



Attorney General

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Robert R. Corbin

October 16, 1987

Mr. Eddie F. Brown, Director
Arizona Department of Economic Security
1717 West Jefferson
P.O. Box 6123
Phoenix, Arizona 85005

Re: I87-134 (R87-159)

Dear Mr. Brown:

You have asked whether the population estimates prepared annually by the Department of Economic Security ("Department") pursuant to A.R.S. § 41-1954(A)(14) must be reviewed and approved by the Population Technical Advisory Committee ("Committee") before they are submitted to the Economic Estimates Commission ("Commission"). We conclude that the estimates prepared pursuant to A.R.S. § 41-1954(A)(14) are not subject to the review and approval of the Committee.

The Commission is responsible for determining the yearly expenditure limitations for counties, cities and towns. Ariz. Const., art. IX, § 20. That determination requires consideration of population estimates submitted to the Commission by the Department.

A.R.S. § 41-1954(A)(14) states:

A. In addition to the powers and duties of the agencies listed in subsection D of § 41-1953 the department shall:

14. Annually estimate the current year's population of each county, city and town in this state, using the periodic census conducted by the United States department of commerce, or its successor agency, as the

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basis for such estimates and deliver such estimates to the economic estimates commission prior to December 15.

(Emphasis added).

Your question requires us to address the relationship between the Department's duties under the statute and the Department's duties under Executive Order 77-5 with respect to submitting population projections to the Committee for review and approval.

That Executive Order designates the Department as the state agency responsible for preparing official population estimates and projections for Arizona. It also creates the Committee, composed of representatives from a variety of state and local agencies and institutions within the state. The function of the Committee is to review and approve population projections made by the Department and others, after which, those approved projections become the official population projections to be used by all state agencies. Relevant provisions of that Executive Order are:

NOW THEREFORE, I, Raul H. Castro, Governor of the State of Arizona, do hereby designate the Arizona Department of Economic Security as the official population estimating and projecting agency for Arizona, with the following responsibilities:

1. The Department of Economic Security shall carry out the State's function of preparing official population estimates under the Federal-State Cooperative Program for Population Estimating in cooperation with the U.S. Bureau of the Census.
2. The Department of Economic Security shall prepare annual population estimates for the state and its counties and municipalities.

- 3(A) The Department of Economic Security shall annually prepare population projections for the State and its counties, cities, towns and unincorporated areas which have current populations of 1,000 or more, covering a fifty-year period with single year projections for the current and immediately succeeding ten years and for each decennial and mid-decade census year thereafter.
- 3(B) The Regional Councils of Governments may provide population projections for each decennial and mid-decade year, up to twenty-five succeeding years, to the Department of Economic Security for all cities, towns and unincorporated areas within the designated regional planning district. The population projections provided by the Councils of Governments must be consistent with the Department of Economic Security's countywide projection figures. These figures will be utilized by the Department of Economic Security in preparing the official population projections for cities, towns and unincorporated areas in Arizona.
- 3(C) The Department of Economic Security will arrange for interagency contractual agreements for those agencies requiring special population projections not provided under subsection "A".
4. The population projections made annually by the Arizona Department of Economic Security shall be subject to review and approval by a Technical Advisory Committee comprised of, but not limited to, representatives from the following agencies and institutions:
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5. Upon review and approval by the Technical Advisory Committee, population projections made by the Arizona Department of Economic Security shall become the official population projections and shall be used by all State agencies.

(Emphasis added.)

This Executive Order consistently distinguishes between population estimates and population projections. These terms have distinct meanings in the field of demography. A population "estimate" is prepared by carrying forward the immediately preceding census count, using actual data related to population change. An estimate is for a date in the past. A population "projection" relates to the future and depends on the extension of trends, without reference to actual data during the projection period. Irwin, Richard, Technical Paper No. 39, Guide For Local Area Population Projections, page 3, July 1977. U.S. Dept. of Commerce, Bureau of the Census.

The Executive Order provides in paragraphs 1 and 2 that the Department prepare population estimates for the state and its counties and municipalities. No review or approval function is established in the Order for the estimate process. The Committee's review and approval authority extends only to population projections.

We therefore conclude that there is no conflict between the terms of the Executive Order and the terms of A.R.S. § 41-1954(A). Together they provide for the Department to prepare population estimates and send them directly to the Commission, without an interim review or approval. Population projections, however, must be submitted to the Committee for review and approval.

Sincerely,



BOB CORBIN
Attorney General

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