exchange information for dealing with the problems of the issue of equality. In this framework, the Ministries of Justice, Interior and Health, Welfare and Social Security carried out open discussions with the participation of special scientists. In particular, the equality office of the General Secretariat for Social Security carried out a two-day meeting on social security and, in particular, the problems of equal treatment of the two sexes in social security, and the development of community legislation. Another activity of the equality offices concerns the collection of printed materials coming from the European Union and international organizations studies, articles and books on issues of equality, so that employees may be fully informed. The equality offices cooperate with the General Secretariat for Equality for drawing up the annual action plan of each service. Unfortunately all equality offices have problems in operation, except those in the Ministries of Labour and Justice; however, efforts are being made for their reactivating.

Chapter 8 : Minnesota Legislature - Office of the Revisor of Statutes

COMPLETION OF THE SOCIAL SECURITY LAWS THROUGH JAN. 1, VOLUME. TICKET TO WORK ACT OF , Vols. 1 & 2 SSA's General Business Plan FY Basic.

Repealed by Session Laws , c. Map of annexed area, copy of ordinance and election results recorded in the office of register of deeds. Whenever the limits of any municipal corporation are enlarged, in accordance with the provisions of this Article, it shall be the duty of the mayor of the city or town to cause an accurate map of such annexed territory, together with a copy of the ordinance duly certified, and the official results of the election, if conducted, to be recorded in the office of the register of deeds of the county or counties in which such territory is situated and in the office of the Secretary of State. The documents required to be filed with the Secretary of State under this section shall be filed not later than 30 days following the effective date of the annexation ordinance. All documents shall have an identifying number affixed thereto and shall conform in size in accordance with rules prescribed by the Secretary. Failure to file within 30 days shall not affect the validity of the annexation. Surveys of proposed new areas. The petition shall be signed by each owner of real property in the area and shall contain the address of each such owner. A municipality shall not be required to adopt more than one ordinance under this subsection within a month period. We the undersigned owners of real property believe that the area described in paragraph 2 below meets the requirements of G. For petitions received under subsection b1 or j of this section, the clerk shall receive the evidence provided under subsection l of this section before certifying the sufficiency of the petition. Upon receipt of the certification, the municipal governing board shall fix a date for a public hearing on the question of annexation, and shall cause notice of the public hearing to be published once in a newspaper having general circulation in the municipality at least 10 days prior to the date of the public hearing; provided, if there be no such paper, the governing board shall have notices posted in three or more public places within the area to be annexed and three or more public places within the municipality. The governing board shall then determine whether the petition meets the requirements of this section. Upon a finding that the petition that was not submitted under subsection b1 or j of this section meets the requirements of this section, the governing board shall have authority to pass an ordinance annexing the territory described in the petition. The governing board shall have authority to make the annexing ordinance effective immediately or on the June 30 after the date of the passage of the ordinance or the June 30 of the following year after the date of passage of the ordinance. If such a resolution is adopted, the governing body shall immediately submit a request to the Local Government Commission to certify that its estimate of the annual debt service payment is reasonable based on established governmental accounting principles. During the month period, the municipality shall make ongoing, annual good faith efforts to secure Community Development Block Grants or other grant funding for extending water and sewer service to all parcels in the areas covered by the petition. Real and personal property in the newly annexed territory on the January 1 immediately preceding the beginning of the fiscal year in which the annexation becomes effective is subject to municipal taxes as provided in G. If the effective date of annexation falls between June 1 and June 30, and the effective date of the privilege license tax ordinance of the annexing municipality is June 1, then businesses in the area to be annexed shall be liable for taxes imposed in such ordinance from and after the effective date of annexation. A connecting corridor consisting solely of a street or street right-of-way may not be used to establish contiguity. In describing the area to be annexed in the annexation ordinance, the municipal governing board may include within the description any territory described in this subsection which separates the municipal boundary from the area petitioning for annexation. The resolution shall contain an adequate description of the property, state that the property is contiguous to the municipal boundaries and fix a date for a public hearing on the question of annexation. Notice of the public hearing shall be published as provided in subsection c of this section. The governing board may hold the public hearing and adopt the annexation ordinance as provided in subsection d of this section. If the statement

