

STATE UNIVERSITY OF NEW YORK AT ALBANY  
STATE AND LOCAL GOVERNMENT  
Autumn 2011

Mr. Zimmerman

**I. COURSE DESCRIPTION**

This course focuses upon intergovernmental relations; the interdependent roles of governors, legislatures, and courts in policy-making and implementation; the organization, functions, and jurisdiction of local governments; interaction of political parties and interest groups with formal institutions and processes; and problems in selected functional areas. Emphasis will be placed upon socio-economic trends leading to change in state and local governments, consequent issues raised, and proposals made in response to such issues.

**II. REQUIRED BOOKS**

The required books for the course are:

Joseph F. Zimmerman, *The Government and Politics of New York State*, 2<sup>nd</sup> ed. (Albany: State University of New York Press, 2008).

Ann O'M. Bowman and Richard C. Kearney, *State and Local Government*, 8<sup>th</sup> ed. (Boston: Wadsworth, 2010).

**III. RECOMMENDED BOOKS**

Joseph F. Zimmerman, *Participatory Democracy: Populism Revived* (New York: Praeger Publishers, 1986).

Joseph F. Zimmerman, *Federal Preemption: The Silent Revolution* (Ames: Iowa State University Press, 1991).

Joseph F. Zimmerman, *Contemporary American Federalism: The Growth of National Power* (Leicester: Leicester University Press, 1992).

Joseph F. Zimmerman, *Curbing Unethical Behavior in Government* (Westport, CT: Greenwood Press, 1994).

Joseph F. Zimmerman, *State-Local Relations: A Partnership Approach*, 2nd ed. (Westport, CT: Praeger Publishers, 1995).

Joseph F. Zimmerman, *Interstate Relations: The Neglected Dimension of Federalism* (Westport, CT: Praeger Publishers, 1996).

Joseph F. Zimmerman, *The Recall: Tribunal of the People* (Westport, CT: Praeger Publishers, 1997).

Joseph F. Zimmerman, *The Initiative: Citizen Law-Making* (Westport, CT: Praeger Publishers, 1999).

Joseph F. Zimmerman, *The New England Town Meeting: Democracy in Action* (Westport, CT: Praeger Publishers, 1999).

Joseph F. Zimmerman, *The Referendum: The People Decide Public Policy* (Westport, CT: Praeger Publishers, 2001).

- Joseph F. Zimmerman, *Interstate Cooperation: Compacts and Administrative Agreements* (Westport, CT: Praeger Publishers, 2002).
- Joseph F. Zimmerman, *Interstate Economic Relations* (Albany: State University of New York Press, 2004).
- Joseph F. Zimmerman, *Congressional Preemption: Regulatory Federalism* (Albany: State University of New York Press, 2005).
- Joseph F. Zimmerman and others, *Every Vote Equal: A State-Based Plan for Electing the President by National Popular Vote* (Los Altos, CA: National Popular Vote Press, 2006).
- Joseph F. Zimmerman, *Interstate Disputes: The Supreme Court's Original Jurisdiction* (Albany: State University of New York Press, 2006).
- Joseph F. Zimmerman, *The Silence of Congress: State Taxation of Interstate Commerce* (Albany: State University of New York Press, 2007).
- Joseph F. Zimmerman, *Congress: Facilitator of State Action* (Albany: State University of New York Press, 2010).
- Joseph F. Zimmerman, *Regulating the Business of Insurance in a Federal System* (Albany: State University of New York Press, 2010).
- Joseph F. Zimmerman, *Horizontal Federalism: Interstate Relations* (Albany: State University of New York Press, 2011).
- Local Government Handbook*, 5<sup>th</sup> ed. (Albany: New York Department of State, 2000).

Students are encouraged to purchase a political science dictionary such as Jack C. Plano and Milton Greenberg, *The American Political Science Dictionary* (Fort Worth: Holt, Rinehart, Winston Incorporated, latest edition).

Students interested in Law School are encouraged to purchase a copy of *The Blue Book: A Uniform System of Citation*, 19<sup>th</sup> ed. (Cambridge, MA: Harvard Law Review Association, 2010).

