Government Law Center News

Upcoming Events

- **Tuesday, August 4th:** Saratoga Institute on Racing and Gaming Law
- **Every Friday in August:** CLE in Saratoga
- **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, December 4th:** Accessing Records Under the Freedom of Information Law (FOIL)- The Impact of Technology

Recent Events and Publications

- Public Authority Reform Legislation Discussed
- Public Attorneys Hear Talk on Progressive Era Governor
- GLC Welcomes Visitors from Japan
- **Mandate Reform: Is the Past Prologue?** The 2009 Anderson Series Transcript
- **The Law of Racetrack Exclusions**
- **Legal & Contractual Issues of Community Benefits Agreements**
Focus on Some GLC Summer Student Research Assistants

• Siena Fellows Examine CBAs & Public Authorities
• Students Engage in Examination of Relationship Between NIMBY and Urban Sustainability
• Senate Coup Provides Opportunity for GLC Research Assistants to Learn Government Lawyering Firsthand

Upcoming Events

The 9th Annual Saratoga Institute on Racing and Gaming Law

The Racing and Gaming Program of the Government Law Center will present The 9th Annual Saratoga Institute on Racing and Gaming Law on Tuesday, August 4, at the Gideon Putnam Resort in Saratoga Springs, N.Y. The event will provide insight on pressing issues in racing and gaming law today and on the industry’s future in New York State and nationwide. This year’s program will also examine the issue of humane treatment of horses.

Click here to view/print the brochure and registration for this symposium.

For more information on our Racing & Gaming Law Program, click here.
Continuing Legal Education in Saratoga

Join Albany Law School's Institute of Legal Studies at Saratoga's Gideon Putnam for breakfast and a selection of Continuing Legal Education Courses.

- Friday, August 7, 2009: A View from the Bench
- Friday, August 14, 2009: Introducing the New Rules of Professional Conduct
- Friday, August 21, 2009: A Systematic Approach to Legal Negotiation
- Friday, August 28, 2009: Criminal Law Seminar

Click here to view and print the brochure and registration for the 2009 CLE in Saratoga.

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 relevant to the world we live in today.

[Click here](#) for more information.

**Senior Citizens' Law Day- October 2009**

The Government Law Center's Aging Law & Policy Program will host the 16th Annual Senior Citizens' Law Day on Saturday, October 3, 2009, at Albany Law School. The program will provide area seniors and their families with workshops on wills, health care proxies, Medicaid, Medicare, coping with disease, surviving a money crunch, and other relevant topics. Other highlights include The Nancy M. Sills '76 Memorial Lecture and the 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.

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.
For more information on Senior Citizens’ Law Day, click here (and scroll to bottom of page).

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

**Climate Change Municipal Workshop**

The Government Law Center and the Environmental Law Section of the New York State 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 more information about this workshop series.

**Accessing Records Under FOIL - The Impact of Technology**

The Government Law Center will present a one-day conference examining the impact of technology on accessing records under the Freedom of Information Law (FOIL) on Friday, December 4, 2009 at Albany Law School. The conference will examine the significant changes in record searches created by recent technological advances, and the impact of these changes on State government agencies and the public. Speakers will help identify potential reforms to New York’s current public access law.

More information about this conference will be available in our next enewsletter.
Recent Events

Public Authorities Reform Legislation Discussed

The Government Law Center hosted a panel discussion on the proposed legislation to amend the Public Authorities Law on Wednesday, June 3, 2009 at Albany Law School. Participants included Luke Bierman, General Counsel, Office of the State Comptroller; New York State Assemblyman Richard L. Brodsky; and Elizabeth Lynam, Deputy Research Director at the Citizens Budget Commission. Scott Fein, Esq., Director of the GLC's Public Authorities Project and Partner, Whiteman Osterman & Hanna, LLP, served as moderator.

Click here for more information on this program and to view the video of the Public Authorities Symposium.