declares that such rights have been established, the city may require petitioners to provide proof of such rights. A statement which declares that no vested rights have been established under G. For the purpose of this subsection, a municipality has no legal interest in a State-maintained street unless it owns the underlying fee and not just an easement. The municipality may require reasonable proof that the petitioner in fact resides at the address indicated. We the undersigned residents of real property believe that the area described in paragraph 2 below meets the requirements of G. The evidence presented may include data from the most recent federal decennial census, other official census documents, signed affidavits by at least one adult resident of the household attesting to the household size and income level, or any other documentation verifying the incomes for a majority of the households within the petitioning area. Petitioners may select to submit name, address, and social security number to the clerk, who shall in turn submit the information to the Department of Revenue. Such information shall be kept confidential and is not a public record. The Department shall provide the municipality with a summary report of income for households in the petitioning area. Information for the report shall be gleaned from income tax returns, but the report submitted to the municipality shall not identify individuals or households. The rural fire department shall make available to the city not later than 30 days following a written request from the city, information concerning such debt. The Local Government Commission shall approve a payment schedule agreed upon between the city and the rural fire department in cases where the assessed valuation of the district may not readily be determined, if there is a reasonable basis for the agreement. Annexation by Cities of Less Than 5, Repealed by Session Laws , s. Annexation by Cities of 5, or More. Reserved for future codification purposes. Annexation of Noncontiguous Areas. The words and phrases defined in this section have the meanings indicated when used in this Part unless the context clearly requires another meaning: Petition for annexation; standards. The petition need not be signed by the owners of real property that is wholly exempt from property taxation under the Constitution and laws of North Carolina, nor by railroad companies, public utilities as defined in G. A petition is not valid in any of the following circumstances: For the purpose of this subdivision, a city has no legal interest in a State-maintained street unless it owns the underlying fee and not just an easement. The annexing city shall comply with all other requirements of this section. When there is any substantial question as to whether the area may be closer to another city than to the annexing city, the map shall also show the area proposed for annexation with relation to the primary corporate limits of the other city. The city council may prescribe the form of the petition. Upon receipt of a petition for annexation under this Part, the city council shall cause the city clerk to investigate the petition, and to certify the results of his investigation. If the clerk certifies that upon investigation the petition appears to be valid, the council shall fix a date for a public hearing on the annexation. At the hearing, any person residing in or owning property in the area proposed for annexation and any resident of the annexing city may appear and be heard on the questions of the sufficiency of the petition and the desirability of the annexation. If the council then finds and determines that i the area described in the petition meets all of the standards set out in G. The ordinance may be made effective immediately or on any specified date within six months from the date of passage. Annexed area subject to city taxes and debts. From and after the effective date of the annexation ordinance, the annexed area and its citizens and property are subject to all debts, laws, ordinances and regulations of the annexing city, and are entitled to the same privileges and benefits as other parts of the city. If the effective date of annexation falls between June 1 and June 30, and the privilege licenses of the annexing city are due on June 1, then businesses in the annexed area are liable for privilege license taxes at the full-year rate. Special rates for water, sewer and other enterprises. For the purposes of G. A city providing enterprise services within satellite corporate limits shall annually review the cost thereof, and shall take such steps as may be necessary to insure that the current operating costs of such services, excluding debt service on bonds issued to finance services within satellite corporate limits, does not exceed revenues realized therefrom. Transition from satellite to primary corporate limits. An area annexed pursuant to this Part ceases to constitute satellite corporate limits and becomes a part of the primary corporate limits of a city when, through annexation of intervening territory, the two boundaries touch.

