

SUMMARY STATEMENT

Greater Boise Auditorium District v. Frazier – Docket No. 43074

In a case arising out of Ada County, the Idaho Supreme Court reversed the district court's order denying judicial confirmation of a lease the Greater Boise Auditorium District (the "District") intended to enter into. The District filed a petition for judicial confirmation, pursuant to Idaho Code section 7-1304, asking the district court for a determination that a lease the District intended to enter into did not violate the Constitution's Article VIII, section 3 clause prohibiting a municipal body, without voter approval, from incurring indebtedness or liabilities greater than it has funds to pay for in the fiscal year. Respondent, David R. Frazier (Frazier), a Boise resident and property owner, objected to the requested judicial confirmation, and appeared in the case to contest it. The lease was one part of a complex agreement by which the District intended to own a new facility being constructed. The District asserted that the lease in question does not subject it to any long-term liabilities. Frazier responded that both the lease and the overall agreement unconstitutionally subject the District to liabilities greater than it has funds to pay for in the fiscal year. The district court denied the Petition for Judicial Confirmation and the District appealed. The Supreme Court held that the district court erred in denying the District's request for judicial confirmation because the agreements into which it entered satisfied Article VIII, section 3 of the Constitution.