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Government Law Center
E-Newsletter
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Upcoming Events

• **September 30th-October 1st**: President Lincoln’s Enduring Legacy of Executive Power
• **Saturday, October 3rd**: Senior Citizens’ Law Day & Nancy M. Sills ’76 Memorial Lecture
• **Thursday, October 8th**: Climate Change Municipal Workshop
• **Friday, November 20th**: 2nd Annual Building in the 21st Century Program
• **Friday, December 4th**: Director of Office of Government Information Services at U.S. National Archives to Speak at GLC FOIL Symposium

Recent Events and Publications

• Wind Industry Ethics Code Training webinar
• Professor Salkin Addresses ABA Delegates on Federal Distributive Funding
• Saratoga Institute on Racing and Gaming Law
• GLC Welcomes Visitors from Trinidad
• **The Clash of Law and Politics**
• **Providing for Alternate Members on Planning and Zoning Boards: Drafting Effective Local Laws**
• Pace Law Review: Modernization of New York’s Land Use Laws Continues To Meet Growing Challenges of
Sustainability

- Municipal Regulation of Formula Businesses: Creating and Protecting Communities

Spotlight on GLC Summer Student Researchers

- Klepper Non-Profit Law Research Assistance
- Executive Records Retention

Upcoming Events

President Lincoln's Enduring Legacy of Executive Power

The Government Law Center is co-sponsoring The 3rd Annual Albany Government Law Review Symposium on September 30-October 1, at Albany Law School. The program will examine President Lincoln’s use of executive power in a historical context. The papers presented will offer an analysis of modern trends in the use and abuse of executive power, and the legal implications of an expanded executive role in a number of substantive areas that are
GLC Blogs
Patricia E. Salkin
"Law of the Land"
A Blog on Land Use Law & Zoning

Amy Lavine
"Community Benefits Agreements"
Linking Good Jobs, Affordable Housing, Social Justice, and Livable Neighborhoods to Development Projects

GLC Research
Government Law Online
A clearinghouse containing government law and public policy articles, studies, papers and reports written by faculty, staff, and students of Albany Law School.

Racing and Gaming Today
Bennett Liebman
The most complete news source in the Racing and Gaming industry, providing you with recent reports, optional email alerts, and news feeds.

well as, recent and upcoming events, click here. If you would like to receive our annual print newsletter, please contact the Government Law Center at (518)445-2329 or tblan@albanylaw.edu.

The New York State Unified Court System, a sponsor of this year's event, once again will provide Law Day guidebooks for free to event attendees.

Click here to view/print the program brochure for this year's relevant to the world we live in today.

Click here for more information.

Senior Citizens' Law Day

The Government Law Center's Aging Law & Policy Program will host the 16th Annual Senior Citizens' Law Day on Saturday, October 3, 2009, from 9:00 a.m. - 3:00 p.m., at Albany Law School. The program will provide area seniors and their families with workshops on wills, health care proxies, Medicaid, Medicare, protecting assets, housing options, and other relevant topics. This year's Nancy M. Sills '76 Memorial Lecture will feature a panel of three Albany Law School professors discussing current initiatives for health care reform. There will also be a Pro Bono Senior Clinic, offered in partnership with the State Bar Association Elder Law Section, where attendees can sign up for a free 30-minute consultation with a practicing elder law attorney.
You will also find an extensive archive of reports from Bennett Liebman since 2001. Register at racing.albanylaw.edu.

Join the GLC on facebook

program.

For more information on the Center's Aging Law & Policy Program, click here.

Climate Change Municipal Workshop

The Government Law Center together with the Municipal Law and Environmental Law Sections of the NYS Bar Association will co-sponsor a Climate Change Municipal Workshop Series beginning this fall. The first all day workshop in the series will take place on Thursday, October 8, 2009 at the Judicial Institute at Pace Law School in White Plains, N.Y. The speakers will explore local government involvement in reducing greenhouse gas admissions and other climate change initiatives.

Click here for the schedule of events and registration information for this workshop.


Together with the AIA and the City Bar of New York, the Government Law Center will host the 2nd Annual Building in the 21st Century Program: Improving Construction and the Built Environment Across New York program. The event is scheduled for Friday, November 20, 2009 at Albany Law School.

