

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2008-020928

07/09/2009

HONORABLE A. CRAIG BLAKEY II

CLERK OF THE COURT
J. Rutledge
Deputy

ARIZONA FARM BUREAU FEDERATION, et
al.

MICHAEL A PARHAM

v.

JANET NAPOLITANO, et al.

WILLIAM A RICHARDS

KELLY SCHWAB

RULING

This matter has been under advisement on Plaintiffs' Motion for Summary Judgment on Plaintiffs', Defendants' and Plaintiff-Intervenor's Motions for Summary Judgment. Having considered the parties' memoranda, as well as the oral arguments of counsel,

The Court finds that the monies in the funds at issue consist of fees and donations collected for specific purposes; specifically, the marketing, promotion and research of agricultural products produced in the State of Arizona.

The Court further finds that the fees and donations used in furthering agricultural interest are not general fund monies that can be swept or utilized for any legislative purpose. Instead, deposits in the various funds are earmarked as set forth in their enabling statutes and the Legislature cannot modify the purposes without legislation allowing such modification. Accordingly, adopting the Plaintiffs'/Intervenor's arguments,

IT IS ORDERED granting summary judgment in their favor.

IT IS FURTHER ORDERED denying Defendants' Cross-Motion.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>