Annexation of municipal property. The property must satisfy the requirements of G. The resolution shall contain an adequate description of the property and fix a date for a public hearing on the question of annexation. Notice of the public hearing shall be published once at least 10 days before the date of the hearing. At the hearing, any resident of the city may appear and be heard on the question of the desirability of the annexation. If the council finds that annexation is in the public interest, it may adopt an ordinance annexing the property. For the purpose of this subsection, a city has no legal interest in a State-maintained street unless it owns the underlying fee and not just an easement. Annexations made under this part shall be recorded and reported in the same manner as under G. Effective Dates of Certain Annexation Ordinances. Effective date of certain annexation ordinances adopted from January 1, , to August 3, The board must give notice by publication of its intent to consider adoption of such ordinance, such notice to be published at least 10 days before the meeting at which the ordinance is adopted. Copies of the adopted ordinance shall be recorded in accordance with the provisions of G. Effective date of certain annexation ordinances adopted under Article 4A of Chapter A. If because of the operation of G. Tax of newly annexed territory. The amount of municipal taxes that would have been due on the property had it been within the municipality for the full fiscal year shall be multiplied by the following fraction: The product of the multiplication is the amount of prorated taxes due. The lien for prorated taxes levied on a parcel of real property shall attach to the parcel taxed on the listing date, as provided in G. The lien for prorated taxes levied on personal property shall attach on the same date to all real property of the taxpayer in the taxing unit, including the newly annexed territory. If the annexation becomes effective after June 30 and before September 2, the prorated taxes shall be due and payable on the first day of September of the fiscal year for which the taxes are levied. If the annexation becomes effective after September 1 and before the following July 1, the prorated taxes shall be due and payable on the first day of September of the next succeeding fiscal year. The prorated taxes are subject to collection and foreclosure in the same manner as other taxes levied for the fiscal year in which the prorated taxes become due. In addition, if the effective date of annexation falls between January 1 and June 30, the municipality shall, for purposes of levying taxes for the fiscal year beginning July 1 following the date of annexation, obtain from the county a record of property in the area being annexed that was listed for taxation as of said January 1. It is the purpose of this Part to authorize cities to enter into binding agreements concerning future annexation in order to enhance orderly planning by such cities as well as residents and property owners in areas adjacent to such cities. The words defined in this section shall have the meanings indicated when used in this Part: Two or more cities may enter into agreements in order to designate one or more areas which are not subject to annexation by one or more of the participating cities. The agreements shall be of reasonable duration, not to exceed 20 years, and shall be approved by ordinance of the governing board and executed by the mayor of each city and spread upon its minutes. Contents of agreements; procedure. The boundaries of such area or areas may be established at such locations as the participating cities shall agree. Thereafter, any participating city may follow such boundaries in annexing any property, whether or not such boundaries follow roads or natural topographical features. Such notice shall not be effective for more than days. The governing boards of the participating cities may hold a joint public hearing if desired. Notice of the public hearing or hearings shall be given as provided in G. The subsequent agreement shall be approved by ordinance after a public hearing or hearings as provided in subsection c. Provided however, that an area where the agreement is not binding because of failure of the board of county commissioners to approve it, shall become subject to the agreement if subsequent annexation brings it within three miles. The approval of a board of county commissioners shall be evidenced by a resolution adopted after a public hearing as provided in subsection c. Upon the expiration of the five-year period, an agreement originally involving only two cities shall terminate, and an agreement originally involving more than two cities shall terminate unless each of the other participating cities shall have adopted an ordinance reaffirming the agreement.

Chapter 9 : Deconstruction - Wikipedia

2 Basic Inc. v. Levinson, U.S. , , (). Under this presumption, investors who bought or sold stock during the relevant time period are able to bring their fraud claims without proving that they personally knew of and relied on a misrepresentation in making their decision to buy or sell.