Just as a structure or infrastructure project is the product of interdependent design, engineering and construction trade skills, the capital programs of the State, its agencies and its local governments are the product of complex and interdependent statutory schemes. The State’s public budgeting, finance and project procurement statutes govern public projects as they wind
Director of Office of Government Information Services at U.S. National Archives to Speak at GLC FOIL Symposium

Miriam Nisbet, Director of the Office of Government Information Services (OGIS), U.S. National Archives and Records Administration, will be the keynote speaker at a symposium examining the impact of technology on accessing records under the Freedom of Information Law (FOIL) on Friday, December 4, 2009 at Albany Law School.

Speakers will analyze the significant changes in record searches created by recent technological advances, and the impact of these changes on State officials who administer the law and the members of the public who seek access to records. The discussion will also help identify potential reforms to New York’s current public access law. GLC Advisory Board Member Robert Freeman, who is the Executive Director of the NYS Committee on Open Government is on the Planning Committee. Other Planning Committee members include: Camille Jobin Davis, Esq., Tedra Cobb, William Bruso, Pamela Ko, Bennett Liebman, and Albany Law School student Kyle Christensen ’11.
Recent Events

Wind Industry Ethics Code Training Webinar

Harris Beach PLLC and the GLC teamed up to offer state-mandated Wind Industry Ethics Code Training on the full spectrum of government compliance requirements and how these laws relate to your roles and responsibilities, to your organization, and to the public. Instructors included Karl M. Sleight, Esq., the former Executive Director of the New York State Ethics Commission and member of the GLC Advisory Board; and Patricia E. Salkin, Esq., the Director of the GLC.

The webinar was available on September 17th, 2009 from 8:30 a.m.-10:30 a.m. Click here for more information.

Professor Salkin Addresses ABA Delegates on Federal Distributive Funding

Professor Patricia Salkin told the American Bar Association (ABA) House of Delegates on August 3rd of the dire need for federal distributive funding.
Salkin’s work over the last three years with local governments on shared services, cooperative efforts, consolidations and dissolutions helped her make a strong case for the federal distributive funding, a resolution developed and sponsored by the State and Local Government Law Section of the ABA.

Salkin, the Raymond & Ella Smith Distinguished Professor of Law and Director of Albany Law’s Government Law Center, addressed the ABA with Albany Law School adjunct professor Kenneth Bond.

Salkin noted the unfunded federal mandates as one contributing factor to the dismal economic conditions of local governments across the country, another area she had worked on through the Center. A past chair of the Section, and a current Delegate to the ABA House of Delegates, Salkin said that municipal bonds, typically considered secure by the financial community, are now considered a risky investment, due to high foreclosure rates, defaults on municipal tax payments and rising costs contributing to significant budget imbalances. This is leading to the failure of local governments to fund the rule of law.

Salkin said that last week, the New York Times reported that Jefferson County in Alabama no longer had funds to bury the indigent deceased and to staff the kitchen to feed 28 juveniles in a detention facility, and the family court administrators reported plans to delay child support, child abuse and custody hearings, leaving children in the hands of the State indefinitely.

The drafting of the Resolution and accompanying report was led by Kenneth Bond, who teaches State and Local Finance at Albany Law School.
The 9th Annual Saratoga Institute on Racing and Gaming Law

For a live video recording of the address on the first day of the two-day event, [click here](#). Select Report 105. [Prof. Salkin appears at 2:42:25.]

The Racing and Gaming Law Program of the Government Law Center of Albany Law School presented its ninth annual Saratoga Institute on August 4, 2009 at the Gideon Putnam Hotel in Saratoga Springs. The Institute program is dedicated to exploring the legal and public policy implications of racing and gaming in New York state and across the country.

Topics included resolving the issue of equine slaughter, the overall state of racing in America, the future of OTB and harness racing in New York State, and the state of NYRA. Speakers included leading figures in racing and gaming from across the country. Speakers from Albany Law School included Professor Patrick Connors who moderated a panel on the New York Racing Association, Amy Lavine, staff attorney at the Government Law Center who spoke on the issue of eminent domain and the issues raised by the State of
Maryland’s efforts to take over the Preakness Stakes, and Bennett Liebman, Executive Director of the Government Law Center, who spoke on the topic of the Professional and Amateur Sports Protection Act. Also moderating two programs was Dr. Jerry Bilinski, a member of the advisory board of the Government Law Center.

