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Agricultural Law Bibliography Updates

Second Quarter, 2020

Agribusiness Corporations

Note, Monsanto and Mergers: How Antitrust Got Borked and How Courts Can Take It Back, 24 DRAKE J. AGRIC. L. 143-164 (2019).

Agricultural Law: Attorney Roles and Educational Programs

Special Festschrift Edition: Celebrating the Scholarship and Work of Professor Neil Hamilton. 24 DRAKE J. AGRIC. L. 165-174 (2019).

Walker, Introduction, Celebrating Neil Hamilton: Reflections of a Colleague and Former Dean, 165-174.

Hines, A Concise History of the Iowa Agricultural Law Center: 1953-1973.

Centner, What I Learned from Neil Hamilton about Developing a Research Program, 217-224.

Zwagerman, Beyond the Law: What I Learned about Agricultural Law, Mentoring, Teaching, and Success from Professor Neil Hamilton, 287-296.

Russell, The Legacy of Professor Neil Hamilton, 255-262.

Schutz, Anthony B. Neil Hamilton's Agricultural Localism, 263-270.

Vilsack & Miller, What I Learned from Neil Hamilton about the Important Connection between Producers, Consumers, and Everyone along the Way, 271-278.

Viti, Farming, Freedom, and Democracy: What I Have Learned from Professor Neil Hamilton, 279-286.

Anderson, Neil Hamilton, Aldo Leopold, and the Ethics of Conservation, 199-206.

Animal Rights

Stilt, Constitutional Innovation and Animal Protection in Egypt, 43 LAW & SOC. INQUIRY 1364-1390 (2018).

Note, Endangering Missouri's Captive Cervid Industry, 84 MO. L. REV. 561-579 (2019).

Comment, Skinning the Cat: How Mandatory Psychiatric Evaluations for Animal Cruelty Offenders can Prevent Future Violence, 21 SCHOLAR 167-194 (2019).

Note, The State of modern South Korean Animal Cruelty Law: An Overview with Comparison to relevant United States and Swiss Law and the Future, 18 WASH. U. GLOBAL . STUD. L. REV. 665-690 (2019).

Twenty-Fifth Anniversary of Animal Law, 25 ANIMAL L. 297-445 (2019).

Foreword by Rep. Earl Blumenauer.

Tischler & Frasch, Animal Law: The Next Generation, 304-316.

Favre, Five More Years for the Animals, 342-358,

Wise, The Struggle for the Legal Rights of Nonhuman Animals Begins: The Experience of the Nonhuman Rights Project in New York and Connecticut, 368-382.

Perry, A Qrarter of a Century of Animal Law: Our Roots, Our Growth, and our Stretch Toward the Sun, 395-414.

Sullivan, Farmed Animals: The Past is Prologue, the Future is (almost) Here, 435-445. Deckha, Personal Reflections on Being a Postcolonial Feminist Animal Law Professor, 415-419.

Schaffner, Ruminations on Twenty-Five Years of Animal Law, 421-432.

Kasten, Survey of Illinois Law: Animal Law, 43 S. ILL. U. L. J. 827-843 (2019).

Eberly, Establishing and Enforcing a Right to Truthful Information about Pig Farming in a Fake News Era, 34 J. LAND USE & ENVTL. L. 291-312 (2019).

Lee, From Footnote to Forethought: Considering the Consequences of Large-Scale, Industrialized Animal Agriculture in Developing Nations, 25 UC DAVIS J. INT'L L. & POL'Y 101-138 (2019).

Lanza, Keeping the "Live" in Live Animal Air Cargo Transport, Reprint, 84 J. AIR L. & COM. 229-249 (2019).

Comment, The Show-Me State's hidden Cruelty: How Missouri's Ag-Gag Laws Unconstitutionally Silence Animal-Welfare Whistleblowers, 63 ST. LOUIS U. L. J. 611-639 (2019).

Bankruptcy

General

Note, Red Rover, Red Rover, Please let me Keep Rover: Pet Exemptions in Chapter 7 Bankruptcy Proceedings, 58 WASH. U. J. L. & POL'Y 297-318 (2019).

Energy Issues

Dellinger, Electric Utility Wildfire Liability Reform in California, 49 ENVTL. L. REP. NEWS & ANALYSIS 11003-11018 (2019).

Note, The "Moo"ve to Renewable Energy in Kentucky begins with the Dairy Industry, 11 KY. J. EQUINE, AGRI. & NAT. RESOURCES L. 135-158 (2018-2019).

Cassuto, Under the Radar: The Costs and Benefits of Wind Energy through the Lens of National Security, 2018 MICH. ST. L. REV. 587-618 (2018).

Hanson, New York's Clean Energy Standard: Can Renewable Energy Development Revitalize Upstate New York's Economy? 26 BUFF. ENVTL. L. J. 55-84 (2018-2019).

