

# WILL: Study- Wisconsin has more per-capita regulations than neighboring states

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The News: A new [study](#) from the Wisconsin Institute for Law & Liberty (WILL) finds that the Wisconsin Administrative Code contains more than 161,000 restrictions, making Wisconsin the most regulated state on a per-capita basis in the Great Lakes region. The study, [Wisconsin Regulation in Focus](#), examines the breadth of Wisconsin's growing regulatory code, the cost to Wisconsin's economy and workforce, and recommendations for reform.

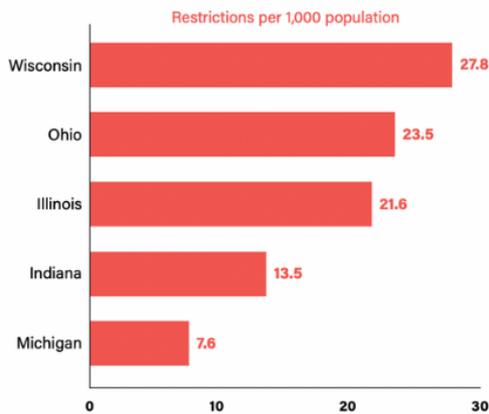
The Quotes: WILL Bradley Freedom Fellow and University of Wisconsin - La Crosse Professor, Adam Hoffer, PhD, said, "Wisconsin's regulatory burden remains one of the greatest impediments to economic growth and development in the state. Any serious policy reforms that aim to make Wisconsin competitive in the global economy need to address the state's significant regulatory hurdles."

Senior Research Fellow at the Mercatus Center at George Mason University, James Broughel, PhD, said, "Wisconsin is significantly more regulated at the state level than the average state in the nation, and it has about sixty thousand more regulatory restrictions than nearby Minnesota. With all those rules, it may be time for some spring cleaning."

Diving Deeper: [Wisconsin Regulation in Focus](#), by WILL Bradley Freedom Fellow and University of Wisconsin - La Crosse Professor, Adam Hoffer, PhD, and James Broughel, PhD, Senior Research Fellow at the Mercatus Center at George Mason University, provides an in-depth review of Wisconsin's regulatory process, the volume of rules in the Wisconsin Administrative Code, the costs and burdens of regulation, and recommendations for reform.

- There are more regulations than anyone can keep up with. The Wisconsin Administrative Code contained 12.25 million words as of 2020. If the average person can read about 300 words per minute and spends 40 hours per week reading, it would take an individual about 681 hours, or roughly 17 weeks, to read every word in the Wisconsin Administrative Code.
- Wisconsin's regulations are more burdensome than neighboring states. The Wisconsin Administrative Code contained 161,549 regulatory restrictions as of 2020. By this measure, Wisconsin is more regulated than the average state, which has about 134,000 restrictions. And Wisconsin's per capita regulatory restrictions are the most in the Great Lakes region.
- Wisconsin DNR leads the way in regulations. The Department of Natural Resources (DNR) has more than 55,000 regulatory restrictions - more than any other department in the state. The Department of Health Services, the Department of Agriculture, Trade and Consumer Protection, and the Department of Safety and Professional Services all have more than 15,000 regulatory restrictions in their respective sections of the state administrative code.
- Regulations stifle growth. A recent study estimated that federal regulatory growth from 1997 to 2015 is associated with 85,281 more people living in poverty in Wisconsin, 3.2% higher income inequality in the state, 170 fewer businesses annually, 2,620 lost jobs annually, and 7.35% higher prices.

**Figure 1. Population-adjusted Regulatory Restrictions for Great Lakes States**



Source: A Snapshot of Regulations in Great Lakes States. Kofi Ampaabeng and James Broughel, Mercatus Center at George Mason University, 2021.

**"[This chart] demonstrates that on a per-capita basis, Wisconsin is the most regulated state in the Great Lakes region."**



Recommendations for Reform: Wisconsin has adopted some notable reforms in recent years, particularly with respect to legislative oversight of rulemaking. But there is ample opportunity for Wisconsin to become a leader in regulatory reform. At some point Wisconsin must address its outsized regulatory load.

- Wisconsin may want to follow the example of states that have implemented red tape cutting reforms or established regulatory review commissions in recent years. Idaho, for example, cut its regulatory restrictions by about 37 percent in a single year, 2019.
- Whenever state agencies adopt a regulation that imposes a positive cost, they could be required to simultaneously find cost savings to offset the new burden. Texas passed a similar law in 2017.
- A sunset provision could add teeth to Wisconsin's periodic review requirements. For example, regulations or chapters could expire seven years after adopted, unless readopted through ordinary rulemaking procedures. Similar provisions exist in states like Indiana, New Hampshire, and Kentucky.
- "Formal rulemaking" includes trial-like procedures, overseen by an administrative law judge, and involves presentation of evidence, and allows for cross-examination of state witnesses. Minnesota has a surprisingly light regulatory load relative to some of its neighbors, including Wisconsin, and it uses similar procedures in rulemaking.

Read More:

- [Wisconsin Regulations in Focus](#), James Broughel, PhD, and Adam Hoffer, PhD, November 2021

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