Winning the Racetrack Franchise Discussed by Bidders at 2006 Saratoga Institute

The Gideon Putnam Hotel was filled to capacity with a record number of racing and gaming law experts and enthusiasts attending the Government Law Center's August 1, 2006, 6th annual Saratoga Institute on Racing and Gaming Law.


Since the franchise to run the major thoroughbred tracks in New York State is due to expire in December of 2007, much of the focus of the Institute was on the potential bidders and the processes that would be put in place to determine the winning bidder. A panel entitled “The Seekers of the Franchise” featured presentations by some of the groups seeking the thoroughbred racing franchise. The speakers were C. Steven Duncker, Chairman New York Racing Association, Jeffrey Perlee, President, Empire Racing, and Jerry Bailey on behalf of Excelsior Racing.

Mr. Duncker maintained that a not-for-profit system was the best way to manage the State’s racing franchise and contended that the Racing Association had a good claim to the racetrack properties. Mr. Perlee argued that Empire Racing would assure that New Yorkers were firmly in charge of the tracks, and that state government would play a major role in the running of the racetrack. Mr. Bailey stated that Excelsior would restore the State’s greatness in racing.

A panel focusing on “How Should We Decide the Franchise” was moderated by Bennett Liebman, Esq., featured Jeffrey R. Gural, Chairman Newmark, James Gallagher, Kentucky Horse Racing Authority, and Mr. Block talked about the relationship between OTBs and the franchise renewal process.

Mr. Crist questioned the efficacy of the existing franchise renewal process. Mr. Snyder described how the franchise procedures affected the city of Saratoga Springs. Mr. Smith spoke about the role of Friends of New York Racing, and Mr. Block talked about the relationship between OTBs and the franchise renewal process.

Jerry Bilinski, DVM, moderated a discussion by Scot Waterman, Racing Medication and Testing Consortium, George Maylin, DVM, Ph.D., Cornell University, and Gary Bisantz, thoroughbred owner & breeder, on “Drugs and Drug Testing.”

The panelists discussed the current status of drug testing, the need for uniform rules, and whether there was a need for race day medication.

Michael “Roxy” Roxborough, renowned as the preeminent oddsmaker, provided lively remarks during lunch on the evolution of sports wagering in the United States.


“Wagering Security and Horse Racing” was explored by James Gallagher, Kentucky Horse Racing Authority, Edward Martin, Association of Racing Commissioners, Inc., Bruce Benedict, Global View Enterprises, and Thomas Casaregola, New York State Racing and Wagering Board, with Wendy Davis.

Continued on page 6
From the Director

The start of a new academic year always welcomes changes at Albany Law School and at the Government Law Center. You may have noticed the new design of the “masthead” on the cover of this newsletter, reflecting the results of Albany Law School’s recently implemented branding campaign. The Center welcomes Paul Finkelman, The William McKinley Distinguished Professor of Law and Senior Faculty Fellow at the Government Law Center. In June we said goodbye to our 2005-06 Post-Graduate Fellow in Law & Public Policy, Michael Donohue ’05, and in August we welcomed Luke Bierman, Esq. to the staff as our 2006-07 Fellow.

The Government Law Center is pleased to announce the launch of several new initiatives this fall, all following up on seed work begun by the Government Law Center over the last decade. Adding to the depth of our Aging Law & Policy Program, we are pleased to partner with AARP and to welcome back former Sandman Fellow Gerry Wallace, who is coordinating a program on kinship care. The Government Law Center has had a long-standing interest in this subject, dating back to 1995 when the Center hosted a national White House Mini-Conference on Aging on this topic, followed by a comprehensive study written by Gerry Wallace as part of his Fellowship project in 1996. We look forward to working with AARP—as well as with state and local governments, attorneys and caregivers—on educational and policy aspects of this important subject matter.

Eleven years ago the Government Law Center created the Larry Klepper Non-Profit Research Assistance Program, with the goal of providing needed legal information to the non-profit community in the Capital Region and educating law students about both non-profit law and the pro bono needs of small grass roots non-profits. Through the efforts of Congressman Michael R. McNulty, the Government Law Center has secured a U.S. Department of Justice grant to enable us to expand the program by providing students with Fellowships during the 2006-07 academic year to work closely with non-profits in the region in a focused, educational effort. Students will develop training and information on, among other things, conflicts of interest policies, advocacy and lobbying, and director responsibilities.

The Public Authorities Project is being launched this fall following significant interest from our 2005 Public Authorities Reform Symposium. We have partnered with the School of Professional Studies at CUNY to provide training programs at no cost to board members of public authorities. Three programs have already been scheduled. In addition, plans to host a roundtable discussion on public authority reform to explore existing legislative proposals before the end of the Session. The Center will also spend time during the fall developing other initiatives in this area.

The Governor has asked the Government Law Center to provide technical assistance for municipalities to aid in the implementation of the State’s Shared Municipal Services Initiative. The Center is particularly excited about this project, as this topic has been the focus of study, research and training by staff since 1990. We look forward to a more formal announcement about this effort shortly.

The legal team at the Center has invested considerable time this past year focusing on scholarly research and publication, resulting in a number of books, articles and columns that are mentioned in the News in Brief section of this newsletter. In addition, most of the articles, studies, and reports are now posted on-line and accessible at no charge at our clearinghouse, Government Law On-Line, at www.governmentlaw.org. Our fall public sector training program is full of exciting new courses available through the Public Service Workshops Program, and through individual state agencies including: the Department of Motor Vehicles, the Office of Children and Family Services, and the NYS Retirement System. We look forward to seeing you at one or more of our programs.

Patricia E. Salkin

VISIT Government Law Online

Government Law Online (www.governmentlaw.org) is the GLC’s electronic publications clearinghouse. On it you’ll find articles, studies and proceedings written by the Center’s staff, as well as faculty and students at Albany Law School. We hope you’ll take a moment to visit our growing publication collection on the web!
Center Welcomes Luke Bierman, New Post-Graduate Fellow

Luke Bierman, former Director of the Institute for Emerging Issues at the North Carolina State University, has been selected to participate in the Post-Graduate Fellowship in Government Law and Policy established at Albany Law School in 2004. Mr. Bierman will participate in Government Law Center initiatives and will focus some of his scholarship on the judiciary.