#### IV. READING ASSIGNMENTS

1. **Introduction:** Bowman and Kearney, Chapter 1; Zimmerman, Chapter 1.
2. **National-State Relations:** Bowman and Kearney Chapter 2; Zimmerman; Chapter 2.
3. **The State Constitution:** Bowman and Kearney, Chapter 3; Zimmerman, Chapter 4.
4. **Parties, Pressure Groups, and Elections:** Bowman and Kearney, Chapters 4-5; Zimmerman, Chapter 5.
6. **The State Legislature:** Bowman and Kearney; Chapter 6, Zimmerman, Chapter 6.
7. **The Governor:** Bowman and Kearney, Chapter 7-8; Zimmerman, Chapters 7-8.
8. **The Judicial System:** Bowman and Kearney, Chapter 9; Zimmerman, Chapter 9.
9. **Local Government:** Bowman and Kearney, Chapters 10-12; Zimmerman, Chapter 3.

10. **Criminal Justice Policy Making:** Bowman and Kearney, Chapter 16.
11. **Economic Development Policy Making:** Bowman and Kearney, Chapter 14.
12. **Education Policy Making:** Bowman and Kearney, Chapter 15.
13. **Environmental Policy Making:** Bowman and Kearney, Chapter 18.
14. **Social Welfare and Health Policy Making:** Bowman and Kearney,  
Chapter 17.
15. **State-Local Personnel:** Zimmerman, Chapter 8.
16. **State-Local Government Finance:** Bowman and Kearney, Chapter 13; Zimmerman, Chapter 10.

#### V. CLASS ATTENDANCE AND SPECIAL PROBLEMS

Class attendance is **MANDATORY** and each student is responsible for materials presented in lectures containing information not found in the assigned readings. **UNEXCUSED ABSENCES RESULT IN A LOWERING OF THE COURSE GRADE.**

If you experience health, financial, or other problems interfering with your studies, please notify me and we may be able to make special arrangements during the problem period.

#### VI. RESEARCH PAPER

One copy of your research paper (maximum of ten **double-spaced** pages) describing and analyzing your home city or town or village government **is due at the beginning of the class IN THE CLASS ROOM on November 28, 2011. Your research paper must have a title page, footnotes, and a bibliography.** Each New York City student should confer with me relative to limiting the scope of your research paper.

Failure to turn in the paper by the deadline results in an **AUTOMATIC ZERO** for the paper. Students must submit on **September 21, 2011**, a short written prospectus describing briefly the topic of the research paper and the methodology (library research, questionnaires, interviews, data analysis, etc.) to be employed. Failure to submit the prospectus and on the due date results in an **AUTOMATIC ZERO. PAPERS SUBMITTED WITHOUT PAGE NUMBERS RECEIVE A GRADE OF ZERO.**

Care should be exercised in writing the paper to ensure that answers are provided to the following questions: **Where? When? For Whom? By Whom? How? What?** In addition, avoid using indefinite words, such as “this” alone.

Each research paper must describe **the structure of the local government**—city, town, or village—and the **major problems**, such as solid waste disposal and water supply, facing the local government. Inquire whether there is an active Board of Ethics and whether it has issued advisory opinions. Recommendations should be made relative to needed changes, if any, in the structure of the government and new approaches to solving the major functional problems. For general information on governmental structure of a city, town, or village, see the fifth edition of the *Local Government Handbook* published by the **New York State Department of State** (*available on-line*).

Sources of information include annual reports of your local government, audit reports issued by the New York State Department of Audit and Control, bond prospecti issued by an investment bank(s) on behalf of your local government, local newspaper articles, and vertical files in your local public library. Also consult *Moody's*, *Standard and Poor* and *Fitch* for their respective ratings of the quality of your local government's credit.

Prior to conducting interviews, please prepare and submit a written survey instrument for comments. Do not ask a municipal officer what his/her duties are since these duties are listed in a charter and/or state statutes. Furthermore, do not ask "factual" questions if the answers are in the local public library or local newspapers.

The research paper must be based upon "**primary**" sources of information; *i.e.*, the original publication containing the information and personal interviews. A "secondary" source should be utilized only when the "primary" source is unavailable since a "secondary" source may contain typographical errors and/or materials taken out of context. In addition, a number of public officials have been embarrassed by relying upon a "secondary" source when it is revealed the "secondary" source cited is a non-existent document.

