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Edited by Nancy L. Rose



Regulation And Its Reform

Stephen Breyer



Regulation And Its Reform:

Regulation and Its Reform Stephen Breyer,2009-07-01 This book will become the bible of regulatory reform No broad authoritative treatment of the subject has been available for many years except for Alfred Kahn s Economics of Regulation 1970 And Stephen Breyer s book is not merely a utilitarian analysis or a legal discussion of procedures it employs the widest possible perspective to survey the full implications of government regulation economic legal administrative political while addressing the complex problems of administering regulatory agencies Only a scholar with Judge Breyer s practical experience as chief counsel to the Senate Judiciary Committee could have accomplished this task He develops an ingenious original system for classifying regulatory activities according to the kinds of problems that have called for or have seemed to call for regulation he then examines how well or poorly various regulatory regimes remedy these market defects This enables him to organize an enormous amount of material in a coherent way and to make significant and useful generalizations about real world problems Among the regulatory areas he considers are health and safety environmental pollution trucking airlines natural gas public utilities and telecommunications He further gives attention to related topics such as cost of service ratemaking safety standards antitrust and property rights Clearly this is a book whose time is here a veritable how to do it book for administration deregulators legislators and the judiciary and because it is comprehensive and superbly organized with a wealth of highly detailed examples it is practical for use in law schools and in courses on economics and political science

Economic Regulation and Its Reform Nancy L. Rose,2014-08-29 The past thirty years have witnessed a transformation of government economic intervention in broad segments of industry throughout the world Many industries historically subject to economic price and entry controls have been largely deregulated including natural gas trucking airlines and commercial banking However recent concerns about market power in restructured electricity markets airline industry instability amid chronic financial stress and the challenges created by the repeal of the Glass Steagall Act which allowed commercial banks to participate in investment banking have led to calls for renewed market intervention Economic Regulation and Its Reform collects research by a group of distinguished scholars who explore these and other issues surrounding government economic intervention Determining the consequences of such intervention requires a careful assessment of the costs and benefits of imperfect regulation Moreover government interventions may take a variety of forms from relatively nonintrusive performance based regulations to more aggressive antitrust and competition policies and barriers to entry This volume introduces the key issues surrounding economic regulation provides an assessment of the economic effects of regulatory reforms over the past three decades and examines how these insights bear on some of today s most significant concerns in regulatory policy

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natural gas trucking airlines and commercial banking However recent concerns about market power in restructured electricity markets airline industry instability amid chronic financial stress and the challenges created by the repeal of the Glass Steagall Act which allowed commercial banks to participate in investment banking have led to calls for renewed market intervention Economic Regulation and Its Reform collects research by a group of distinguished scholars who explore these and other issues surrounding government economic intervention Determining the consequences of such intervention requires a careful assessment of the costs and benefits of imperfect regulation Moreover government interventions may take a variety of forms from relatively nonintrusive performance based regulations to more aggressive antitrust and competition policies and barriers to entry This volume introduces the key issues surrounding economic regulation provides an assessment of the economic effects of regulatory reforms over the past three decades and examines how these insights bear on some of today's most significant concerns in regulatory policy

Regulation and Its Reform, 1982 *The Politics of Regulatory Reform*
Stuart Shapiro, Debra Borie-Holtz, 2014-01-21 Regulation has become a front page topic recently often referenced by politicians in conjunction with the current state of the U S economy Yet despite regulation's increased presence in current politics and media *The Politics of Regulatory Reform* argues that the regulatory process and its influence on the economy is misunderstood by the general public as well as by many politicians In this book two experienced regulation scholars confront questions relevant to both academic scholars and those with a general interest in ascertaining the effects and importance of regulation How does regulation impact the economy What roles do politicians play in making regulatory decisions Why do politicians enact laws that require regulations and then try to hamper agencies' abilities to issue those same regulations The authors answer these questions and untangle the misperceptions behind regulation by using an area of regulatory policy that has been underutilized until now Rather than focusing on the federal government Shapiro and Borie Holtz have gathered a unique dataset on the regulatory process and output in the United States They use state specific data from twenty eight states as well as a series of case studies on regulatory reform to question widespread impressions and ideas about the regulatory process The result is an incisive and comprehensive study of the relationship between politics and regulation that also encompasses the effects of regulation and the reasons why regulatory reforms are enacted