Mr. Bierman was an Associate Professor in the Political Science Department at the North Carolina State University. He previously was the primary speechwriter and fundraiser for Presidents of the American Bar Association and the founding director of the American Bar Association Justice Center. Mr. Bierman clerked for state appellate judges in New York, was Chief Attorney for New York’s intermediate appellate court in Albany, and served as a legislative counsel to the Connecticut General Assembly Judiciary Committee. He received a Ph.D. and an M.A. in Political Science at the State University of New York at Albany; a J.D. at the Marshall Wythe School of Law of the College of William and Mary in Virginia, where he served on the Law Review; and a B.A. in American Political History at Colgate University, where he graduated magna cum laude with High Honors and was elected to Phi Beta Kappa.

State’s Municipal Broadband Policy To Be Discussed at Fall Symposium

The Government Law Center, in cooperation with Empire State Development, the NYS Office for Technology, NYS Public Service Commission, NYS Department of State, and the Empire State Development Corporation is presenting a symposium for municipal officials and state lawmakers and policymakers to discuss policies on the deployment of broadband services, deployment of wireless broadband systems by municipalities, and the related legal, technical, and regulatory issues. The program is scheduled from 9 a.m. to 4:30 p.m. on Friday, December 1, 2006 in the Dean Alexander Moot Court Room.

Growing numbers of municipalities across the state and the nation have either deployed, or are considering deploying, broadband services within their jurisdiction. On July 10, 2006 Nassau and Suffolk Counties issued a joint Request for Information and Comment on a Wireless Broadband Initiative in preparation for issuing a Request for Proposals later this year. The counties are “seeking methods of bridging the digital divide by providing the means to get affordable technology that can take advantage of this wireless initiative into the hands of all our residents who need them.”

New York City’s Economic Development Corporation issued a Request for Proposal for a consultant to conduct a Broadband Feasibility Study to address, among other issues, “whether New York City government can or should serve as a catalyst for, while not provider of, a citywide broadband deployment using wireless, fiber or hybrid technologies, whether it would strengthen economic development, and, what, if any, option would be applicable for New York City.”

This summer, Governor George Pataki signed legislation (S.2747) to create a task force to explore further deployment of broadband in under-served areas of the state. Under the new law, the Department of Economic Development, in partnership with the State Department, the Department of Public Service, and the Office of Technology will recommend alternative financial incentives and programs to “hasten the most beneficial and economic expansion of deployment of broadband services.” In making such recommendations, the Department of Economic Development is to consider utilizing and expanding federal, state, and local programs and capacities and private sector deployments to the extent possible.

Symposium co-sponsors are New York Conference of Mayors, the New York State Association of Counties, and the New York State Association of Towns.

For more information about the symposium, contact Jennifer Schermerhorn at the Government Law Center (518) 445-3287.

Crawford Lecture on Municipal Law to Address Disaster Preparedness and Response

Ernest Abbott, founder and principal of FEMA Law Associates, PLLC, will present the 2006 Edwin L. Crawford Memorial Lecture on Municipal Law at 3 p.m. on November 10 in Room 200, Albany Law School. The topic is Municipal Disaster Preparedness and Response. FEMA Law Associates, PLLC, is a firm providing legal services to the emergency management community, with particular emphasis on the laws and regulations governing preparedness, response, recovery, and mitigation programs of the Department of Homeland Security. Mr. Abbott served as General Counsel of the Federal Emergency Management Agency during the Clinton Administration and also has held senior legal and policy positions in both the private sector (with Tennesco Energy in Houston) and public sector (with the U.S. EPA and I.C.C.). He is a graduate of Swarthmore College (B.A. with High Honors), Harvard Law School (J.D. magna cum laude), and Harvard’s Kennedy School of Government (M.P.P.). Mr. Abbott was the moderator, announcer, and content chair of an award-winning continuing legal education video: Are You Ready: What Lawyers need to Know About Emergency Management and Homeland Security—an ABA/CLE product produced with funding from the Public Entity Risk Institute—and co-editor of A Legal Guide To Homeland Security And Emergency Management, published in November 2005 by the ABA press. Mr. Abbott was the Legal Subject Matter Expert on the Center for Disease Control’s Public Health Emergency Law Training course, completed in 2005. Mr. Abbott currently heads the American Bar Association’s Multi-Section Homeland Security Task Force and is on its Special Committee on Disaster Response and Preparedness. He is also a member of the Governing Council of the ABA’s Section of State and Local Government Law and chairs its Committee on Homeland Security and Emergency Management.

The Crawford Lecture was established in 1996 to honor the memory of Edwin L. Crawford, former executive director of the New York State Association of Counties. The program promotes dialogue on current issues affecting local governments. Previous lecturers were: former NYS Comptroller H. Carl McCall; former NYS Budget Director Patricia Woodworth; Mayor William A. Johnson Jr. of the City of Rochester; Dwight H. Merriam, Esq. of Robinson & Cole, LLP; Dan R. Bucks, Director, Multistate Tax Commission; Professor Jerold S. Kayden of the Harvard University Graduate School of Design; Professor Robert H. Freilich, Professor Emeritus, UMKC School of Law in Kansas City, MO; Professor David L. Callies, University of Hawaii’s Richardson School of Law; A. Kevin Crawford, Counsel, Association of Towns of the State of New York; and Timothy J. Dowling, Esq., Chief Counsel, Community Rights Counsel, Washington, D.C.

The Edwin L. Crawford Lecture on Municipal Law is made possible in part by a generous gift from Saratoga Associates and from donations made by friends of Ed Crawford. It is free of charge and open to the public. For more information, contact Jennifer Schermerhorn at (518) 445-3287.
Government Law Center Establishes Senator Warren Anderson ’40 Graduate Fellowship In Government Administration and Regulation

Albany Law School has begun fund raising for the The Warren M. Anderson ’40 Graduate Fellowship in Government Administration and Regulation. The Fellowship will support a recently graduated lawyer to work each academic year on the staff of the Albany Law School Government Law Center on emerging and evolving issues in government.

The goal is to establish the fellowship endowment with $650,000 in gifts by the end of 2007. The endowment will be supported by a select group of donors who recognize the value of the Government Law Center, and appreciate the legacy of Senator Warren Anderson, as architects of effective government.

Former State Senator John Dunne, a member of the Government Law Center advisory board who served as Deputy Majority Leader with Senator Anderson, is actively assisting Albany Law School with this initiative. In February 2006 alumni and friends celebrated the first gift at an event in Binghamton with Senator Anderson who spoke of his confidence in the future of the Center. The first gift was from Hinman, Howard & Kattell, a regional firm based in Binghamton where Senator Anderson still practices. Another Binghamton firm, Levene, Gouldin & Thompson, also made a gift this year.

