Government Law Center News

November 2011

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• "The Effective Use of Health Impact Assessment in Land Use Decision Making" by Professors Pamela Ko and Patricia Salkin

Upcoming Events

GLC Hosts November 18th Program on Public Policy Dispute Resolution
The GLC is hosting an invitation-only program on Friday, November 18, 2011 on innovation in rulemaking and policy making focusing on techniques arising from the ADR community. Speakers include Professor Philip Harter of Vermont Law School; the Honorable Bruce E. Meyerson, founder of Arizona’s Project Civil Discourse; Professor John R. Nolon of Pace Law School and Director of the Kheel Center on Resolution of Environmental Interest Disputes; and Daniel A. Ruzow, partner at Whiteman Osterman & Hanna. Professor Joan Stearns Johnsen of Albany Law School will moderate the panel. For more information please contact Charles Gottlieb at cgottlieb@albanylaw.edu.
GLC Co-Sponsors Forum on Land Banking on November 21st

On the afternoon of November 21, 2011 the GLC will co-sponsor with Empire State Future and other Capital Region non-profits, a discussion about the law authorizing land banks in New York for government officials, elected officials, community leaders and the public in the Capital District. For more information, please contact Patricia Salkin at psalk@albanylaw.edu.

Sanders Lecture on Law & Public Policy to Feature Comptroller DiNapoli on November 28th

The Sanders Lecture on Law & Public Policy, named for Judge William B. Sanders, a founding partner of Squire Sanders & Dempsey (US) LLP, who also graduated from Albany Law School in 1875, will take place on Monday, November 28, 2011 and will feature NYS Comptroller Thomas DiNapoli. This invitation-only program is generously supported on a regular basis by Squire Sanders & Dempsey (US) LLP law firm to recognize the many contributions of one of their founders.

News and Appointments

GLC Hosts Renewable Energy Seminar

"Regulating the Siting of Small Scale Renewable Energy at the Community Level: Lessons Learned and Opportunities for the Future," was presented on November 1, 2011 at the Government Law Center. The seminar provided an overview of some of the strategies that have been used to increase the use of small-scale renewables, focusing on non-commercial renewable energy systems
installed at the home or business level. Speakers were GLC Senior Staff Attorney Amy Lavine and GLC Director Patricia Salkin. The Renewable Energy Entrepreneurial Seminar Series is supported by funding from the New York State Energy Research and Development Authority (NYSERDA) and is part of a concerted effort by the GLC to provide support to renewable energy firms across the state. Other NYSERDA-backed efforts by the GLC include the Renewable Energy Entrepreneurial White Paper Series and the Legal Handbook for Early Stage Business. For more information, visit www.albanylaw.edu/esb or contact Project Director, Professor Pamela Ko at pko@albanylaw.edu.

**GLC Participates in UN Academic Impact Initiative**

Albany Law School has been accepted as a member of the United Nations Academic Impact Initiative, a program of the Outreach Division of the Department of Public Information. The program invites institutions of higher education to join with the United Nations in actively supporting ten universally accepted principles in the areas of human rights, literacy, sustainability and conflict resolution. For more information about the Academic Impact program, please visit: http://academicimpact.org/engpage.php

**A Report Card on the National Broadband Plan**

The GLC hosted an October 6, 2011 program co-sponsored by the Federal Communications Bar Association to explore the status of the national broadband policy. It featured GLC faculty affiliate, Prof. Robert Heverly, among the speakers.
GLC Staff Speaks on Controversial Land Uses

GLC Senior Staff Attorney Amy Lavine participated in a panel discussion on the subject of regulating controversial land uses for the APA Metro New York Chapter in Yonkers in October.

Program on Public Construction Procurement

On October 21, 2011 the Government Law Center presented a multi-disciplinary all-day event exploring the impacts of current built environmental laws and public construction procurement regulations on public capital projects, as well as options for reform. The program was co-sponsored by the American Institute of Architects New York State, the New York City Bar, and Town & Gown. The program featured a keynote speech presented by Richard Anderson, President of the New York Building Congress.