The Politics of Deregulation Martha Derthick, Paul J. Quirk, 2001-06-07 The standard wisdom among political scientists has been that iron triangles operated among regulatory agencies the regulated industries and members of Congress all presumably with a stake in preserving regulation that protected the industries from competition Despite almost unanimous agreement among economists that such regulation was inefficient it seemed highly unlikely that deregulation could occur Yet between 1975 and 1980 major deregulatory changes that strongly favored competition did take place in a wide range of industries The results are familiar to airline passengers users of telephone service and trucking freight shippers among others Martha Derthick and Paul J Quirk ask why this deregulation happened How did a diffuse public interest prevail over the powerful industry and

union interests that sought to preserve regulation Why did the regulatory commissions which were expected to be a major obstacle to deregulation instead take the initiative on behalf of it And why did influential members of Congress push for even greater deregulation The authors concentrate on three cases airlines trucking and telecommunications They find important similarities among the cases and discuss the implications of these findings for two broader topics the role that economic analysis has played in policy change and the capacity of the American political system for transcending narrow interests

Public Procurement and the EU Competition Rules Albert Sánchez Graells, 2015-06-25 Public procurement and competition law are both important fields of EU law and policy intimately intertwined in the creation of the internal market Hitherto their close connection has been noted but not closely examined This work is the most comprehensive attempt to date to explain the many ways in which these fields often considered independent of one another interact and overlap in the creation of the internal market This process of convergence between competition and public procurement law is particularly apparent in the 2014 Directives on public procurement which consolidate the principle of competition in terms very close to those advanced by the author in the first edition This second edition builds upon this approach and continues to ask how competition law principles inform and condition public procurement rules and whether the latter in their revised form are adequate to ensure that competition is not distorted The second edition also deepens the analysis of the market behaviour of the public buyer from a competition perspective Proceeding through a careful assessment of the general rules of competition and public procurement the book constantly tests the efficacy of these rules against a standard of the proper functioning of undistorted competition in the market for public procurement It also traces the increasing relevance of competition considerations in the case law of the Court of Justice of the European Union and sets out criteria and recommendations to continue influencing the development of EU Economic Law

Regulatory Framework in India Sapna Chadah, 2017-01-01 Since 1980s deregulation and contracting out of governmental functions services and responsibilities have reverberated around the world under the impact and influence of liberalization privatization and globalization LPG The shift of power from the public to the private sector has profound implications for public law There has been a shift in the perceived role of Government from acting as the principal vehicle for socio economic development to guiding and facilitating that development What we see is not that total retreat of the State but rather the substitution of one form of involvement by the state in the economy for another The book deals with legal and policy issues underpinning the development and strengthening of the regulatory and institutional framework for better governance Main thrust of book is to study and analyze the changes introduced under the impact of liberalization privatization and globalization on the system and sub systems of governance from the perspective of economy efficiency effectiveness ethics and equity The book is useful to legal professionals administrators academicians researchers and students

S. 981, the Regulatory Improvement Act of 1998 United States. Congress. Senate. Committee on Governmental Affairs, 1998

Future Survey Annual 1983 Michael

Marien,1984-01-01 **Environmental Jurisprudence in India** C.M. Abraham,2023-12-11 Within the last two decades India has not only enacted specific legislation on environmental protection but has also virtually created a new fundamental right to a clean environment in the Constitution The models and methods adopted in the Indian context appear at first sight similar to those in other common law systems Yet there are many subtle differences which have changed the structure and content of legal development in India Indian environmental jurisprudence brings out the unique characteristics of a new legal order which has gradually been established in India The distinguishing nature of this jurisprudence as this book shows in detail has three interconnected elements First the nature of the new Indian constitutional law regime accords greater importance to public concerns than protecting private interests Secondly this jurisprudential development reflects certain aspects of Indian legal culture through implicit and explicit reliance on autochthonous values and concepts of law encapsulated in the Indian juristic postulate of dharma Thirdly the emerging Indian environmental jurisprudence bears testimony to the activist role of the Indian judiciary which has also had a significant impact in many areas other than environmental law In short the development of environmental jurisprudence in India manifests neo dharmic jurisprudence in postmodern public law It accommodates ideas currently voiced by experts around the world for protecting the environment in forms modified by the Indian legal culture **Encyclopedia of Public Administration and Public Policy - 5 Volume**

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OECD,2008-11-05 The OECD has collectively underlined the importance of a high quality regulatory environment since the mid 1990s when the Council adopted the 1995 Recommendation on Improving the Quality of Government Regulation and its checklist as the first **The Economy As a System of Power** Marc Reed Tool,Warren Joseph Samuels,1989-01-01 The

articles in this volume address the fact and use of economic power in the American economy The institutional economists perspective exhibited here reflects a century long focus on and concern with economic power begun by Thorstein Veblen This volume presents a new generation of institutionalist scholars who add to that tradition a fresh and penetrating analysis of contemporary power centers and assessments of their use of power **Reimagining Clinical Legal Education** Linden

