Government Law Center News
October 2011

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Upcoming Events

GLC-Federal Communications Bar Roundtable to Review National Broadband Plan

The GLC is hosting a Federal Communications Bar Association roundtable discussion, "The National Broadband Plan: A Report Card," from 3 - 5 p.m. on October 6, 2011 in the Dean Alexander Moot Courtroom. This roundtable discussion will provide status reports from industry, government and academia on both broadband infrastructure deployment and usage stimulation. The program will include a discussion of opportunities for further reforms to meet the goal of the National Broadband Plan. The roundtable, moderated by GLC Director Patricia Salkin, will feature Professor and GLC Faculty Affiliate Robert Heverly of Albany Law School.

LGBT Rights is Topic of Albany Government Law Review Symposium

The Albany Government Law Review will sponsor a symposium, "LGBT Rights: Toward a More Perfect Union," on October 13, 2011. A keynote address on the implementation of "Don't Ask, Don't Tell" repeal in the armed services will be delivered by Jeh Johnson, General Counsel for the U.S. Department of Defense. Speakers will include Hon. James Alesi, NYS Senator; Hon. Daniel O'Donnell, NYS Assemblymember; and Matt Nosanchuk, Sr. Counselor to the Assistant Attorney General, U.S. Department of Justice, Civil Rights Division. The program will include a discussion of the Defense of Marriage Act, legalization of same-sex marriage in New York State, and family and workplace rights. The schedule of events can be found at http://www.albanylaw.edu/sub.php?navigation_id=2066.
Case Studies in Public Construction Procurement: At the Intersection of Built Environment Regulation and "On the Ground" Reality

On October 21, 2001, the Government Law Center will present a multi-disciplinary all day event to explore the impacts of current built environmental laws and public construction procurement regulations on public capital projects, as well as options for reform. Visit http://www.albanylaw.edu/media/user/glc/upcoming_events/Invite-Agenda_final.pdf for more information.

GLC Symposium to Evaluate Success of Public Authority Reform Efforts in New York

The GLC's Public Authorities Project will host a symposium on October 28, 2011 on how well public authority reforms have worked five years after the implementation of the Public Authority Accountability Act of 2005. It will present an opportunity for Public Authority board members and officers, the public, good government groups and other interested parties to share ideas for further reform, opinions on the current state of public authority accountability and concerns with deficiencies in current law.

GLC Co-Sponsors November 1st CLE Program on 2012 Wealth Management Trends and Investment Outlook for Estate Attorneys and Advisors to Non-Profits

As part of the GLC's Klepper Non-Profit Assistance initiative, we will be co-hosting with the Community Foundation for the Capital Region a Continuing Legal
Education seminar on wealth management strategies for estate attorneys and other professional nonprofit investment advisors from 1 - 4 p.m. on November 1, 2011 at the NYSUT Building in Latham, NY. The program will continue from 4:15 - 5:30 p.m. with a panel presentation on the 2012 investment outlook, followed by a reception from 5:30 - 6:30 p.m. For more information, visit: http://www.cfger.org/cms/upload/pdf/AdvisorResource2011.pdf.

Ninth Annual Hon. Hugh R. Jones Memorial Lecture: Federalism is Alive and Well and Living in New York
The Albany Law School and the Fund for Modern Courts will be co-sponsoring the Ninth Annual Hon. Hugh R. Jones Memorial Lecture on October 11, 2011 at 5:30 p.m. in the Dean Alexander Moot Courtroom at Albany Law School. This year's lecture, Federalism is Alive and Well and Living in New York, will be presented by Hon. Sol Wachtler, Chief Judge (retired) of the State of New York. The program will be introduced by Connie Mayer, Interim President and Dean, Albany Law School; and Milton L. William, Jr., Chair, Fund for Modern Courts; and Hon. Jonathan Lippman, Chief Judge of the State of New York. One free CLE credit in Professional Practice will be offered. A reception will follow the program in the East Foyer. For more information please email justice@moderncourts.com.