Graduate fellows in the Government Law Center are important resources as researchers, policy analysts, adjunct faculty, conference organizers, writers and mentors. The fellowship will enable the Center to stretch its resources and its reach, and will provide solid academic and work experiences for newer lawyers who are considering careers in law and government.

Senator Anderson was a member of the New York State Senate for 36 years and served as its Majority Leader for the longest period anyone had served in that post in the Senate’s history. Elected to office in 1952, Senator Anderson became Senate Finance Committee Chairman in 1966. One of his most important contributions to promoting effective government occurred during New York City’s fiscal crisis in 1975 when, as Senate Majority Leader, he helped develop a complicated series of bills and alliances with banks, labor unions, and the City, State and federal governments to resolve the problem.

Albany Law School is proud to establish the Senator Warren Anderson ’40 Graduate Fellowship endowment as a permanent tribute to his legal and government prominence. For more information about the Warren M. Anderson Graduate Fellowship, please contact Patricia Salkin at the Government Law Center at psalk@albanylaw.edu or Marcia Hopple in Institutional Advancement at mhopp@albanylaw.edu

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GLC Provides Research and Voter Education Assistance for Albany Charter Commission

When Mayor Gerald D. Jennings of Albany appointed a Charter Revision Commission in June, 2005, the city of Albany turned to the Government Law Center as its research arm to undertake a complete review of the current charter.

GLC staff, including Government Lawyer in Residence Robert Batson and Postgraduate Fellow Michael Donohue, researched numerous issues for the Commission, including succession of elected officials, confirmation of mayoral appointments, and term limits. Each issue was researched by examining the charters of cities in New York with a population similar to Albany’s and submitting a report to the Commission.

The Commission has proposed four amendments to the Charter for submission to Albany’s voters at the November 2006 election. Proposals include subjecting mayoral appointment of department heads to Common Council confirmation, altering the composition of the Board of Estimate and Apportionment, requiring city-wide elected officials to designate a deputy to carry out their duties during a limited period of absence of inability to perform, and requiring the common Council to establish a debt policy.

For more information about the GLC’s work with the Albany Charter Commission, contact Robert C. Batson, Esq., Government Lawyer in Residence, or rbats@albanylaw.edu.
13th Annual Senior Citizens’ Law Day
Scheduled for October 28

The Government Law Center will host its Thirteenth Annual Senior Citizens’ Law Day on Saturday, October 28, 2006. This highly successful and visible community program will include approximately 30 workshops that will educate seniors and inform younger members of the community who are helping their parents deal with many issues that often come with age.

The all day educational program is free and serves hundreds of seniors and their family members, advocates and care providers. Service providers, law professors, and attorneys volunteer their time to provide participants with reliable and objective information about significant legal issues related to aging.

Topics to be addressed include: Aging Awareness; Aging in Place; Albany County Resources; Alzheimer’s–Signs, Stages, and Expectations; Care Givers and Loved Ones–Reducing Stress and When to Get Help; Choosing an Elder Law Attorney; Do Not Resuscitate–The Facts; Driving with Confidence and Maintaining Your Skills; Financial Protection with Powers of Attorney; Getting Started with Wills; Grandparents as Caregivers; Health Care Decisions and Preferences; How to Select the Best Long-Term Care Facility for You or Your Loved One; Home Repairs–How to Choose a Contractor; Identity Theft–Reducing the Risk; Long-Term Care Insurance; Medicaid; Medicare; Pre-Funeral Planning; Privacy Laws; Proactive Planning for Adult Disabled Children; Probate in Surrogate’s Court; Protecting Your Assets–Planning for Small Estates; Resources and Strategies When Families Disagree; Talking Over Estate Planning with Your Family; and What You Should Know About Trusts.

Sponsors to date are: Times Union, New York State Senator Neil D. Breslin, Albany County Department for Aging, CSEA, City of Albany Mayor Gerald D. Jennings, State of New York Unified Court System Office of Court Administration, New York State Office for the Aging, Clear Channel, and Crestwood Pharmacy.

Leading Adult Community Service Provider
To Deliver Sills Memorial Lecture

The Government Law Center will host the third annual Nancy M. Sills ’76 Memorial Lecture on Saturday, October 28, 2006 at 9:00 a.m. This year’s lecture, “The Aging of America and Its Potential Impact on the Capital Region,” will be presented by Ann G. DiSarro. Ms. DiSarro had until recently served for many years as the Executive Director of Senior Services of Albany, Inc. She and her organization have worked closely with the Government Law Center on many issues relating to aging law and policy and her organization has been and continues to be a supporter of Senior Citizens’ Law Day. For additional information, visit www.albanylaw.edu/glcs.

Pro Bono Senior Clinic – An Exciting New Addition to Senior Citizens’ Law Day

The Government Law Center is pleased to announce that October 28, 2006, the Elder Law Section of the New York State Bar Association will offer its first Pro Bono Senior Clinic in conjunction with the GLC’s Senior Citizens’ Law Day. In addition to the seminars offered at Senior Citizens Law Day, attorneys who practice Elder Law will be available from noon to 3 p.m. for individual appointments to answer questions on legal issues facing older adults. Appointments, which will be free of charge, will last approximately 15 minutes each, and a list of referral attorneys for follow-up information will be made available to each registrant. Persons interested in talking to an attorney at the Pro Bono Senior Clinic can register for an appointment on the morning of October 28th. Registrations will begin at 8:30 a.m. at Albany Law School and last throughout the morning. Volunteers will be on hand to take registrations and schedule individual appointments for that afternoon. The Pro Bono Senior Clinic is an exciting new initiative of the Elder Law Section designed to help seniors facing a myriad of issues as they age and the GLC is pleased to collaborate with the Elder Law Section in making it part of Senior Citizens’ Law Day.

For more information about any of the Senior Citizens’ Law Day initiatives, contact Rose Mary Bailly, Esq., at (518) 472-5858 or rbail@albanylaw.edu.

Albany Law School Names Preeminent Scholar of American Constitutional and Legal History as Center’s Senior Fellow

Paul Finkelman, a specialist in American legal history, constitutional law, race and the law, and First Amendment issues, has been named the President William McKinley Distinguished Professor of Law and Public Policy and Senior Fellow in the Government Law Center at Albany Law School.