Thomas, Steven Vaughan, Bharat Malkani, Theresa Lynch, 2018-10-04 Clinical Legal Education CLE can be defined in broad terms as the study of law through real or simulated casework It enables students to experience the law in action and to reflect on those experiences CLE offers an alternative learning experience to the traditional lecture seminar method and allows participants to take the study of law beyond the lecture theatre and library CLE has been a part of English law schools for several decades and is becoming an increasingly popular component of a number of programmes It is also well established in North America Australia and many other countries around the globe In some law schools CLE is credit bearing in others it is an extracurricular activity Some CLE schemes focus on social welfare law whilst others are commercially orientated A number are run in conjunction with third sector organisations and many are supported by private practice law firms This edited collection brings together academics lawyers third sector organisations and students to discuss the present experience and potential of CLE As such it will be of interest to a wide and diverse audience both within and outside the UK

Federal Energy Regulatory Commission Statutes & Regulations United States. Federal Energy Regulatory Commission, **Taming Regulation** Robert T. Nakamura, Thomas W. Church, 2003-10-27 Despite three decades of vigorous efforts at deregulation across the government regulation remains ubiquitous It also continues to be unpopular because it forces individuals and businesses to do things frequently costly and unpleasant things that they don't want to do If regulatory programs are to survive and remain effective the challenge posed by their endemic unpopularity and political vulnerability must be met Unlike much of the existing literature on regulation Taming Regulation begins with the assumption that the government's capacity to utilize regulation as a policy tool is vital The book examines the questions of how to make the inherently coercive aspects of regulation more politically acceptable in the present antiregulatory environment and how the legal and administrative challenges of reform in ongoing regulatory programs might best be approached The authors explore these issues through a case study of administrative reform in the Superfund program Chartered with an ambitious mission to clean up the nation's hazardous waste sites Superfund was from its inception a uniquely aggressive and unpopular program Yet despite the election in 1994 of a Republican Congress committed to fundamental changes in environmental regulation the Superfund program weathered the storm and remains intact today The authors credit this political and programmatic success to a series of artfully designed and orchestrated internal reforms that softened Superfund's implementation thus increasing its political support while retaining its potent coercive tools Taming Regulation provides a cautionary discussion of both the necessity and the difficulty of regulatory reform It is essential reading for students of regulation and environmental policy for practitioners contemplating reform of ongoing regulatory programs and for those interested in the checkered history of Superfund

Nomination of Stephen G. Breyer to be an Associate Justice of the Supreme Court of the United States United States. Congress. Senate. Committee on the Judiciary, 1995 Distributed to some depository libraries in microfiche

China's Financial Supervision and Regulation Hu Bin, 2012-12-01 New for 2012 and set to be published

annually this detailed report outlines the regulatory framework across China's financial sectors Offering clear historical perspective a comprehensive breakdown of the current regulations plus future policy recommendations this new book will enable the reader to successfully navigate China's complex regulatory framework China's Financial Supervision and Regulation A Report Volume 1 features authoritative and far reaching reports from two of China's leading finance and regulatory experts Hu Bin and Yin Zhentao followed by a series of detailed sub reports which examine industry specific regulations in great detail General Reports Evolution of China's Financial Supervision and Regulations 1949 2011 China's Financial Supervision and Regulations Developments in 2011 Sub reports Annual Developments in Banking Regulation Annual Developments in Securities Regulation Annual Developments in Insurance Regulation Annual Developments in Foreign Exchange Management The authors outline China's financial supervision and regulations in a systematic comprehensive and authoritative manner to ensure financial institutions and regulatory authorities can now access the key reference material and guidance they require when interacting with China's financial regulations and laws This book is published by China specialists Paths International in association with Social Sciences Academic Press China and China's prestigious Research Centre for Financial Laws and Regulations RCFLR

Federal Telecommunications Law Peter William Huber, Peter W. Huber, Michael K. Kellogg, John Thorne, 1999-01-01 This definitive legal guide to the new world of telecommunications provides you with thorough authoritative analysis you need to understand and comply with the complex regulatory landscape in the industry You'll find timely review of key legislation FCC rules regulations and orders and court decisions with extensive citations and cross references for such essential topics as the economics of interconnection and detailed discussions of pricing methodologies of offering services for resale interconnection rules for wire line networks including the specific rules imposed on incumbent LECs antitrust litigation in the wake of the 1996 Act with comprehensive analysis of the cases brought against incumbent local telephone companies significant changes to universal services requirements regulations and policies involving horizontal and vertical mergers and acquisitions the FCC's rule making and other powers rights and duties arising from the laws of privacy intellectual property and free speech and much more Federal Telecommunications Law Second Edition provides all the laws and rules including those for price regulation common carriage universal service regulations and court decisions are analyzed in detail to provide you with a thorough understanding of the environment within which you must work Trends in competition industry structures and technology are explored offering you a total picture of the telecommunications industry in areas such as telecommunications equipment long distance services wireless services the Internet and data services information services video services and more

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