

Department of Legislative Services
 Maryland General Assembly
 2008 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1602

(Delegate Malone)

Appropriations

Budget and Taxation

Commission to Study the Impact of Immigrants in Maryland

This bill establishes a Commission to Study the Impact of Immigrants in Maryland. The University of Maryland, College Park must provide staff for the commission, in consultation with the Department of Legislative Services, the Department of Budget and Management, and the Governor’s Office. The commission is required to report its findings to the Governor and the General Assembly by January 1, 2011. In developing its findings for the report, the commission is required, to the extent possible, to distinguish between persons of lawful immigration status and those who are not in lawful immigration status.

The bill takes effect June 1, 2008 and terminates May 31, 2011.

Fiscal Summary

State Effect: General fund expenditures would increase by \$108,300 in FY 2009 and \$111,700 by FY 2011 due to the cost of hiring and equipping a team of researchers from the University of Maryland, College Park. Revenues would not be affected.

(in dollars)	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	108,300	109,100	111,700	0	0
Net Effect	(\$108,300)	(\$109,100)	(\$111,700)	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: While the U.S. Constitution does not explicitly grant the federal government the authority to regulate immigration matters, the federal government has retained broad and exclusive power to regulate immigration laws and foreign nationals residing in the United States. The Supremacy Clause of the U.S. Constitution provides that federal law is the supreme law of the land and thus invalidates any state or local law that either interferes or is contrary to federal law. This invalidation is termed federal preemption. Courts have consistently noted that immigration constitutes a federal concern, not a state or local matter, and that the U.S. Congress had made clear its intent that federal law preempt state law in the area of immigration.

Background: Maryland continues to be a major destination for immigrants, with over 20,000 legal immigrants coming to the State each year. International immigration added 129,730 people to the State's population between 2000 and 2006, the fifteenth largest gain from immigration among all states during that period (**Appendix 1**). Immigration to Maryland is concentrated in the suburban Washington region, which includes Frederick, Montgomery, and Prince George's counties. Approximately 72.5% of immigrants arriving in Maryland since 2000 decided to locate in these counties. Montgomery County is the most popular locality for immigrants to Maryland, with nearly 50% of all recent immigrants deciding to live in the county. Montgomery and Prince George's counties gained more than twice as many people through international immigration than the rest of the State combined.

A significant portion of Maryland's immigrants are undocumented, according to estimates made by private research organizations. The Pew Hispanic Center, which does not take positions on policy issues, estimated that there were between 225,000 and 275,000 undocumented immigrants in Maryland in 2005. Maryland had the eleventh highest number of undocumented immigrants among the states that year, according to the center. The Center for Immigration Studies, which advocates reducing immigration, estimated that there were 268,000 undocumented immigrants in Maryland in 2007. This estimate was based on an analysis of data from the U.S. Census Bureau's *2007 Current Population Survey*.

State Expenditures: General fund expenditures would increase by \$108,300 in fiscal 2009, \$109,100 in fiscal 2010, and \$111,700 in fiscal 2011 due to the cost of providing research support by the University of Maryland, College Park.

UMCP would designate a professor of demography to lead the commission's research team at a cost of \$53,800 in fiscal 2009. This professor would perform half of the work during the summer months and the rest during the academic year, thus requiring that the

professor be released from other course work. UMCP would designate a professor of economics to enhance the research, particularly with respect to fiscal studies. This professor would only be used for one summer month each year at a cost of \$9,000 in fiscal 2009.

Two graduate research students would be needed to do the majority of the data collection and analysis associated with the commission’s research. The graduate assistants’ tuition remission would total \$6,000 annually. Operating expenses for the research team, including technology, equipment, travel, and data collection, would be \$18,500 in fiscal 2009.

	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>
Salaries and Fringe Benefits	\$89,804	\$93,845	\$96,068
Operating Expenses	<u>18,500</u>	<u>15,300</u>	<u>15,606</u>
Total State Expenditures	\$108,304	\$109,145	\$111,674

Any reimbursement expenses for commission members are assumed to be minimal and absorbable within existing budgeted resources. In addition, Legislative Services, Budget and Management, and the Governor’s Office could assist the commission with existing staff.

General fund expenditures would increase by an additional \$105,200 in fiscal 2009 if the research staff included a masters level research analyst rather than a second graduate research student, as recommended by the University System of Maryland. This expenditure increase reflects the estimated cost of the research analyst’s salary and benefits. The increase also reflects additional expenditures to pay the graduate research student’s \$22,500 in stipend and benefits. Legislative Services advises that the expenses related to assigning a graduate research student to a research project such as this is an expense that could be handled with existing resources.

Additional Information

Prior Introductions: None.

Cross File: SB 475 (Senator Madaleno, *et al.*) – Budget and Taxation.

Information Source(s): Comptroller’s Office, University System of Maryland, Department of Budget and Management, Department of Legislative Services

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Appendix 1
International Immigration for Maryland Jurisdictions
April 1, 2000 to July 1, 2006

County	Number of Individuals				Ranking by Number of Individuals		Ranking by Percent of State Total	
	7/1/2000- 7/1/2001	7/1/2004- 7/1/2005	7/1/2005- 7/1/2006	4/1/2000- 7/1/2006	County	2000-2006	County	2000-2006
Allegany	26	21	22	137	1. Montgomery	62,627	1. Montgomery	48.3%
Anne Arundel	644	508	992	2,644	2. Prince George's	29,602	2. Prince George's	22.8%
Baltimore City	1,429	1,195	1,212	7,943	3. Baltimore	12,782	3. Baltimore	9.9%
Baltimore	2,287	1,921	1,949	12,782	4. Baltimore City	7,943	4. Baltimore City	6.1%
Calvert	52	42	65	243	5. Howard	6,892	5. Howard	5.3%
Caroline	65	49	50	343	6. Anne Arundel	2,644	6. Anne Arundel	2.0%
Carroll	88	73	78	474	7. Frederick	1,832	7. Frederick	1.4%
Cecil	60	50	53	328	8. Wicomico	983	8. Wicomico	0.8%
Charles	68	50	136	200	9. Harford	876	9. Harford	0.7%
Dorchester	13	8	9	60	10. Washington	487	10. Washington	0.4%
Frederick	343	285	327	1,832	11. Carroll	474	11. Carroll	0.4%
Garrett	6	4	4	29	12. Worcester	370	12. Worcester	0.3%
Harford	181	148	218	876	13. Caroline	343	13. Caroline	0.3%
Howard	1,250	1,048	1,091	6,892	14. Cecil	328	14. Cecil	0.3%
Kent	31	29	29	180	15. Queen Anne's	280	15. Queen Anne's	0.2%
Montgomery	11,202	9,428	9,566	62,627	16. Calvert	243	16. Calvert	0.2%
Prince George's	5,373	4,507	4,791	29,602	17. Somerset	222	17. Somerset	0.2%
Queen Anne's	49	45	47	280	18. Talbot	204	18. Talbot	0.2%
St. Mary's	39	25	135	-8	19. Charles	200	19. Charles	0.2%
Somerset	40	33	34	222	20. Kent	180	20. Kent	0.1%
Talbot	39	30	30	204	21. Allegany	137	21. Allegany	0.1%
Washington	93	74	81	487	22. Dorchester	60	22. Dorchester	0.0%
Wicomico	175	152	157	983	23. Garrett	29	23. Garrett	0.0%
Worcester	65	58	59	370	24. St. Mary's	-8	24. St. Mary's	0.0%
Maryland	23,618	19,783	21,135	129,730				

Source: Maryland Department of Planning; U.S. Census Bureau