Prior to accepting his position at Albany Law School, Finkelman was Chapman Distinguished Professor of Law at the University of Tulsa College of Law since 1999. He was previously the John F. Seiberling Professor of Constitutional Law at the University of Akron’s Law School. In addition, he has taught and held chairs at a number of other schools, including Cleveland Marshall College of Law, Hamline Law School, the University of Miami, Lewis and Clark College of Law, Chicago-Kent College of Law, Virginia Tech, Brooklyn Law School, and the University of Texas at Austin.

Professor Finkelman was the chief expert witness in the Alabama Ten Commandments monument case, and his work on religion and legal history is cited in briefs to the U.S. Supreme Court involving this issue. Last year, Justice John Paul Stevens cited his article on this issue in his opinion in Van Orden v. Perry. He was also an expert witness in the lawsuit over the ownership of the 73rd home run ball hit by Barry Bonds in 2001.


Professor Finkelman was a Fellow in Law and the Humanities at Harvard Law School and received a Ph.D. and M.A. from the University of Chicago. He received a B.A. from Syracuse University.

The President William McKinley Distinguished Professorship in Law and Public Policy was established to honor U.S. President William McKinley, a member of Albany Law School’s Class of 1867.
Renowned Criminologist and Legal Scholar to Speak on RICO


The book is a comprehensive study of how labor racketeering evolved in America and what government is doing to eradicate it. It explains how Cosa Nostra families first gained a foothold in the labor movement, then consolidated their power through patronage, fraud, and violence and finally used this power to become part of the political and economic power structure of 20th century urban America. The book documents the federal government’s use of the Racketeer Influenced and Corrupt Organization (RICO) statute to impose long-term court-supervised remedial trusteeships on racketeer-ridden unions.

Professor Jacobs holds a J.D. (’73) and Ph.D. in Sociology (’75) from the University of Chicago. In 1982, after seven years as a faculty member at Cornell Law School, Professor Jacobs was recruited to New York University School of Law, where he was appointed Director of the Center for Research in Crime and Justice. He regularly teaches one of the first year sections of criminal law and upper year electives in criminal procedure, federal criminal law and juvenile justice. He also teaches specialized seminars on such subjects as privatization of criminal justice, the jurisprudence of criminal records, labor racketeering, gun control, sentencing, corruption control, prisoners’ rights, victims and criminal procedure, and the war on drugs. Professor Jacobs has published fourteen books and more than 100 articles on such topics as prisons and imprisonment, drunk driving, corruption and its control, hate crime, drug testing, regulation of more than 100 articles on such topics as prisons and imprisonment, drunk driving, corruption and its control, hate crime, drug testing, regulation of

Conference to Address Environmental, Animal Welfare Issues Posed by Large-Scale Livestock Confinement Facilities

The Government Law Center is presenting a conference on “Concentrated Animal Feeding Operations in New York State: Environmental and Animal Welfare Issues” on Friday, September 15, from 9 a.m. to 5 p.m. at Albany Law School. Cooperating sponsors are: Albany Law School’s Environmental Law Society, Environmental Alumni Group, and Environmental Outlook Journal; the New York State Bar Association’s Environmental Law Section and Special Committee on Animals and the Law; and the New York City Bar’s Committee on Legal Issues Pertaining to Animals and Environmental Law Committee.

The conference synthesizes the environmental, property, and animal welfare issues that stem from the operations of large-scale agricultural animal production facilities. The program will cover topics such as the complex statutory scheme that governs these facilities, precedent-setting cases, and controversial issues surrounding food animal production and the growing support for small animal operations.

In recent years, large manure spills from Concentrated Animal Feeding Operations (CAFOs) have made citizens aware of the environmental health and nuisance issues that stem from these large agricultural operations. EPA and DEC have undertaken to regulate CAFOs through generous permits under the Clean Water Act. Nonetheless, air, surface, and groundwater pollution from these operations remains a major concern, and CAFOs remain a source of litigation.

In addition, public debate has recently focused on consideration of the lives of the animals whose sole purpose is to feed the American Public. The city of Chicago recently banned the sale of foie gras in restaurants based upon humane concerns of force-feeding of ducks. In a recent New York Times piece, writer Frank Bruni points to debates of the quality of the lives of food production animals as getting “hotter and stronger.”

Conference speakers include: Gary A. Abraham, Esq., Law Office of Gary A. Abraham; Richard J. Brickweddle, Esq., Brickweddle Law Firm; Holly Cheever, DVM, The Animal Hospital; Scott Crisafulli, Esq., NYS Department of Environmental Conservation; John W. Clarke, Esq., Harris Beach, PLLC; Carter Dillard, Esq., Humane Society of the United States; Jeffrey B. Durocher, Esq., Read & Lannado, LLP; Daniel E. Estrin, Esq., Adjunct Professor of Law & Supervising Attorney, Pace Environmental Litigation Clinic, Pace Law School; Marlene Halverson, Animal Welfare Institute; Quirine Ketterings, Ph.D., Department of Crop, Soil & Nutrient Standards in Agricultural Systems, Cornell University; Alan J. Knauf, Esq., Knauf Shaw LLP; Michele Merkel, Esq., Environmental Integrity Project; Jeffrey Odefey, Esq., Waterkeeper Alliance; John Ruzniak, Esq., NYS Department of Agriculture & Markets; David J. Shaw, Director, Division of Air Resources, NYS Department of Environmental Conservation; and John Taulen, New York Farm Bureau.

Attorneys may obtain Continuing Legal Education Credits for attending the program. Registration is required. For more information, contact Jennifer Schermerhorn at the Government Law Center (518) 445-3287.

Racetrack Franchise Discussed

Continued from page 1 of The University of Arizona Race Track Industry Program as moderator.

GLC Refocuses on Kinship Care

This summer, New York Life provided program funds for a two-year effort to educate professionals and caregivers about the legal rights of grandparents and other relatives who are caring for children. The Kin Care Support Project will offer workshops and CLE courses as well as regional conferences and a series of educational publications.

Specific initiatives include the preparation of individual county guides for all of New York, conferences in upstate communities, publication of a guide for caregivers seeking public assistance, education of lawyers and front line professionals, and consulting services for the New York State Kincare Coalition. Additionally, the GLC is engaging in research to assist with emerging legal and policy issues at the federal and state levels.

