



The Arizona Contractors Association, Inc.

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For Immediate Release
June 21, 2010

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Judge Rules Fund Sweep Unconstitutional Victory for ACA & Business Community

(Phoenix, AZ) -- Maricopa County Superior Court Judge Larry Grant ruled that the State of Arizona's fund sweep of the Industrial Commission of Arizona's "Special Fund" is unconstitutional. In January 2009, during a special session of the Arizona Legislature, Senate Bill 1001 was enacted, which included two transfers from the "Special Fund" to the State of Arizona General Fund, totaling nearly \$4.7 million. The "Special Fund" is maintained by the Industrial Commission of Arizona under the Workers' Compensation Act. The Special Fund is derived from contributions from employers, insurance companies and the SCF Arizona and is held in trust for the benefit of injured employees who have suffered work related injuries and whose insurance provider has gone insolvent.

The Arizona Contractors Association along with fellow Plaintiff-Interveners' include SCF Arizona, NFIB, the American Insurance Association, the Arizona Self-Insurers Association, the Arizona Multihousing Association, the Arizona Beef Council, the Alliance of Construction Trades, the Arizona Police Association, the Professional Firefighters of Arizona, the Arizona Building and Construction Trades Council and the Arizona Education Association joined together and filed a Motion for Summary Judgment, which was granted by Judge Grant on June 17, 2010.

"Clearly, the use of fund sweeps by the Arizona Legislature, in this particular case was not the correct course of action to fix the state's budget problems," said ACA's President/CEO David Jones. Jones also said, "I am glad to see employers and employees partner on this case, it was a very strong group of Plaintiff-Interveners, with strong arguments and I think Judge Grant understood that.

To view the Minute Entry please visit ACA's website at www.azca.com.

Over 50 years the Arizona Contractors Association has represented both commercial and residential general contractors, subcontractors of all trades, developers, architects, engineers and professional who lend their services to the construction industry. ACA represents nearly 300 members from across Arizona, who joins in a common mission to provide corporate, political and civic leadership in the Arizona construction industry for the benefit of our companies, employees and our communities. ACA is the foremost construction association in the dissemination of superior information and technology, opportunities for business networking and is the industry's legislative liaison to facilitate excellence, professionalism, advancement and profitability for the construction industry in Arizona.

For more information, contact the Arizona Contractors Association at (602) 246-8627. Visit ACA online at www.azca.com