News and Appointments

GLC Launches Renewable Energy Entrepreneurial Paper Series
As part of the GLC's continuing efforts under the NYSERDA award to provide early stage business support to renewable energy start up companies in New York, the Government Law Center recently made available a white paper on siting backyard wind power facilities in New York State. The paper is the first in a series of how-to legal guides for companies across the state.
"The white paper series is meant to educate renewable energy installers and service providers on how to navigate siting, permitting and zoning regulations, which can vary widely from municipality to municipality," said Professor Pamela Ko, the project's director. The full first paper, "Siting Backyard Wind Power Facilities Under the Zoning Laws of New York State," is available free online. For more information, visit: http://www.albanylaw.edu/sub.php?navigation_id=255.

Lavine Promoted to Senior Staff Attorney

Amy Lavine, Esq. ’07 was promoted to the title of Senior Staff Attorney at the Government Law Center earlier this month. Lavine is nationally recognized for her work on community benefit agreements and she maintains a blog on the subject. She is also an author on the GLC's new blog on Public Authorities in New York. Lavine was the recipient in 2009 of the ABA's State and Local Government Law Section Jefferson Fordham Up and Comers Award. Lavine is the author or co-author of numerous articles published in law reviews, journals and other legal publications. She is a 2007 cum laude graduate of Albany Law School and a magna cum laude graduate of Simon's Rock College of Bard.

Government Law and Policy Journal Focuses on New York State Budget

The recent issue of the Government Law and Policy Journal, produced by the Government Law Center for the New York State Bar Association's Committee on Public Services, examines the New York State budget. Abraham Lackman, Clarence D. Rappleyea Government Scholar in Residence at the GLC, served as guest editor for this issue. To read Lackman's foreward and see a sample article from the Journal by Richard Ravitch entitled "Changing the
Terms of New York State's Budget Conversation," visit 

Patricia Salkin Panelist at John Marshall Law School's Kratovil Conference
Professor Patricia Salkin, Associate Dean and Director of the GLC, was a speaker at the John Marshall Law School's 12th Annual Kratovil Conference, which took place September 20, 2011. This year's conference commemorated the 40th Anniversary of the Quiet Revolution in Zoning and Land Use Regulation. Salkin joined a panel in a discussion titled: "Looking Forward: The Quiet Revolution Lessons and Progeny."

GLC Staff Attends NACOLE Conference in New Orleans
Sharmaine Moseley, coordinator of the Albany Citizens' Police Review Board, participated in the annual meeting of the National Association of Civilian Oversight of Law Enforcement, which took place September 11 - 15, 2011 in New Orleans. NACOLE is a non-profit organization that brings together individuals and agencies working to establish and improve oversight of police officers in the United States. Albany Law School is the only academic institution in the United States that staffs an independent police oversight board.

International Update
Chinese Visitors Discuss Environmental Protection and Park Management
On September 20, 2011, the GLC hosted a group of Chinese visitors from the International Visitor Leadership Program to discuss "Environmental Protection and Park Management: A Project for People's
Republic of China." Albany Law School participants included Interim President and Dean Connie Mayer; Associate Dean for Research and Scholarship James Gathii; Professor Danshera Cords; Associate Professor Keith Hirokawa; GLC Senior Staff Attorney Amy Lavine ’07; and GLC Fellows Charles Gottlieb ’11 and Dan Gross ’11. Members of the Albany legal community in attendance were Paul Bray, Esq.; Marcia Kees, Associate Planner for the NYS Office of Parks, Recreation and Historic Preservation; and Christopher Hawver, Executive Director of the Albany Pine Bush Preserve Commission.

Leader of Ivory Coast Anti-Corruption Movement Featured Guest at GLC Breakfast

The GLC hosted a breakfast for Judge Ehounou Manlan from Ivory Coast (Cote d’Ivoire) on September 2, 2011. Judge Manlan, an influential leader in the anti-corruption movement in that country concurrently serves as President of the Properties Chamber of the Justice Court of Abidjan, as well as President and Founding Member for the NGO "Transparency Justice." More than a dozen Albany Law School faculty members were in attendance.

