

A Snapshot of Maine Regulation in 2018

113,862 Restrictions, 8.1 Million Words, and 11 Weeks to Read

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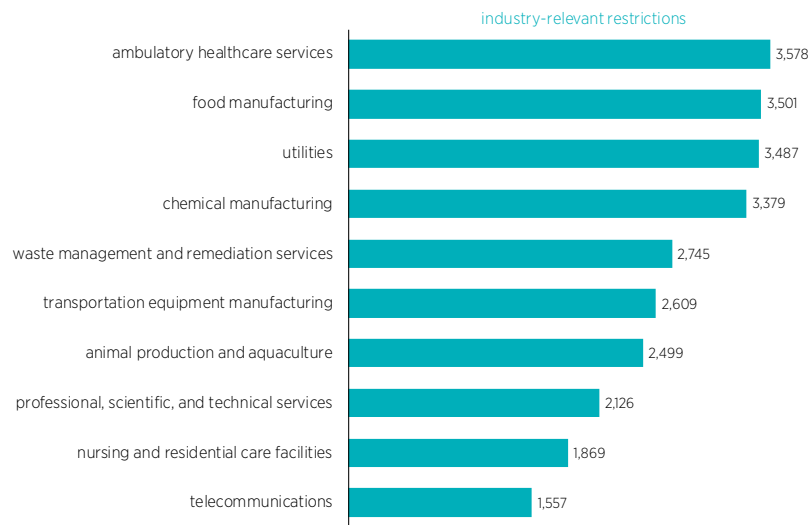
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It would take an ordinary person more than two and a half years to read the entire US *Code of Federal Regulations* (CFR), which contained nearly 104 million words in 2017.¹ The sheer size of the CFR poses a problem not just for the individuals and businesses that want to stay in compliance with the law but also for anyone interested in understanding the consequences of this massive system of rules. States also have sizable regulatory codes, which add an additional layer to the large body of federal regulation. A prime example is the online version of the 2018 *Code of Maine Rules* (CMR).²

Researchers at the Mercatus Center at George Mason University developed State RegData, a platform for analyzing and quantifying state regulatory text.³ State RegData captures information in minutes that would take hours, weeks, or even years to obtain by reading and counting. For example, the tool allows researchers to identify the industries that state regulation targets most by connecting text relevant to those industries with restrictive word counts. Referred to as regulatory restrictions, the words and phrases *shall*, *must*, *may not*, *prohibited*, and *required* can signify legal constraints and obligations.⁴ As shown in figure 1, the three industries with the highest estimates of industry-relevant restrictions in the 2018 CMR are ambulatory healthcare services, food manufacturing, and utilities.

State RegData also reveals that the 2018 CMR contains 113,862 restrictions and 8.1 million words. It would take an individual about 449 hours—or more than 11 weeks—to read the entire CMR. That’s assuming the reader spends 40 hours per week reading and reads at a rate of 300 words per minute. By comparison, there are 1.09 million additional restrictions in the federal code.⁵ Individuals and businesses in Maine must navigate these different layers of restrictions to remain in compliance.

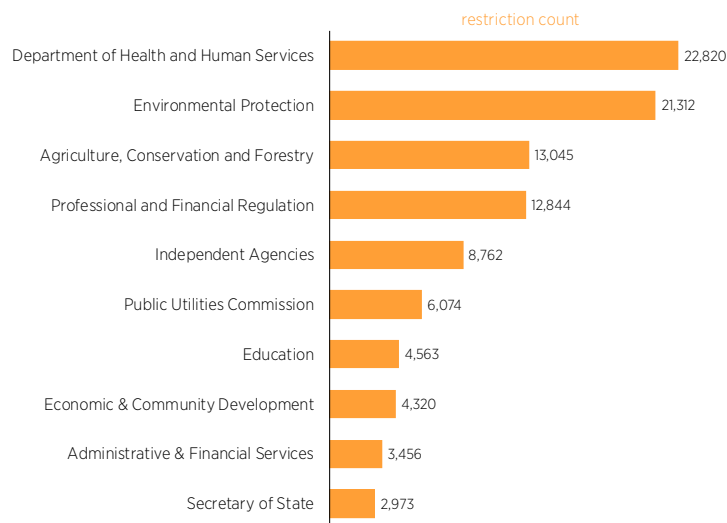
Figure 1. Top 10 Industries Targeted by Maine State Regulation in 2018



Source: State RegData (Maine data), <https://quantgov.org/state-regdata/>.

The rules in the CMR are organized by government agency. Figure 2 shows that the sections of the CMR associated with the Department of Health and Human Services contain 22,820 restrictions. By this measure, this is the biggest regulator in Maine. Coming in second is the Department of Environmental Protection, with 21,312 restrictions.

Figure 2. Top 10 Regulators in Maine in 2018



Source: State RegData (Maine data), <https://quantgov.org/state-regdata/>.

Federal regulation tends to attract the most headlines, but it is important to remember that the nearly 104 million words and 1.09 million restrictions in the federal code significantly understate the true scope of regulation in the United States. States like Maine write millions of additional words of regulation and hundreds of thousands of additional restrictions. State-level requirements carry the force of law to restrict individuals and businesses just as federal ones do.

Researchers are only beginning to understand the consequences of the massive and growing federal regulatory system on economic growth and well-being in the United States.⁶ Meanwhile, the effects of state regulation remain largely unknown. If this snapshot of Maine regulation in 2018 is a good indicator, then the states are also active regulators, suggesting that the full impact of regulation on society is far greater than that of federal regulation alone.

ABOUT THE AUTHOR

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ACKNOWLEDGEMENTS

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NOTES

1. This assumes the person reads 300 words per minute for 40 hours per week with two weeks of vacation per year. “RegData 3.1,” QuantGov; Patrick A. McLaughlin, Oliver Sherouse, Daniel Francis, Michael Gasvoda, Jonathan Nelson, Stephen Strosko, and Tyler Richards, “RegData 3.0 User’s Guide,” accessed February 15, 2018, <https://quantgov.org/regdata/users-guide/>.
2. Maine Department of the Secretary of State, Bureau of Corporations, Elections & Commissions, “Rules by Department,” accessed November 14, 2018, <https://www.maine.gov/sos/cec/rules/rules.html>.
3. State RegData is part of a broader project called QuantGov, which seeks to quantify legal text. See Patrick A. McLaughlin and Oliver Sherouse, “QuantGov—A Policy Analytics Platform,” QuantGov, December 20, 2017. Data for Mississippi are available at State RegData (Maine data), <https://quantgov.org/state-regdata/>.
4. Restrictions can also occur in legal text for other purposes, such as for definitional purposes. At times, restrictions may relate to government employees rather than the private sector.
5. “RegData 3.1”; McLaughlin et al., “RegData 3.0 User’s Guide.”
6. See, for example, Bentley Coffey, Patrick A. McLaughlin, and Pietro Peretto, “The Cumulative Cost of Regulations” (Mercatus Working Paper, Mercatus Center at George Mason University, Arlington, VA, 2016).