Gerard Wallace '97, a former GLC Sandman Fellow, is serving as coordinator of this program. Since publication of his fellowship report, “The Dilemma of Kinship Care,” in 1996, Gerry has devoted his career to advocating for grandparents and other caregivers. For five years he was director of the Grandparent Caregiver Law Center at Hunter College. More recently he has been a consultant to AARP NY and to the National Committee of Grandparents for Children's Rights. Last year, his white paper, “Enabling KinCaregivers to Raise Children,” was instrumental in the passage of new legislation effecting kinship foster care, assistance to kinship caregivers, and funding for a statewide kinship navigator program. Mr. Wallace has also written numerous articles and writes a bi-monthly column for GRAND magazine.

Family caring for family leads to investigation on issues of family rights and particularly how laws enable caregivers. The legal issues regarding caring for the young often parallel those effecting care of the elderly. The kinship program complements well the GLC’s focus on guardianship of the elderly, and together the two may lead to new insights into family caregiving. For more information about the program, contact Gerard Wallace of the Kin Care Support Project at (518) 445-3266.

Summer in Government Internship Program Continues to be a Draw

This summer, seven (7) second-year and third-year Albany Law School students and one (1) visiting third-year law student from University of California Hastings College of the Law participated in Albany Law’s Summer in Government - Government and Public Service Field Placement Program. The Program, which is a collaboration between the Government Law Center and Albany Law School’s Clinic and Justice Center, offers students internship opportunities in agency counsel’s offices in the Executive Branch, with individual members and in the majority and minority counselors’ offices in the Legislature, and in public service agencies, including the Government Law Center and the Civil Service Employees Association, Inc.

Held in conjunction with and as part of the Law School’s summer session, the seven-week program comprises both a practical component, 20 hours per week working in the placement office, and an academic component, 2 hours per week attending a component course. During the summer session, both the practical and academic components are administered and taught by Government Law Center Senior Staff Attorney, Justina Cintrón Perino.

All eight students in the course this summer interned in government agency law offices throughout the Capital Region, including: NYS Attorney General’s Office – Litigation Bureau, NYS Department of Environmental Conservation – Division of Environmental Enforcement, NYS Department of Labor, NYS Division of Criminal Justice Services, NYS Office of Temporary and Disability Assistance, NYS Public Employment Relations Board, and NYS Racing and Wagering Board.

For more information, contact Justina Cintrón Perino at jcint@albanylaw.edu.

Government Law Center Program to Teach Fundamentals of Environmental Review Process to Local Officials

The Mohawk Hudson Land Conservancy (MHLC), in cooperation with the Government Law Center of Albany Law School, the Cornell Cooperative Extension of Albany County, the Cornell Cooperative Extension of Greene County/AgroForestry Center, the Green Land Trust, and the Schoharie County Planning Department, will present a program from 6:30-9 p.m. on November 14 that will cover the basics of environmental review that local town officials need when faced with a subdivision or project that requires town approvals. It will be held at Cornell Cooperative Extension in Voorheesville, New York.

The workshop is designed for anyone who is involved in local land use planning. Representatives from the New York State Department of State and the New York State Department of Environmental Conservation will participate in the program.

For registration information, please contact the MHLC at (518) 436-6346 or mhlc@nycap.rr.com.

GLC Co-Sponsors Government Transitions Program with Women in Government Task Force

The Women in Government Task Force, created in 2005 by the Capital District Women’s Bar Association, will be presenting a program, co-sponsored with the GLC on transitions in government for women. With the change in Executive Administration coming in January, many who work in government, and particularly those who are employed in non-competitive titles, are exploring a number of options both within and outside the public sector. The programs, scheduled for October 12, November 15 and December 13 will address a variety of issues for lawyers in a transition including: applicability of the state ethics laws when moving from the public sector to the private sector; civil service rules regarding the competitive exam and appointment for attorneys, as well as information about hold items; advice from women attorneys who have "survived" transitions in the past, either by being retained in a new administration or by successfully moving to a new position; and a discussion of alternative careers for women lawyers. The programs will take place from 11:30am to 1:30pm on the designated dates, and a small fee will be collected for box lunches.

GLC Director Patricia Salkin and GLC Advisory Board Member Jill Dunn co-chair the Task Force. For more information about each program or to register, please contact Jennifer Schermerhorn at (518) 445-3287.
Government Law and Policy Journal Examines Indian Law Issues

The Spring 2006 issue of the Government Law & Policy Journal, produced by the GLC for the New York State Association's Committee on Attorneys in Public Service, examines several of the legal issues that concern Indian nations, including land claims, environmental management, cultural rights and problems of heritage through children. Written by many preeminent scholars and practitioners of Indian law, the issue offers many articles that will help readers achieve a deeper appreciation of the current state of Indian affairs. Guest editors for this issue, June E. Egeland, Esq. ’91 and Government Lawyer in Residence, Robert C. Batson, Esq. ’75, brought a wealth of expertise to this issue.

Articles in the Journal include: The Role of the Iroquois Confederacy in Influencing Our Founding Fathers; The Historical and Current Relationship Between the United States and the Indian Tribal Governments; The Impact of Two Recent Federal Court Decisions on Future Indian Land Litigation in New York; The United States Supreme Court Decision, City of Sherrill v. Oneida Nation, and the Subsequent Second Circuit Court of Appeals Decision; Cayuga Indian Nation v. Pataki; the History of Indian Land Litigation and the Possibility of Tribes Applying to the Federal Government to Place Reacquired Land in Trust to Secure its Immunity from Local Government Authority; the Use and Protection of Indian Land from the Environmental Perspective; Treaty Hunting and Fishing Rights; the Efforts of the Inuit People from the Arctic Region to Seek Redress for the Impact of Global Warming on Their Land; Property, Culture and Way of Life, the Tension Between a Correctional Facility's Institutional Goals and the Observation of Spiritual Rituals the Effect of the Federal Indian Child Welfare Act (ICWA) on the Decision of an Indian Birth Parent to Place a Child for Adoption Outside the Parent’s Tribe, and The Maze of Exceptions to the General Federal Rules Against Gaming. The Albany Law School student editorial staff included Executive Editor Ryan Emery, and students Joshua Oppenheimer, Andrew Poplinger, Suzanne Post, Jessica Satriano and Sharalyn Savin.

The Fall 2006 issue will focus on the recent developments in procurement law in New York. Guest editors for this issue are Teneka Frost, Esq., and Michael Cassidy, Esq., Post-Graduate Fellows at the Government Law Center. Albany Law School student Michael Pendell ’07 has been appointed as Student Executive Editor of the Journal. The student editorial board is Olivia Nix ’07, Margaret Lavery ’07, Mark Myers ’07, Bill Robertson ’07, Luke Davignon ’07, and Mark Simoni ’08.