According to Derrida and taking inspiration from the work of Ferdinand de Saussure , [14] language as a system of signs and words only has meaning because of the contrast between these signs. Derrida refers to theâ€”in this view, mistakenâ€”belief that there is a self-sufficient, non-deferred meaning as metaphysics of presence. One of the two terms governs the other axiologically, logically, etc. The first task of deconstruction would be to find and overturn these oppositions inside a text or a corpus of texts; but the final objective of deconstruction is not to surpass all oppositions, because it is assumed they are structurally necessary to produce sense. The oppositions simply cannot be suspended once and for all. The hierarchy of dual oppositions always reestablishes itself. Deconstruction only points to the necessity of an unending analysis that can make explicit the decisions and arbitrary violence intrinsic to all texts. This explains why Derrida always proposes new terms in his deconstruction, not as a free play but as a pure necessity of analysis, to better mark the intervals. Derrida called undecidablesâ€”that is, unities of simulacrumâ€”"false" verbal properties nominal or semantic that can no longer be included within philosophical binary opposition, but which, however, inhabit philosophical oppositionsâ€”resisting and organizing itâ€”without ever constituting a third term, without ever leaving room for a solution in the form of Hegelian dialectics e. However, Derrida resisted attempts to label his work as " post-structuralist ". This foil to Platonic light was deliberately and self-consciously lauded in Daybreak, when Nietzsche announces, albeit retrospectively, "In this work you will discover a subterranean man at work", and then goes on to map the project of unreason: Does not almost every precise history of an origination impress our feelings as paradoxical and wantonly offensive? Does the good historian not, at bottom, constantly contradict? Reason, logic, philosophy and science are no longer solely sufficient as the royal roads to truth. And so Nietzsche decides to throw it in our faces, and uncover the truth of Plato, that heâ€”unlike Orpheusâ€”just happened to discover his true love in the light instead of in the dark. This being merely one historical event amongst many, Nietzsche proposes that we revisualize the history of the West as the history of a series of political moves, that is, a manifestation of the will to power, that at bottom have no greater or lesser claim to truth in any noumenal absolute sense. By calling our attention to the fact that he has assumed the role of Orpheus, the man underground, in dialectical opposition to Plato, Nietzsche hopes to sensitize us to the political and cultural context, and the political influences that impact authorship. For example, the political influences that led one author to choose philosophy over poetry or at least portray himself as having made such a choice , and another to make a different choice. The problem with Nietzsche, as Derrida sees it, is that he did not go far enough. That he missed the fact that this will to power is itself but a manifestation of the operation of writing. This is so because identity is viewed in non-essentialist terms as a construct, and because constructs only produce meaning through the interplay of difference inside a "system of distinct signs". This approach to text is influenced by the semiology of Ferdinand de Saussure. In language there are only differences. Whether we take the signified or the signifier, language has neither ideas nor sounds that existed before the linguistic system, but only conceptual and phonic differences that have issued from the system. The idea or phonic substance that a sign contains is of less importance than the other signs that surround it. Nevertheless, in the end, as Derrida pointed out, Saussure made linguistics "the regulatory model", and "for essential, and essentially metaphysical, reasons had to privilege speech, and everything that links the sign to phone". A desire to contribute to the re-evaluation of all Western values, a re-evaluation built on the 18th-century Kantian critique of pure reason, and carried forward to the 19th century, in its more radical implications, by Kierkegaard and Nietzsche. An assertion that texts outlive their authors, and become part of a set of cultural habits equal to, if not surpassing, the importance of authorial

