

N.D.A.G. Letter to Enget (June 21, 1991)

June 21, 1991

Wade G. Enget
Mountrail County State's Attorney
P.O. Box 369
Stanley, ND 58784

Dear Mr. Enget:

Thank you for your June 5, 1991, letter regarding the effective date of the 1990 Federal Decennial Census for state purposes, particularly for county redistricting and distribution of highway funds.

Federal law requires that census data be made available to the states no later than one year following the decennial census date. 13 U.S.C. § 141(c) (1988). The census date for the 1990 decennial census was April 1, 1990. 13 U.S.C. § 141(a) (1988). Therefore, census data for the 1990 census must be made available to the states no later than April 1, 1991.

A letter opinion of some years ago adopted the date by which census information must be made available to the states as the official date of publication of the census for state matters. Letter to Mr. Robert Striebel from First Assistant Attorney General Paul Sand, June 4, 1970.

Therefore, it is my opinion that the official date of publication for state purposes is the date required by Congress for census data to be reported to the states. In this case, that date is April 1, 1991.

Sincerely,

Nicholas J. Spaeth

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