Please use **CAPTIONS (HEADINGS)**—center and side—to divide your paper into sections. The first caption could be a center one entitled **STRUCTURE**. Depending on the type of local government, the **side captions** under **STRUCTURE** could be **MAYOR**, **CITY COUNCIL** or **TOWN SUPERVISOR**, or **TOWN COUNCIL**, or **VILLAGE BOARD**.

Your second center caption should be **MAJOR PROBLEMS**. Use the names of specific problems as **side captions** under the center caption. Your third center caption should be **CONCLUSIONS AND RECOMMENDATIONS**.

**NOTES.** Documentation of information not commonly known is important, but over-documentation should be avoided. A complete citation must be provided for every direct and indirect quotation of a statement made by another individual. Citations must be provided for all constitutional provisions, statutes, administrative rules and regulations, court decisions, and opinions of Attorneys General and State Comptrollers.

Notes must be placed at the **FOOT OF THE PAGE** and must follow the style listed below:

1. The first reference to a work must be a full citation. Subsequent citations must be by the author's surname and an abridged but unambiguous title and precise page(s).
2. *Op. Cit.* and *Loc. Cit.* must not be used.

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3. *Ibid.* may be used.
4. A definite scheme of abbreviations may be used in the notes for sources repeatedly cited provided a list of abbreviations is provided.
5. A citation to data and information obtained by interview should include the name of the interviewee, title of the interviewee, place of the interview, and date of the interview. If subsequent references are made to the same interviewee, a statement may be included after the first citation that this interview “hereinafter will be referred to as Smith Interview.”
6. **Exact page references must be cited.**
7. Include page numbers for internet sources if available.

### SAMPLE NOTE ENTIRES

<sup>1</sup> Alexis de Tocqueville, *Democracy In America*, 3<sup>rd</sup> American ed. (New York: George Adlard, 1839), pp. 62-63.

<sup>2</sup> *Ibid.*

<sup>3</sup> James Bryce, *The American Commonwealth*, 2<sup>nd</sup> ed. rev. (London: MacMillan and Company, 1891), Vol. I, p. 591.

<sup>4</sup> de Tocqueville, *Democracy in American*, pp. 103-05.

<sup>5</sup> Joseph F. Zimmerman, “Congressional Preemption During the George W. Bush Administration.” *Publius: The Journal of Federalism* 37, Summer 2007, pp. 432-52.

### SAMPLE BIBLIOGRAPHIC ENTRIES

Adams , Herbert C. *The Germanic Origin of New England Towns*, Baltimore: Johns Hopkins University Studies in Historical and Political Science. Vol. I, No. III, 1882.

Elazar, Daniel J. *American Federalism: A View from the States*, 3<sup>rd</sup>. ed. New York: Harper and Row, Publishers, 1984.

*Modernizing Local Government*. New York: Committee for Economic Development, 1966.

Zimmerman, Joseph F. *Interstate Economic Relations*. Albany: State University of New York Press, 2004.

Zimmerman, Joseph F. “Interstate Cooperation: The Roles of the State Attorneys General.” *Publius* 25 (Winter 1988): 71-89.

Zimmerman, Joseph F. “Dual Insurance Regulation: Is It Desirable?” *Journal of Insurance Regulation* 27, Fall 2008, pp. 3-22.

**VII. BIBLIOGRAPHY AND LIST OF INTERVIEWS.** Your paper must include a bibliography, a list of internet sources, and a list of interviews if you conducted interviews. Each must be typed on a separate page with the headings **BIBLIOGRAPHY**, **INTERNET SOURCES** and **INTERVIEWS**.

Depending upon your sources of information, the **bibliographic entries** should be placed under the following categories: **Books and Monographs**, **Public Documents**, **Articles**, and **Unpublished Materials**. Each work cited in a note must be included in the **Bibliography**. Other works consulted but not cited, such as the *Local Government Handbook*, must be included in the Bibliography. Please note that **bibliographic entries are alphabetized by authors’ surnames; i.e.** Smith, Robert A. For journals, include the **volume number**.

The **List of Interviews** must include the name and title of the interviewee, place of interview, and date of interview. The **List of Internet Sources** must include the address and name of the source, and date accessed.