Rossi & Serkin, Energy Exactions, 104 CORNELL L. REV. 643-713 (2019).

Hudson, MLPs & the Commercial Wind Energy Industry: Fighting the Tax Laws in the Fight to stay Afloat, 14 TEX. J. OIL, GAS & ENERGY L. 129-160 (2019).

Note, Sunny and Share: Balancing Airspace Entitlement Rights between Solar Energy Adopters and their Neighbors, 72 VAND. L. REV. 1075-1114 (2019).

Environmental Issues

Shiva, Earth Democracy: Sustainability, Justice, and Peace, 26 BUFF. ENVTL. L. J. 1-14 (2018-2019).

Adams, Olexa & Reynolds, Federal Invasive Alien Species Policy: Incremental Approaches and the Promise of Comprehensive Reform, 23 DRAKE J. AGRI. L. 291-352 (2018).

Note, Sleeper Seed: How Palmer Amaranth Infiltrated America's Heartland, 23 DRAKE J. AGRI. L. 529-547 (2018).

Note, When Industry Knocks: Ohio Department of Agriculture's Fight to Control Pollution Permits for Concentrated Animal Feeding Operations, 67 CLEV. ST. L. REV. 599-624 (2019).

Note, The Sword and the Shield: Disunity over the Application of the Clean Water Act's Permit Shield Provision, 7 LSU J. ENERGY L. & RESOURCES 585-610 (2019).

Yager & Hart, The Tipping Point Source: Clean Water Act Regulation of Discharges to Surface Water via Groundwater, and Specific Implications for Nonpoint Source Agriculture, 23 DRAKE J. AGRI. L. 439-468 (2018).

Comment, Legal Solutions in the Face of an Impending Water Crisis: Re-Evaluating the Southwest's Approach to Water Management, 40 U. LA VERNE L. REV. 109-127 (2019).

Farm Labor

Aliens

Note, DACA and Agriculture: Why Deferred Action for Childhood Arrivals should not be Allowed to End, 23 DRAKE J. AGRI. L. 549-567 (2018).

General & Social Welfare

Student Article, Expanding Pockets, Shrinking Farms: How the "Buy and Dry" Method Creates Vulnerability in the Farming Labor Market, 22 U. DENV. WATER L. REV. 723-744 (2019).

Note, Unreasonable Exemptions: Analyzing the Agricultural Worker Exemptions to Workers' Compensation Laws in Light of *Rodriguez v. Brand West Dairy*, 24 DRAKE J. AGRIC. L. 75-96 (2019).

Farm Policy and Legislative Analysis

Domestic

Note, Hemp: How the Comeback Crop is Budding in the Bluegrass, 11 KY. J. EQUINE, AGRI. & NAT. RESOURCES L. 103-134 (2018-2019).

Coppess, High Cotton and the Low Road: An Unraveling Farm Bill Coalition and Its Implications, 23 DRAKE J. AGRI. L. 353-412 (2018).

Bradbury et al., Agriculture and Environmental Law: Focusing on Defense Strategies, 24 DRAKE J. AGRIC. L. 7-30 (2019).

International

Rodgers, Towards a "New" Agricultural Law? Securing "Public Goods" from Agriculture, Special Festschrift Edition: Celebrating the Scholarship and Work of Professor Neil Hamilton. 24 DRAKE J. AGRIC. L. 241-254 (2019).

Food and Drug Law

Pomeranz & Harris, Federal Regulation of Infant and Toddler Food and Drink Marketing and Labeling, 45 AM. L. L. & MED. 32-56 (2019).

Eisen, Milked: Nature, Necessity, and American Law, 34 BERKELEY J. GENDER L. & JUSTICE 71-115 (2019).

Comment, The National Bioengineered Food Disclosure Standard; A Change to Settle the Natural Debate? 25 GEO. MASON L. REV. 522-549 (2018).

Note, Food Waste: A Regulatory Game? 24 DRAKE J. AGRIC. L. 97-116 (2019).

Note, Tobacco Policy without Blowing Smoke, 24 DRAKE J. AGRIC. L. 117-142 (2019).

Cardwell, Towards an Integrated Agricultural and Food Policy: A Role for Diet? Special Festschrift Edition: Celebrating the Scholarship and Work of Professor Neil Hamilton, 24 DRAKE J. AGRIC. L. 207-216 (2019).

Nuckolls, How Democratic Is Our Food System? Brief Reflections on the State of Food Democracy in the United States, Special Festschrift Edition: Celebrating the Scholarship and Work of Professor Neil Hamilton, 24 DRAKE J. AGRIC. L. 231-240 (2019).

Forestry

Bradshaw, Agency Engagement with Stakeholder Collaborations, in Wildfire Policy and Beyond, 51 ARIZ. ST. L. J. 437-504 (2019).