Public Authorities Program on the Assessment of New York’s Public Authorities Reforms

On October 28, 2011 the GLC hosted "Assessing New York's Public Authorities Reform," a Public Authorities program focused on the strengths and weaknesses of the Public Authorities Accountability Act of 205 and the Public Authorities Reform Act of 2009. Panel members included David Kidera, the Director of the Authorities Budget Office; Lorrie Smith, Legislative Director to Assemblyman Brennan; Tom Nitido, Deputy Comptroller, Office of Budget Policy and Analysis; and Scott Fein, Director of the Public Authorities Project of the Government Law Center and member of the Task Force on Public Authority Reform.
Adviser Resource 2011-2012 Wealth Management Trends and Investment Outlook for Estate Attorneys and Advisors to Nonprofits

The GLC and the Community Foundation for the Capital Region co-hosted a Continuing Legal Education seminar on wealth management strategies for estate attorneys and other professional nonprofit investment advisors. The seminar included an estate tax update by Marty Finn, Esq. ’83 of Lavelle and Finn LLP, followed by a discussion of business valuation in succession planning and exit strategies featuring Dan Nolan ’78, President and CEO of Hugh Johnson Advisors; John Fox, Director of Research at Fenimore Asset Management, Inc.; and Amita Schultes, Director and Senior Consultant at Colonial Consulting. This program is part of the GLC’s Lawrence F. Klepper Legal Assistance Program for Nonprofit Organizations.

International Update

Legal Education in China Subject of November 2, 2011 Presentation

Visiting Scholar from the Shanghai Institute of Foreign Trade, Professor Amy Yin, will deliver a lunchtime faculty lecture on Legal education in China on November 2, 2011 at the Albany Law School. For more information, please contact Patricia Salkin at psalk@albanylaw.edu.
Staff News

GLC Government Scholar in Residence Featured in Crain's New York


GLC Director Appears in RLUIPA Documentary

Associate Dean Patricia Salkin appears in a new documentary by Moondance Films titled, "America’s Holy War," which focuses on the impacts of the Religious Land Use and Institutionalized Persons Act on community planning and land use controls. The documentary previewed in the U.S. on October 23, 2011 at the Lafayette Theater in Suffern, NY. The documentary focuses on controversial land development projects in the Town of Ramapo, Rockland County. The film has been entered into a number of festivals and it will also be shown later this month at Cardozo Law School. For more information, please visit: http://www.americaasholywar.com/.

Student News

GLC Student Research Assistant Focuses on Social Networking and Government

Jessica Clemente '12 is working with GLC Fellow Daniel Gross and Dean Salkin on legal and ethical issues related to social networking and municipal governments. The results of the research will be published in a forthcoming ABA book.
GLC Student Research Assistant Exploring School Choice
Katherine VanAuken '12 is working with Scholar in Residence Abe Lackman on research related to school choice with a focus on exploring the link between the sharp rise in the number of charter schools and the decline of parochial schools in the United States, as well as in specific states such as New York, Wisconsin and Ohio.

GLC Research Assistant Focuses on Alternative Energy
Abby Brinkerhoff '13 is working with GLC Fellow Charles Gottlieb on researching various incentives available for NY residents who wish to use solar energy systems for their energy needs. The incentives apply to residents who are using collecting solar energy for household needs, as well as interconnecting and selling the energy back to the grid. The research is a part of the Renewable Energy Entrepreneurial White Paper Series, a resource for businesses trying to market the sale of solar panels while navigating through the legal difficulties that local zoning laws may present.

GLC Provides Research Support for NYSBA Task Force on E-Filing
GLC Fellow Dan Gross '11 and student Joe Frandino '12 are assisting the New York State Bar Association's Task Force on Court Restructuring with research for a report on e-filing in NYS. This report will focus on the current status of e-filing, suggestions for the evolution of e-filing, and potential goals for e-filing. Their research is exploring the policy behind e-filing legislation in NYS, as well as legislative history.
Staff Publications

*Failure to Articulate Clear Ethics Rules and Standards and the Local Level Continues to Haunt Local Land Use Decision Makers*

by Patricia Salkin

This article provides an annual review of reported decisions addressing ethical considerations that arise in the land use context for lawyers, planners, board members and other stakeholders in the land use decision making process.

*The Effective Use of Health Impact Assessment in Land Use Decision Making*

by Patricia Salkin and Pamela Ko

This article briefly reviews the history of the HIA movement, examines the differences between HIA and EIR, and provides those involved with the land use planning and regulation examples of how to best integrate HIAs into the land use decision making process.

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 dkoel@albanylaw.edu. Thanks, as always, to our readers!