

Chapter 8 Study Guide

Question 1

2.5 / 2.5 points

Administrative agencies are created with the primary goal of:

- A) Creating a body of professionals who are experts in a specific field.
- B) Alleviating the tax burden on the public.
- C) Creating distinct sets of law with a unique perspective.
- D) Alleviating the time constraints on the legislature.

Question 2

0 / 2.5 points

The delegation doctrine means that:

- A) A state agency only has the power that its counterpart federal agency has delegated to it.
- B) Employees of federal agencies only have the power that their agency supervisors have delegated to them.
- C) Federal and state agencies only have the power that has been delegated to them by their authorizing legislation or executive orders.
- D) A federal agency only has the power that has been delegated to it by the director of the agency.

Question 3

0 / 2.5 points

A federal agency has all of the following delegated legislative powers except:

- A) Statements of Policy.
- B) Substantive Rule Making.
- C) Interpretive Rule Making.
- D) Adjudicate determinations.

Question 4

0 / 2.5 points

When an agency conducts an inspection, the inspection is usually considered to be reasonable under the 4th Amendment when:

- A) The party voluntarily agrees to the search.
- B) The business being searched is part of a hazardous industry for which statutes authorize nonarbitrary warrantless searches.
- C) All of the above.
- D) Not A and or B above.

Question 5

0 / 2.5 points

When an agency serves a complaint on someone the agency believes has violated a statute or administrative rule, the person is called the:

- A) The defendant.
- B) The respondent.
- C) The complainant.
- D) The appellee.

Question 6

0 / 2.5 points

All of the following are conditions that must be satisfied before a petitioner can appeal an action of an administrative agency to a reviewing court except:

- A) The case must be ripe for review.
- B) The administrative law judge's decision must be written.
- C) The petitioner must have exhausted all administrative remedies.
- D) The agency's decision must be final.

Question 7

0 / 2.5 points

A court may suspend the requirement that the administrative decision be final before it can be reviewed if:

- A) The petitioner would suffer irreparable injury.
- B) The petitioner would suffer economic hardship.
- C) Either of the above.
- D) None of the above.

Question 8

0 / 2.5 points

The law that allows the public to request access to most documents in the possession of federal agencies is known as the:

- A) Freedom of Information Act.
- B) Government in the Sunshine Act.
- C) Equal Access to Justice Act.
- D) Privacy Act.

Question 9

0 / 2.5 points

The agency that regulates food, drugs, and cosmetics is the:

- A) FBI.
- B) FTC

- C) FEC
- D) FDA

Question 10 0 / 2.5 points

The statute that stipulates that federal administrative agencies can maintain only information about an individual that is relevant and necessary to accomplish a legitimate agency purpose is the:

- A) Equal Access to Justice Act.
- B) Government in Sunshine Act
- C) Freedom of Information Act.
- D) Privacy Act.

Question 11

0 / 2.5 points

Regulations that apply to business and industry are:

- A) General government regulations.
- B) Specific government regulations.
- C) Delegated government regulations.
- D) Reserved government regulations.

Question 12

0 / 2.5 points

Law that established procedures as to how agencies must conduct business:

- A) Government in the sunshine act.
- B) Equal access to justice act.
- C) Administrative procedures act.
- D) Privacy act.

Question 13

0 / 2.5 points

Administrative agencies have:

- A) Executive powers
- B) Legislative powers.
- C) Judicial powers.
- D) All of the above

Question 14

0 / 2.5 points

Judicial powers of an administrative agency include power to:

- A) Decide disputes that arise under their rules and regulations.
- B) Issue subpoenas requiring witnesses to testify at trial.
- C) Issue licenses.
- D) All of the above.

Question 15

0 / 2.5 points

This act requires agency meetings be open to the public:

- A) Freedom of Information Act.
- B) Government in the Sunshine Act.
- C) Equal Access to Justice Act.
- D) Privacy Act.

Question 16

0 / 2.5 points

The Interstate Commerce Commission, which regulates railroad and trucking, is an example of:

- A) General Government Regulations.
- B) Specific Government Regulations.
- C) Delegated Government Regulations.
- D) Reserved Government Regulations.

Question 17

0 / 2.5 points

The doctrine of immunity says:

- A) An agency and its employees are liable for their actions and decisions made while conducting agency business.
- B) An agency is not liable but employees are liable for their actions and decisions made while conducting agency business.
- C) An employee is not liable for actions and decisions made while conducting agency business
- D) None of the above

Question 18

0 / 2.5 points

The agency that enforces laws ensuring seller of goods use fair practices in advertising:

- A) Federal Sales Commission.
- B) Federal Advertising Commission.
- C) Federal Buyer's Rights Commission.

D) Federal Trade Commission.

Question 19

0 / 2.5 points

Food that is labeled with false or misleading information is:

- A) Misbranded.
- B) Mislabeled.
- C) Adulterated.
- D) All of the above.

Question 20

0 / 2.5 points

Federal agencies may not make their own substantive rules because only legislatures have the power to make substantive law.

- A) True
 - B) False
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