Hunger and Food Security Issues

Note, New Kid on the Block: How Blockchain Can Improve the United States Food Sector, 24 DRAKE J. AGRIC. L. 341-368 (2019).

Comment, The Global Food Security Act: America's Strategic Approach to Combating World Hunger, 14 J. FOOD L. & POL'Y 350-369 (2018).

Note, Homeless and Hungry: Demanding the Right to Share Food, 46 FORDHAM URB. L. J. 1004-1040 (2019).

Hunting, Recreation and Wildlife

Comment, Un-Pheasant Consequences: The Migratory Bird Treaty Act Circuit Split, the Trump Administration, and a Sensible Interpretation of 16 U.S.C. Section 703, 7 LSU J. ENERGY L. & RESOURCES 497-523 (2019).

Case Note, Unoccupied: How a Single Word Affects Wyoming's Ability to Regulate Tribal Hunting through a Federal Treaty; *Herrera v. Wyoming*, 19 WYO. L. REV. 271-303 (2019).

Land Reform

Parent, City-Wide: A Strategy for Sustainable Growth, 55 CAL. W. L. REV. 363-386 (2019).

Land Use Regulation

Land Use Planning and Farmland Preservation Techniques

Cox, Edward E. Corporate and Trust Ownership of Farmland: An Examination of Fiduciary Duties Applied to Soil Health and Conservation. 24 Drake J. Agric. L. 31-48 (2019)

Livestock and Packers & Stockyards

Comment, The Show-Me State's hidden Cruelty: How Missouri's Ag-Gag Laws Unconstitutionally Silence Animal-Welfare Whistleblowers, 63 ST. LOUIS U. L. J. 611-639 (2019).

Hog Farming: Past, Present and Future Panel, 34 J. LAND USE & ENVTL. L. 267-339 (2019).

Ristino, Green Ham and Eggs, 267-290.

Ebery, Establishing and Enforcing a right to Truthful Information about Pig Frming in a Fake News Era, 291-312.

Curliss, Advances in North Carolina's Pork Industry are Result of Innovation on Farms across Value Chain, 325-340.

Zering, Hog Farming: Past, Present and Future: An Economist's View, 313-323 (2019).

Patents and Other Intellectual Property Rights in Agriculture

Ellixson et al., Legal and Economic Implications of Farm Data: Ownership and Possible Protections, 24 DRAKE J. AGRIC. L. 49-66 (2019)

Comment, Intellectual Property Protection for Food: Balancing Competing Policy Objectives, 40 U. LA VERNE L. REV. 128-152 (2019).

Public Lands

Nagle, What if the Grand Canyon had become the Second National Park? 51 ARIZ ST. L. J. 675-721 (2019).

Note, The Western Frontier: The Political Battle of National Monument Lands and Its Effects on Public Grazing Lands and the Beef Industry, 23 DRAKE J. AGRI. L. 489-509 (2018).

Squillace, Rethinking Public Land Use Planning, 43 HARV. ENVTL. L. REV. 415-478 (2019).

Rural Development

Note, When Nowhere becomes Somewhere: Gentrification in Rural Communities and how Proactive Community Planning and a Progressive Property Valuation System can Stem the Tide, 107 KY. L. J. 727-745 (2018-2019).

Sustainable and Organic Farming

Cox, Sustainable Agricultural Land Tenure, Special Festschrift Edition: Celebrating the Scholarship and Work of Professor Neil Hamilton, 24 DRAKE J. AGRIC. L. 225-230 (2019).

Taxation

Carlson, Internal Revenue Code Section 453: "Monetizing" the Tax Deferred Installment Sale of Farmland and Farm Commodities, 52 CREIGHTON L. REV. 153-168 (2019).

Student Article, The Constitutionality of Taxing Agricultural and Land Use Emissions, 49 ENVTL. L. REP. NEWS & ANALYSIS 10953-10971 (2019).

Transportation

Dundon & Abkowitz, Regulatory and Private Approaches to Addressing Impacts to Transportation Infrastructure from Oil and Gas Operations in Rural Communities: Using the Law to Build a Toolkit for Local Planners, 45 TRANSP. L. J. 95-130 (2018).

Water Rights: Agriculturally Related

Comment, From Wine to Water: Wet Markets for Dry Times, 51 ARIZ. ST. L. J. 821-844 (2019).

Nichols et al., Standardizing Temporary Water Transfer Procedures in Colorado, 22 U. DENV. WATER L. REV. 497-533 (2019).

Note, River Kings: In California's Imperial Valley, Who Owns the Water from the Colorado River, and What Rights Does That Ownership Confer? 24 DRAKE J. AGRIC. L. 297-318 (2019).

Comment, Legal Solutions in the Face of an Impending Water Crisis: Re-Evaluating the Southwest's Approach to Water Management, 40 U. LA VERNE L. REV. 109-127 (2019).