Visiting Delegation from China Learns About Government Transparency and Land Use

On September 27, 2011, the GLC hosted a Chinese Delegation visiting under the auspices of the Department of State’s International Visitor Leadership Program. The meeting focused on accountability in government and business, including preventing corruption and encouraging transparency, especially in the land development context. Members of the delegation included: Mr. Youngqi Chen, Deputy Director, Statistical Design and Management Division, Shanghai Municipal Statistics Bureau; Ms. Jing Wang, Deputy Division Director, Foreign Investment Administration Ministry of Commerce; Mr. Junxian Yang, Vice Section Chief, Foreign Affairs Office, Xiamen; and Dr. Wei Zhang, Editor/Journalist, Legal Daily newspaper.
Student News

Sandman Fellow Kendra Jenkins '12 Leads Sandman Roundtable Discussion

On September 28, 2011 the GLC's Edgar and Margaret Sandman Fellow Kendra Jenkins ’12 led the Sandman Roundtable Discussion that took place at the Albany Guardian Society in Albany, N.Y. The discussion included a presentation of Jenkins' research, focusing on possible changes to various components of the state's Medicaid program which would allow older frail adults to "age in place" in the community rather than face the possibility of premature institutionalization. The presentation was followed by a roundtable discussion of the topics presented.

GLC Accepting Applications for 2012 Sandman Fellowship

The GLC is now accepting applications for the 2012 Edgar and Margaret Sandman Fellowship Program, a prestigious Fellowship enabling a student to conduct an in-depth interdisciplinary study on an aging/health related policy. The Fellow will work under the supervision of legal staff of the Government Law Center to draft reports on their research and develop a symposium related to their field of study. The Fellowship is based upon merit and a commitment to public service. An information session about the Fellowship will be held at the Career Center at 12:00 p.m. on October 26, 2011. For further information about the Fellowship and to access the application form, please visit http://www.albanylaw.edu/sub.php?navigation_id=686.

GLC Students Research Regulating Urban Beekeeping

GLC Research Assistants Laura Bomyea ’13, Katie Valder ’13, Zach Kansler ’12 and Susan Herendeen ’13 worked over the spring and summer with Senior Staff Attorney Amy Lavine and Professor
Patricia Salkin on how bee keeping is regulated from a land use perspective. The increasing interest in urban agriculture has spurred an interest in bee keeping in residential areas. A draft on the article, which will appear in the forthcoming issue of the Boston College Environmental Affairs Law Review, is available at http://papers.ssrn.com/SOL3/PAPERS.CFM?ABSTRACT_ID=1923340.

**GLC Student Research Assistant Co-Authors Paper on "Green" Initiatives in Government**

Susan Herendeen '13 worked this summer with GLC Director Patricia Salkin on a paper addressing enforcement of "green" initiatives by governments. The paper, presented at the ALI-ABA Land Use Institute in Boston last month, will appear in a forthcoming book edited by professors Hirokawa and Salkin on the Greening of Government.

**Staff Publications**

**Regional Foodsheds: Are Our Local Zoning and Land Use Regulations Healthy?**

by Patricia Salkin and Amy Lavine

This article focuses on how existing land use plans and regulations can promote healthier and more sustainable communities through the foodshed movement. In particular, this article discusses specific land use strategies that can be implemented in urban and suburban settings to facilitate local and regional food production and distribution that go beyond farmland preservation strategies and examine, among other things, smaller-scale community gardens, residential agricultural uses and farmers markets. The article can be found by visiting: http://papers.ssrn.com/SOL3/PAPERS.CFM?ABSTRACT_ID=1926689.
Paperless Governments: Moving Towards Sustainability
by Patricia Salkin and Howard Gross
This chapter for a forthcoming ABA book on The Greening of Government addresses paperless government operations that improve efficiencies, reduce long-term costs and promote greater sustainability. In addition to pointing to examples of how governments across the country are engaging in the quest to become less reliant on paper, the chapter demonstrates how governments can easily comply with record keeping laws, access to government requirements, privacy laws and e-signature and e-notorization laws in the process. Finally, this chapter shows how electronic records management for both record keeping and for communication is on the doorstep. The article can be found by visiting: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1932288.

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. Feel free to contact us at any time by calling (518) 445-2329 or emailing dkoel@albanylaw.edu. Thanks, as always, to our readers!