**PAPERS WILL BE RETURNED WITHOUT A GRADE IF THEY CONTAIN AN EXCESSIVE NUMBER OF TYPOGRAPHICAL, GRAMMATICAL, AND SPELLING ERRORS.** The grade on the research paper will be lowered if instructions are not followed.

### **VIII. QUIZZES AND EXAMINATIONS**

Periodic short quizzes will be administered to assess progress made. In addition, two one-hour examinations and a final examination will be administered. The **first examination** will cover reading assignments 1-5, the **second examination** will cover reading assignments 6-8, and the **third examination** on Friday, December 16, 2011 in **the classroom**—will cover reading assignments 9-12.

A make-up quiz or examination will be administered only if the student has an official excuse.

See the attached Autumn 2010 quiz and examination on pages 7-8.

### **IX. COURSE GRADE**

Each of the following will count as one-fifth of the course grade: Each of the three examinations, quizzes collectively, and the research paper.

### **X. OFFICE HOURS AND TELEPHONE NUMBERS**

Office hours are 10:25 a.m. to 11:25 a.m. on Wednesdays and Fridays in the Contact Office of Rockefeller College located in **Humanities 16**. In addition, office hours are 1:00 to 3:30 p.m. on Wednesdays and 1:00 to 2:30 p.m. on Fridays in Room 288 of **Richardson Hall** on the downtown campus. (Take a University bus to Draper Hall and walk one building back toward the uptown campus). Other hours may be scheduled by appointment. Messages can be left in my mail box in Rockefeller College located on the first floor of Milne Hall on the downtown campus, or in the Contact Office in Humanities 16.

My office telephone number is 442-5378. You may leave a voice mail message if I am not in the office or you may telephone me at my home (439-9440). Facsimile: 442-5298. Electronic Mail: [zimmer@albany.edu](mailto:zimmer@albany.edu)

**PLACE THE 2010 quiz on this page**

**Place the 2010 Examination on this page.**



GENERAL REFERENCE WORKS  
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- Abbot, Carl. *The New Urban America: Growth and Politics in Sunbelt Cities*. Chapel Hill: The University of North Carolina Press, 1981.
- Almond, Gabriel A.. *Plutocracy and Politics in New York City*. Boulder, CO: Westview Press, 1997.
- Benjamin, Gerald, ed. *The New York State Constitution: A Briefing Book* (Albany: The Nelson A. Rockefeller Institute, 1994).
- Benjamin, Gerald and Brecher, Charles. *The Two New Yorks: State-City Relations in the Changing Federal System*. New York: Russell Sage Foundation, 1988.
- Benjamin, Gerald and Dullea, Henrik N., eds. *Decision 1997*. Albany, NY: The Rockefeller Institute Press, 1997.
- Berman, David R. *Local Government and the States: Autonomy, Politics, and Policy*. Armonk, NY: M.E. Sharpe, 2003.
- Bradbury, Katharine L., Downs, Anthony and Small, Kenneth A. *Urban Decline and the Future of Urban Cities*. Washington, D.C.: Brookings Books, 1982.
- Bogen, David S. *Privileges and Immunities: A Reference Guide to the United States Constitution*. Westport, CT: Praeger Publishers, 2003.
- The Book of the States*. Lexington, KY: The Council of State Governments, published annually.
- Button, Daniel E. *Take City Hall! The Story Behind Tom Whalen's Historic Decade as Albany's Mayor*. Albany: Whitston Publishing Company, Incorporated, 2002.
- Caldwell, Lynton, K. *The Government and Administration of New York*. New York: Thomas Y. Crowell Company, 1954.
- Carroll, Stephen J. *et al.* *City Data: A Catalog of Data Sources for Small Cities*. Santa Monica: The Rand Corporation, 1980.
- Comparato, Scott A. *Amici Curiae and Strategic Behavior in State Supreme Courts*. Westport, CT: Praeger Publishers, 2003.
- Coppa, Frank J. *County Government: A Guide to Efficient and Accountable Government*. Westport, CT: Praeger Publishers, 2000.
- Dillon, John F. *Commentaries on the Law of Municipal Corporations*. Boston: Little Brown and Company, 1872.
- Elazar, Daniel J. *The American Mosaic: The Impact of Space, Time, and Culture on American Politics*. Boulder, CO: Westview Press, 1994.
- Ellis, David M. *New York: State and City*. Ithaca: Cornell University Press, 1979.
- Encyclopedia of the Social Sciences*. New York: The Macmillan Company, latest edition.
- Facts and Figures on Government Finance*. New York: Tax Foundation, Incorporated, latest edition.
- Feldman, Daniel and Gerald Benjamin. *Tales from the Sausage Factory: Making Laws in New York State*. Albany: State University of New York Press, 2010.
- Grad, Frank P. and Willism, Robert F. *Drafting State Constitutions, Revisions, and Amendments*. Albany: State University of New York Press, 2006.
- Handbook for Village Officials*. Albany: New York State Conference of Mayors and Other Municipal Officials, 1990.