Government Law Center Welcomes Visitors from Japan

The GLC hosted four visitors from Japan on June 29, 2009 for a
workshop on the Freedom of Information Law. The visitors – Susumu Akedo, Ministry of Internal Affairs and Communications; Hiroshi Inoue, Esq., Kansai Law and Patent Office; Shinicho Okamoto, MPA, Document Management and National Archives Policy Reform Unit; and Masahide Tanaka, PhD, Kanazawa Seiryo University – watched a videotape of an oral argument heard before the New York Court of Appeals on the Freedom of Information Law and 911 requests. They also participated in a discussion on FOIL policies and procedures, led by Robert Freeman, Esq., Executive Director of the NYS Committee on Open Government and a member of the GLC Advisory Board.

The visitors were participating in a project organized by the International Center of the Capital Region (ICCR) and the International Visitors Leadership Program (IVLP): Disclosure through FOIA, National Archives and Record Management, and Government Transparency; a project for Japan. The program was arranged by Bonnie Beard of the ICCR.

Recent Publications

Freedom of Information Law
Government, Law and Policy Journal
Spring 2009/ Vol. 11/ No. 1
Mandate Reform: Is the Past Prologue?
March 24, 2009
by Paul D. Moore, Clarence D. Rappleyea
Government Scholar in Residence
Transcript delivered at
The 2009 Anderson Legislative Breakfast Series
"The Effects of the Fiscal Crisis
on Local Governments in New York"

Click here to read transcript.

The Law of Racetrack Exclusions
For Harness Tracks of America
May 2009
By Bennett Liebman
Legal & Contractual Issues of Community Benefits Agreements
Zoning and Planning Law Report
June 2009, Vol. 32/No.6
by Amy Lavine
Spotlight on Some GLC Summer Student Researchers

This summer the GLC is fortunate to have the research assistance of more than two dozen law students and college students. What follows are highlights of what some of these outstanding students have been working on.
Siena Fellows Examine CBAs & Public Authorities

The GLC is fortunate to have college students Aaron DePaolo and Caitlin Romanowski as pre-law fellows this summer. Aaron, who is a business major, and Caitlin, who is majoring in philosophy, are both part of the pre-law program at Siena and will be graduating in 2010. During their time at the GLC, they are focusing their research on Community Benefits Agreements (CBAs) and public authorities under the direction of Amy Lavine, GLC Staff Attorney.

Students Engage in Examination of Relationship Between NIMBY and Urban Sustainability

(From Left: Kyle Christiansen ’11, Michael Derise ’11, and Prof. Keith Hirokawa)
Albany Law School students Kyle Christiansen ’11 and Michael Derise ’11 have been working with Professor Keith Hirokawa and GLC Director Professor Patricia Salkin on a forthcoming article for the Fordham Urban Law Journal on the potential impact of NIMBY (Not in My Back Yard) on urban sustainability. The students have conducted an exhaustive literature search and they have compiled a comprehensive bibliography on various historical, legal and policy aspects of NIMBY. Over the next month, the students will be working closely with Hirokawa and Salkin as they refine the thesis of the article and begin drafting.

**Senate Coup Provides Opportunity for GLC Research Assistants to Learn Government Lawyering Firsthand**

As news of the Senate coup broke on June 8, 2009, the GLC staff quickly realized that constitutional and statutory law would be implicated as well as rules of procedure and custom. A group of summer research assistants were quickly organized into a triage team to assist the Government Law Center in responding to the real time issues and challenges facing the State as a result of the coup. Students assisted on maintaining daily timelines of events as they unfolded, researched issues including: gubernatorial succession; separation of powers; recall; rules of procedure; powers of the statewide elected officials vis-a-vis the Legislature (Governor, the Comptroller and the Attorney General); powers of the various legislative leaders; and conducted an analysis of the eight lawsuits initiated. The students
looked at current laws and regulations in New York and other states, they reviewed transcripts of constitutional conventions in New York, and researched other historic moments in New York to help shed some light on the current events. Their work assisted GLC Director and Associate Dean Patricia Salkin and GLC Executive Director Bennett Liebman as they served as statewide media resources throughout the month to help the public better understand what was happening in the State Capitol.

Some of the media comments can be accessed [here](#).

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!