intent. A re-valuation of certain classic western dialectics: To this end, Derrida follows a long line of modern philosophers, who look backwards to Plato and his influence on the Western metaphysical tradition. However, like Nietzsche, Derrida is not satisfied merely with such a political interpretation of Plato, because of the particular dilemma modern humans find themselves in. His Platonic reflections are inseparably part of his critique of modernity, hence the attempt to be something beyond the modern, because of this Nietzschian sense that the modern has lost its way and become mired in nihilism. Understanding language, according to Derrida, requires an understanding of both viewpoints of linguistic analysis. The focus on diachrony has led to accusations against Derrida of engaging in the etymological fallacy. The mistranslation is often used to suggest Derrida believes that nothing exists but words. Form of Content, that Louis Hjelmslev distinguished from Form of Expression than how the word "house" may be tied to a certain image of a traditional house i. The same can be said about verbs, in all the languages in the world: The same happens, of course, with adjectives: Thus, complete meaning is always "differential" and postponed in language; there is never a moment when meaning is complete and total. Such a process would never end. Metaphysics of presence[edit] Main article: Metaphysics of presence Derrida describes the task of deconstruction as the identification of metaphysics of presence, or logocentrism in western philosophy. Metaphysics of presence is the desire for immediate access to meaning, the privileging of presence over absence. This means that there is an assumed bias in certain binary oppositions where one side is placed in a position over another, such as good over bad, speech over the written word, male over female. Derrida writes, "Without a doubt, Aristotle thinks of time on the basis of ousia as parousia, on the basis of the now, the point, etc. This argument is largely based on the earlier work of Heidegger, who, in Being and Time , claimed that the theoretical attitude of pure presence is parasitical upon a more originary involvement with the world in concepts such as ready-to-hand and being-with. Difficulty of definition[edit] There have been problems defining deconstruction. Derrida claimed that all of his essays were attempts to define what deconstruction is, [26]: In these negative descriptions of deconstruction, Derrida is seeking to "multiply the cautionary indicators and put aside all the traditional philosophical concepts". If Derrida were to positively define deconstructionâ€”as, for example, a critiqueâ€”then this would make the concept of critique immune to itself being deconstructed. Some new philosophy beyond deconstruction would then be required in order to encompass the notion of critique. Not a method[edit] Derrida states that "Deconstruction is not a method, and cannot be transformed into one". A thinker with a method has already decided how to proceed, is unable to give him or herself up to the matter of thought in hand, is a functionary of the criteria which structure his or her conceptual gestures. This would be an irresponsible act of reading, because it becomes a prejudicial procedure that only finds what it sets out to find. Not a critique[edit] Derrida states that deconstruction is not a critique in the Kantian sense. For Derrida, it is not possible to escape the dogmatic baggage of the language we use in order to perform a pure critique in the Kantian sense. Language is dogmatic because it is inescapably metaphysical. Derrida argues that language is inescapably metaphysical because it is made up of signifiers that only refer to that which transcends themâ€”the signified. For Derrida the concept of neutrality is suspect and dogmatism is therefore involved in everything to a certain degree. Deconstruction can challenge a particular dogmatism and hence desediment dogmatism in general, but it cannot escape all dogmatism all at once. Not an analysis[edit] Derrida states that deconstruction is not an analysis in the traditional sense. Derrida argues that there are no self-sufficient units of meaning in a text, because individual words or sentences in a text can only be properly understood in terms of how they fit into the larger structure of the text and language itself. Derrida states that deconstruction is an "antistructuralist gesture" because "[s]tructures were to be undone, decomposed, desedimented". At the same time, deconstruction is also a "structuralist gesture" because it is concerned with the structure of texts. So, deconstruction involves "a certain attention to structures" [26]: An example of structure would be a binary opposition such as good and evil where the meaning of each element is established, at least partly, through its relationship to the other element. It is for this reason that Derrida distances his use of the term deconstruction from post-structuralism , a term that would suggest that philosophy could simply go beyond structuralism.

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Paul de Man was a member of the Yale School and a prominent practitioner of deconstruction as he understood it. Caputo attempts to explain deconstruction in a nutshell by stating: Indeed, that is a good rule of thumb in deconstruction. That is what deconstruction is all about, its very meaning and mission, if it has any. One might even say that cracking nutshells is what deconstruction is. Have we not run up against a paradox and an aporia [something contradictory] Allison is an early translator of Derrida and states, in the introduction to his translation of Speech and Phenomena: Particularly problematic are the attempts to give neat introductions to deconstruction by people trained in literary criticism who sometimes have little or no expertise in the relevant areas of philosophy that Derrida is working in. These secondary works e.