The GLC will also work with the New York State Bar Association’s Committee on Attorneys in Public Service and the Special Task Force on Eminent Domain to produce a special issue of the Journal this Fall on eminent domain. Jon Santemma, with Jaspan Schlesinger Hoffman LLP in Garden City, New York and of counsel to the firm’s Tax Certiorari and Condemnation Law Practice Group, and David Wilkes, a founding partner of Huff Wilkes LLP in White Plains, New York, whose practice is focused on commercial property tax disputes and international property tax planning, eminent domain, equalization disputes, and general real estate litigation, will serve as guest editors of this edition.

GLC Launches Public Authorities Project to Provide Research and Training

The Government Law Center is pleased to announce the establishment of “The Public Authorities Project,” to provide research on legal aspects of public policy issues facing public authorities, and to develop and offer training and education to board members and staff of public authorities across the State.

Beginning in September, in partnership with the School of Professional Studies at The City University of New York, the Government Law Center will present a series of executive-level training courses at Albany Law School for public authority board members and senior managers. “Board Oversight and Responsibilities” is scheduled for September 22, 2006. A course on “Board Oversight and Responsibilities, Audit Committees and Understanding Financial Statements” will be held on October 20, 2006, and a third course is being planned for November 3, 2006. The programs have been developed by CUNY in partnership with the NYS Commission on Public Authority Reform, a bipartisan entity established by Governor Pataki in 2005, and chaired by corporate governance expert Ira M. Millstein. For more information about the training program, see http://sps.gc.cuny.edu/publicauthorities/ or contact Patricia Salkin at (518) 445-2351.

New York City Corporation Counsel Delivers Remarks at GLC Luncheon

Michael Cardozo, Esq., Corporation Counsel for the City of New York, was the featured guest at the William B. Sanders Law & Public Policy Luncheon Forum at The University Club in New York City on April 20. The topic was Legal Issues Affecting New York City: The Judicial Selection Crisis, Eminent Domain, Tort Litigation and Much More: How Should the Challenges Be Resolved?

Mr. Cardozo addressed several legal issues, including eminent domain, saying that there is “virtually no public policy issue facing New York as important as the question of the circumstances under which it should be permissible for the government to condemn private property for the purposes of economic development.” He expressed concern that the use of eminent domain, a government power that allowed for the creation of Lincoln Center, MetroTech in Brooklyn, and the recent rebirth of Times Square, is under attack by state and federal governments since the Supreme Court’s ruling in the Kelo case and stated that, had the power of condemnation not existed in the cases of Lincoln Center and Times Square, “hold-out owners in blighted areas could block all progress” and these vibrant transformations in Manhattan could not have taken place.

Mr. Cardozo went on to mention the almost half a billion dollars paid out in tort settlements each year as another enormous challenge facing New York City. He ended by expressing his support of a legislative solution, changing the judicial convention system, as an answer to the judicial selection crisis facing New York. (A copy of the presentation is available at www.governmentlaw.org, click on “Topics” and “Municipal.”)

Named in honor of Judge William Brownell Sanders, who attended Albany Law School in the 1870s, the program brings together alumni and friends in the New York metropolitan area to interact with prominent government leaders. Established in 2003, the Sanders Forum is underwritten by the Cleveland-based law firm of Squire, Sanders & Dempsey L.L.P. in honor of Judge Sanders who was a founding partner at the firm.

Prior speakers include: NYS Speaker of the Assembly Sheldon Silver, New York State Comptroller Alan G. Hevesi, New York State Attorney General Eliot Spitzer, Nassau County Executive Thomas R. Suozzi and Suffolk County Deputy County Kevin S. Law.
GLC Publishes Report on The Use of Telehealth and Other Technology to Serve Long-Term Care Needs

The 2005 Edgar and Margaret Sandman Fellowship Report, “Long-Term Care in the Twenty-First Century,” has been published. This report, written by Michael Clark ’05, examines the difficulties associated with the cost of long-term care and the options for reform. The report emphasizes consideration of the use of technology and particularly telehealth as a way to improve care and reduce costs.

Long-term care refers to the variety of services appropriate for elderly and disabled individuals who are unable to adequately care for themselves. While long-term care recipients express the desire to remain in their homes, too often the lack of available community services makes it necessary for them to seek care in institutionalized settings such as hospitals or nursing homes. The consequences of such practices include inappropriate levels of care for people who are capable of remaining contributing members of society, excessive costs to publicly financed programs such as Medicaid and Medicare, and due to a rapidly aging population, the likelihood that a diminished workforce will be insufficient to meet the needs of a disproportionately elderly society.

Among the proposed solutions to these dilemmas are changes to current Medicaid eligibility rules which arguably enable middle and upper class individuals to benefit from a program initially designed to assist the poor, the marketing of long-term care insurance policies which will infuse private dollars into a defensibly financed long-term care system, and the transition to a long-term care infrastructure that more appropriately relies on home and community based services.

Central to many of these propositions is the maximization of technological advances that will enable individuals to live in their homes longer, while at the same time remaining healthier. Many in government are already calling for the incorporation of technological resources into the struggle for long-term care reform, including Governor George Pataki’s Health Care Reform Working Group, the New York State Senate’s Medicaid Reform Task Force, and Governor George W. Bush’s New Freedom Initiative. The New York State Senate has also created the NextGen Task Force which seeks to attract high-technology and biotechnology companies to New York.

Two seemingly unrelated endeavors, New York State’s attempt to attract biotechnology and high-technology companies, and its search for practical, economical methods of long-term care reform, share numerous characteristics. In fact, combining the goals of these two Senate Task Forces may yield more rapid solutions for each. Obstacles to improved long-term care delivery such as a diminishing workforce, caregiver shortages, and the lack of medical services available to people who live in rural areas, are exactly the types of issues that can be addressed through technological innovations like tele-medicine, medication compliance devices, and smart-home machinery. The report concludes that New York’s willingness to employ these practices can, in turn, lure biotechnology and high-technology companies in search of technology friendly environments that evidence a broad, pre-existing consumer base, friendly environments that evidence a broad, pre-existing consumer base, friendly environments that evidence a broad, pre-existing consumer base, friendly environments that evidence a broad, pre-existing consumer base.