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Hirschhorn, Bernard. *Democracy Reformed: Richard Spencer Childs and His Fight for Better Government*. Westport, CT: Greenwood Press, 1997.

Holli, Marvin G. *The American Mayor: The Best & The Worst of Big-City Leaders*. University Park: The Pennsylvania State University Press, 1999.

*Index to Legal Periodicals*.

Kincaid, John, ed. "State Constitutions in a Federal System," *The Annals of the American Academy of Political and Social Science*, March 1988, entire issue.

Liebschutz, Sarah F. et al. *New York Politics and Government: Competition and Compassion*. Lincoln: University of Nebraska Press, 1998.

*Local Government Handbook*, 5<sup>th</sup> ed. Albany: New York State Department of State, 2000.

London, Herbert and Rubenstein, Edwin S. *From the Empire State to the Vampire State: New York in a Downward Transition*. Lanham, MD: University Press of America, 1994.

Maddex, Robert L., ed. *State Constitutions of the United States*. Washington, DC: CQ Press, 2000.

Marbach, Joseph F, Katz, Ellis, and Smith, Troy E. eds. *Federalism in America: An Encyclopedia*. Westport, CT: Greenwood Press, 2006.

Mauro, Frank J. and Benjamin, Gerald, eds. *Restructuring the New York City Government: The Reemergence of Reform*. New York: The Academy of Political Science 1989.

Menzel, Donald C., ed. *The American County: Frontiers of Knowledge*. Tuscaloosa: The University of Alabama Press, 1996.

*The Municipal Year Book*. Washington: International City Management Association, published annually.

*New York State Constitution*.

*New York State Statistical Yearbook*. Albany: Rockefeller Institute, 2008.

Pecorella, Robert F. *Community Power in a Post Reform City: Politics in New York City*. Armonk, NY: M.E. Sharpe, 1994.

Piott, Steven L. *Giving Voters a Choice: The Origin of the Initiative and Referendum in America*. Columbia: University of Missouri Press, 2003.

Prescott, Frank W. and Zimmerman, Joseph F. *The Politics of the Veto of Legislation in New York State*. Washington, D.C.: University Press of America, 1981.

*Public Affairs Information Service Bulletin*.

Publications of the Bureau of the Census of the United States Department of Commerce.

Reports issued by the United States Advisory Commission on Intergovernmental Relations.

Reports issued by the 1967 New York State Constitutional Commission.

Sato, Sho and Van Alstyne, Arvo. *State and Local Government Law*. Boston: Little, Brown & Company, 1970.

Sayre, Wallace S. and Kaufman, Herbert. *Governing New York City*. New York: Russell Sage Foundation, 1960.

Schneier, Edward V. and Murtaugh John B., *New York Politics: A Tale of Two States*. Armonk, NY: M.E. Sharpe, 2001.

*Staff Report on Public Authorities Under New York State* (Ronan Report). Albany: New York State Temporary State Commission on State Activities, 1956.

Stonecash, Jeffrey M. and Robert Pecorella, eds. *Governing New York State*, 5th. ed. Albany: State University of New York Press, 2006.

Tarr, G. Alan and Robert F. Williams, eds. *The Agenda of State Constitutional Reform*. Albany: State University of New York Press, 2006.

\_\_\_\_\_. *The Politics of State Constitutional Reform*. Albany: State University of New York Press, 2006.

Ward, Robert B. *New York State Government: What It Does, How It Works*. Albany: Rockefeller Institute Press, 2002.

Zimmerman, Joseph F. *The Government and Politics of New York State*, 2<sup>nd</sup> ed. Albany: State University of New York Press, 2008.