

Idaho Statesman, Monday, March 22, 2010 — by The AP (2 pages)

Idahoans will get their say on 3 constitutional changes

Boise activist David Frazier opposes 2 of the proposals to let cities and other entities take on debt without voters' OK.

The man who four years ago scuttled Boise's plan to finance a new airport parking garage without a vote says he's angry about the Legislature's push to change anti-debt provisions in the state constitution to allow such projects to move forward.

The amendments have sailed through the Legislature with almost no opposition. They do not need to be signed by the governor. But voters must approve them with a simple majority in the November election. Residents will be asked to decide if cities and publicly owned hospitals should be free to sign long-term financing contracts without a vote, provided no taxpayer money is pledged to repay debts.

David Frazier, the Boise citizen activist who took his opposition of the airport parking garage to court in 2006 and won, said he has no problem with the amendment to allow Idaho Falls and 10 other so-called "power cities" to sign contracts to buy electricity.

But Frazier, a self-described "63-year-old fat, bald, photographer-blogger" who writes the Boise Guardian blog, argues the two other amendments - aimed at helping cities and county hospitals construct new buildings or buy equipment - seek to skirt 60-year-old anti-debt provisions in the constitution that have served Idaho well.

Frazier challenged Boise plans to sell bonds to finance construction of the five-story, \$30 million garage. The bonds would have been paid off using parking fees and other airport revenues. Two stories of the garage would have been occupied by rental car agencies. No taxpayer dollars were involved, and taxpayers were not at risk in the event of a default.

He sued when the city decided not to seek a public vote on the project. He lost in District Court, but the Idaho Supreme Court later agreed that the state constitution requires that when the need isn't urgent, public entities must get two-thirds voter approval before incurring long-term debt, even when taxpayer dollars aren't at stake.

"I don't have a problem with whatever the airport wants to do, as long as it's with a vote of the people," Frazier said. "If people have a fair conception of what they're voting for and they approve it, then go for it."

Frazier contends the proposed amendments "are craftily worded to conceal the fact that citizens currently have the right to approve long-term debt, and if these amendments pass, those voting rights would be eliminated."

"The amendment, as it applies to airports," he said, "is nothing more than an attempt to allow cities to enter the real estate speculation business."

But since Frazier's victory, cities, counties and hospitals across Idaho have said the ruling's broad interpretation has resulted in complications every time they seek to lease or buy snow plows, purchase power, even procure medical equipment like expensive MRI scanners.

For the last two years, lawmakers' efforts to put similar amendments before voters failed. A similar 2008 resolution died by a single vote when one senator who could have decided the matter was absent during the waning hours of the session.

This session, top state military brass showed up at one hearing to underscore their contention that allowing Boise to build revenue-generating airport facilities without a vote would help Idaho lure the coveted F-35 Joint Strike Fighter that the state is vying for against military installations across the nation.

Boise Airport Director Richard A. McConnell, whose terminal is just across from the Gowen Field Air National Guard base, said he needs as much financing flexibility as possible to develop hangars on airport property that may eventually house maintenance services for the new military plane, should Idaho win it.

"We want to be able to sit down with different entities to discuss their different infrastructure needs," McConnell said recently. "Having all the financial tools available to us is extremely important."

Sen. Joe Stegner, R-Lewiston, the amendments' sponsor, assured other senators that despite the constitutional changes, there were ironclad assurances that taxpayers won't be on the hook for unpaid bonds if a project sours.