This report is the result of a year-long study by Michael Clark that included literature reviews and interviews with key stakeholders across the state. A roundtable discussion was also held in the fall of 2005. The report is posted on Government Law On-Line at www.governmentlaw.org.

Sandman Fellow’s Research Explores the Use of Volunteer Panels to Serve as Guardians

Adrienne Foederer, ’07, the 2006 Edgar and Margaret Sandman Fellow, has been studying the potential use of volunteer panels to act as guardians for individuals who have been determined by a court to be incapacitated when the incapacitated person does not have a family member or friend who can assume the responsibilities of guardianship. Commissioned by the Albany Guardian Society of Albany, New York, the study examines as yet untapped sources of guardians, including retired persons or other individuals willing to volunteer.

Grouping volunteers into panels could lessen the burden on a single individual and foster carefully considered decisions. Several models for this approach exist both here in New York and elsewhere. In New York, panels of professionals acting pursuant to Article 80 of the Mental Hygiene law make health care decisions for incapacitated persons living in mental health facilities. In other states, not-for-profit organizations often staff their guardianship programs with trained volunteers.

The Government Law Center and the Albany Guardian Society have already hosted two of four planned Roundtable Discussions on the potential use of volunteer panels. The first meeting, held on April 21, 2006, brought together professionals from the Capital Region and around the state to examine this need. The second meeting was held on July 27, 2006. Erica Wood, Esq., of the American Bar Association Commission on Law and Aging, and Sally Hurme, Esq., of the American Association of Retired Persons, two nationally known experts on guardianship, addressed the group.

There was a lively discussion as to the best use of volunteers in the context of guardianship appointments. Representatives from various guardianship programs, local department of social services and other agencies interested in serving the needs of incapacitated individuals were present including Albany County Department of Social Services, Colonic Senior Service Centers, Inc., Commission on Quality of Care and Advocacy for Persons with Disabilities, Integral Guardianship Services, Inc., Iseman, Cunningham, Riester & Hyde, LLP, Law Office of Margaret Z. Reed, Lifespan, NYSARC, Inc., New York Foundation for Senior Citizens, Inc., NYS Department of Taxation and Finance, NYS Office for the Aging, Northeast Health, Schenectady County Senior & Long Term Care Services Schuyler Center for Analysis and Advocacy, Rensselaer County Department of Social Services, Senior Services of Albany, Inc., Suffolk County Model Guardianship Part, and The Guardianship Project of the Vera Institute.

The remaining two invitation only Roundtable Discussions will be held this fall. It is anticipated that the final Sandman Report will be published in late winter. For more information, contact Rose Mary Bailly at (518) 472-5858 or rbail@albanylaw.edu.
New York’s Potential for Wind Energy Development Explored in GLC Conference

On June 16, the Government Law Center, in partnership with the New York State Energy Research and Development Authority, presented a day-long program covering the legal and policy issues involved with the siting and construction of wind facilities in New York State. With four wind farms in operation in New York and 20 more in various stages of development, the legal battlefield is likely to heat up between those who see the potential for wind energy not only to reduce the country’s dependence on foreign oil, but also as an emission-free form of clean energy that will help curb global warming and environmentalists who subscribe to the same clean energy goals but who raise concerns about the potential impact on viewsheds, community character, and health from shadow flickering and noise.

Already this year, lawsuits were filed against the towns of Clinton and Ellenburg over the siting of wind farms and a lawsuit was initiated against the Town of Cohocton over its wind mill local law. A wind developer held a job fair in the North Country to fill two to three dozen jobs, and 400 people showed up to apply. Public hearings were held in Saratoga County, and in more than a dozen local upstate communities. The Southern Tier West Regional Planning Board launched a statewide wind energy initiative designed to enable the State’s regional planning councils to better provide wind energy assistance services to municipalities.

Subjects covered at the program included understanding the science and technology behind wind power; “green development” programs; legal considerations for wind farms such as using the comprehensive plan to promote alternative energy, agricultural issues, and environmental law considerations at the local, state, and federal levels; local experience to date; and the future of wind energy in New York.

Speakers included Dr. Bruce Bailey, President, AWS Truewind, John Bonafide, Historic Preservation Services Coordinator, NYS Office of Parks Recreation and Historic Preservation, Kenneth Bond, Esq., Squire Sanders & Dempsey LLP, Matt Brower, Associate of Parks Recreation and Historic Preservation, Kenneth Bond, Esq., Squire Sanders & Dempsey LLP, Matt Brower, Associate Environmental Analyst, NYS Department of Agriculture and Markets, Robert Callender, Vice President for Programs, NYSERDA, Richard Graham, Esq., Town of Lewis, Molly Lampi, Assistant General Counsel, New York Independent System Operator, Dr. James P. Lyons, Chief Engineer, GE Corporate Research and Development, Professor Joan Leary Matthews, Albany Law School, Jack Nasca, Chief of Energy Projects and Management, Environmental Permits Division, NYS Department of Environmental Conservation, Jeff Peterson, Program Manager, NYSERDA, John Rusnica, Associate Attorney, NYS Department of Agriculture and Markets, Professor Patricia Salkin, Government Law Center, Albany Law School, John Saintcross, Senior Project Manager, NYSERDA, Daniel A. Spitzer, Esq., Hodgson Russ LLP, Hon. Paul Tonko, Chairman, NYS Assembly Energy Committee, Harry Willis, Associate Attorney, Division of Local Government, NYS Department of State, and Hon. Jim Wright, Chairman, NYS Senate Standing Committee on Energy and Telecommunications.

The program was co-sponsored by the New York Planning Federation, the New York State Department of State, and the New York State Department of Agriculture and Markets. The GLC is in the process of producing a transcript of the conference proceedings.