[Click here](#) for the podcasts of this year’s program.

For more information on our Racing & Gaming Law Program, [click here](#).

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**GLC Welcomes Visitors from Trinidad**

![Image](https://example.com/image.jpg)

*From left: Senior Superintendent Margaret Gwenneth Sampson-Browne, CPRB Board member Ronald Flagg, and Sharmaine Moseley*

On August 4, 2009, Citizens' Police Review Board (CPRB) member Ronald Flagg and GLC Coordinator of the Board Sharmaine Moseley met with Trinidad and Tobago Police Force Senior Superintendent Margaret Gwenneth Sampson-Browne to discuss the [Albany CPRB](#) process and police community relations. Ms. Sampson-Browne is responsible for the recruitment and training of new police officers; development and implementation of all
programs for female law enforcement officers serving in the police force and other agencies; and for all developmental programs for the ranks in the police force. Ms. Sampson-Browne was invited to the United States under the auspices of the Department of State's International Visitor Leadership Program.

Recent Publications

"The Clash of Law and Politics",
Chapter 12 in Building Healthy Communities: A Guide to Community Economic Development for Advocates, Lawyers, and Policymakers
By Patricia E. Salkin

Click here for more information about this book.

Providing for Alternate Members on Planning and Zoning Boards: Drafting Effective Local Laws
Planning & Environmental Law, August 2009, Vol. 61, No. 8
By Patricia E. Salkin
Pace Law Review:

Modernization of New York's Land Use Laws Continues To Meet Growing Challenges Of Sustainability

By Patricia E. Salkin & Jessica A. Bacher
Click here to view this article.

*Municipal Regulation of Formula Businesses: Creating and Protecting Communities*

58 Case Western L. Rev. 1251 (2008)

By Patricia E. Salkin
Spotlight on GLC Summer Student Researchers

This summer the GLC was fortunate to have the research assistance of more than two dozen law students and college students. Continuing the spotlight from our last E-news, what follows are highlights of what some of these outstanding students have been working on.

Lawrence F. Klepper Non-Profit Research Assistant

Since 1994, The Lawrence F. Klepper Legal Assistance Program for Non-Profit Organizations, established by friends of Larry Klepper, has received funding through donations by the Social Action Committee at Congregation Beth Emeth. A project of Albany Law School’s Government Law Center, The Klepper Program places student interns with lawyer/mentors in the community to acquire skills and an appreciation for the rewards of non-profit law. Attorneys serving as mentors use law student research assistants to provide research and other law related work on a pro bono basis for non-profit organizations.

Klepper Program intern Kyle Christiansen ’11 worked at Family Planning Advocates of New York State (FPA), a non-profit statewide membership organization dedicated to protecting and expanding access to a full range of
reproductive health services. Kyle worked under the
guidance of Tracey Brooks ’00, President of FPA, and an
alumnus of Albany Law School. Kyle especially worked with
Ronnie Pawelko, council of the FPA, in interpreting existing
law, working on a lobbying policy, and writing legislative
memos. According to Kyle, “Participating in The Klepper
Program has given me a greater understanding of
reproductive rights issues and the issues surrounding non-
profit law. I feel that I’ve also gained an increased sense of
responsibility for the well-being of others in our society.”

**Executive Records Retention**

Emily Durki researched federal and state law and
briefed cases on diverse issues including horse
racing law and land use
issues. She spent
considerable time
researching and drafting a
50 state survey of
legislation on the retention
of state executive records. The purpose of this research was
to determine how the requirements and processes of
executive records retention differ from New York and
propose language and requirements for the improvement of
the processes in New York. Analyzing how other states
handle the records of former governors will provide New
York with a framework to follow in future legislation.

To keep up-to-date on all upcoming events hosted or co-
sponsored by the Government Law Center, check in with us
at our webpage: [www.albanylaw.edu/glc](http://www.albanylaw.edu/glc). Feel free to contact
us at any time by calling (518) 445-2329 or emailing
tblan@albanylaw.edu. Thanks, as always, to our readers.