Center Co-sponsors October Seminar on Use of Tasers by Police

The School of Criminal Justice at the University of Albany and the Capital Region Chapter of the New York Civil Liberties Union, with the Government Law Center, are presenting a seminar on conducted electronic devices (CEDs) or “Tasers.” This invitational seminar, entitled “Less than Lethal Technologies: Current and Comprehensive Information,” will be held on Tuesday, October 10 from 9:30 am to 3:00 pm at Albany Law School. A panel of experts will discuss the role of less lethal devices in the use-of-force continuum, explore existing evaluations of outcomes of the use conducted electronic devices by law enforcement agencies, and outline current efforts to develop and promulgate effective deployment and use policies. Confirmed panelists include:

- Lorie Fridell, Ph.D., Associate Professor of Criminology, University of South Florida, Tampa
- Greg Meyer, Captain, Los Angeles Police Department (retired) representing the Police Executive Research Forum
- Jeffery Fogel, Esq. representing the New York Civil Liberties Union
- Michael Ranalli, Chief of Police, Glenville Police Department representing the NYS Association of Chiefs of Police
- Dr. Bruce Uskow, MD, MS, FACEP, Director of Emergency Medical Services, EMP at Samaritan Hospital, Troy

For more information about the seminar, please contact Sharmaine Moseley at the Government Law Center at smose@albanylaw.edu or (518) 445-3257.
The Government Law Center of Albany Law School participated in a celebration of Women's History Month in March by hosting a screening of “Raising the Bar: Pioneering Women Lawyers in the New York State Attorney General’s Office.” Produced by the Women in Government Task Force of the Capital District Women’s Bar Association, the 30-minute documentary chronicles the struggles and triumphs of women attorneys representing the State of New York, beginning with the first woman Deputy Attorney General, hired in 1923. The inaugural program of the Women in Government Task Force of the Capital District Women’s Bar Association, the event took place on March 17 at Albany Law School.

Patricia Salkin participated in a CLE program on Land Use Planning on March 15, presented by The Adirondack Chapter of the CDWBA, held at The Inn at Saratoga in Saratoga Springs.


On May 10, Professor Salkin co-taught a CLE program on “The Attorney-Client Privilege in NYS Government,” sponsored by the State of New York Department of Taxation & Finance, Office of Counsel. Also in May, she spoke on land use planning and reconstruction at the conference, “Natural and Man-Made Disasters, Homeland Security and Emergency Management for Lawyers, Policy Makers, and Executives: Lessons from the Katrina Catastrophe,” presented by The Center for American and International Law in Texas. On June 22, she participated in a telephone seminar presented by the ALI-ABA as part of its Land Use Series on “Eminent Domain, Economic Development, and Redevelopment: A National Retrospective and Prospective on the First Anniversary of Kelo v. City of New London.” On July 18, she spoke at the University of New Mexico School of Law on the intersection of environmental justice and local land use planning. The Government Law Center of Albany Law School was a national co-sponsor of this training program for local government officials, lawyers and planners.

Professor Salkin is serving as a Member for the 2006-07 term of the NYS Bar Association Special Committee on Court Structure & Judicial Selection.

Bennett Liebman, Coordinator of the GLC’s Racing and Gaming Program, spoke at the Harness Tracks of America in February on the topic of: Who Runs the Game & How They Do It: Letting the Customer Know What’s Going On.” His article on “Reversing the Refs” appeared in the Texas Review of Entertainment & Sports. He participated as a speaker on two panels at the New York Gaming Summit held at the Seneca Niagara Casino in Niagara Falls on June 21. He spoke on the panels “New York Gaming in a Post-Pataki World” and “Racetrack Gaming Update.”

Justina Cintrón Perino edited “Citizen Oversight of Law Enforcement,” published by the ABA Section of State and Local Government Law in May. On March 30 and 31, and June 8 and 9, Rose Mary Bailly, Esq. of the Aging Law and Policy Program, participated in the New Yorker Institute training programs sponsored by the Office of Children and Family Services for Adult Protective Services. Ms. Bailly’s sessions were “Investigating Abuse” and “Financial Exploitation.” On May 24, she participated in the New York State Bar Association’s CLE program on the 2005 Deficit Reduction Act. Her topic was “The Effect of 2005 DRA on Continuing Care Retirement Communities.” On June 7, Ms. Bailly participated in the 2006 Legal Assistance Partnership Conference in Albany, New York. Her topic was “Financial Exploitation.”

This summer, Teneka E. Frost, Esq. Post Graduate Government Law and Policy Fellow, was appointed as a member of the NYS Bar Association Committee on Attorneys in Public Service and as Co-Chair of its Subcommittee on the Government, Law & Policy Journal.

Government Law Center Advisory Board Member Maureen F. Harris was appointed Commissioner of the New York State Public Service Commission on June 14. GLC Advisory Board members Paul Bray and Robert Freeman met on March 3 as representatives of the NYS Bar Association Committee on Attorneys in Public Service with the Attorney General of Botswana to discuss government reform and the legislative process.

The 2006 GLC Prize winners are: Natasha E. Phillips, Allyson M. Phillips, and Jon P. Thayer.

Thanks to the following students who worked at the GLC during the summer: Albany Law School: Benjamin Auerbach ’07, Martin McGuinness, Nicole Redmond ’08, Teresa Rowan ’08, Corey Auerbach ’07, Melissa Ashline-Heil ’07, Charles Dunham ’08, Annette Hollis ’07, Jessica Gorman ’08, Eric Paul Chapman ’07, Adam Conway ’09, Christopher Montalbo ’07, Jane Tasmardinos ’08, and Ed McClanathan ’08; Siena Fellows: Melissa Frisbee and Amanda Kuryluk; and Jack Prior, Hamilton College, Rachel Ainspan, SUNY Binghamton, and Chris Olsen, University at Rochester.

The GLC thanks the following participants in our 2006 Summer in Government Program:

Bruce Androphy, Esq., Counsel, NYS Ethics Commission; Rick Goodell, Esq., Assistant Counsel, NYS Racing and Wagering Board; Kevin Kerwin, Esq., Legislative Counsel, NYS Department of Labor; Kathleen Resnick Arnold, Esq., Assistant Attorney General, NYS Department of Law - Claims Bureau; Michael Rizzo, Esq., Assistant Attorney General, NYS Department of Law - Claims Bureau; Nelson Sheingold, Esq., Assistant Attorney General, NYS Department of Law – Litigation Bureau; Glenn King, Esq., Assistant Attorney General, NYS Attorney General’s Office; Sara L. LeCain, Esq., Assistant Counsel, NYSDERA; Peter Loomis, Esq., Director, Legal Services Division, NYS Department of Transportation; Sybil A. McPherson, Esq., Assistant Counsel I, NYS Legislative Bill Drafting Commission; James T. Potter, Esq., Hinman Straub P.C.; Elisha Tomko, Esq., Associate Counsel, NYS Department of State; Regina Treffiletti, Esq., Court Attorney/Referee, NYS Unified Court System, District Administrative Office, and James Whalen, Esq., Associate Counsel, NYS Governor’s Office of Regulatory Reform.
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