



PHIL McGRANE

IDAHO SECRETARY OF STATE

May 6, 2024

Elaine Price
714 E Wallace Ave.
Coeur d'Alene, ID 83814

Dear Representative Price,

I am the Assistant Chief Deputy to the Idaho Secretary of State and oversee compliance with Idaho's campaign finance laws. Our office has received a complaint that your campaign has allegedly violated Idaho Code § 67-6607 and Idaho Code § 67-6610A.

The complainant provided pictures of The People's Pen paper showing two communications placed in the paper, which qualify as independent expenditures pursuant to Idaho Code § 67-6602(11). Copies of these communications are attached. The first communication identifies as being paid for by the "Kootenai County Republican Central Committee, Treasurer Elaine Price" and advocates voting for certain candidates in the upcoming May primary, including Representative Elaine Price. The second communication identifies as being paid for by "Idaho Freedom Caucus PAC, Elaine Price Treasurer" and endorses the re-election of Representative Elaine Price. The complaint alleges that this edition of The People's Pen containing these communications was mailed across Kootenai County. In your capacity as treasurer of the Idaho Freedom Caucus PAC and the Kootenai County Republican Central Committee, did you authorize these independent expenditures?

Idaho Code § 67-6607 states in relevant part: "Each candidate or the political treasurer for each candidate, and each political committee or the political treasurer of each political committee, shall file with the secretary of state a statement of all contributions received and all expenditures and encumbrances made by or on behalf of the candidate or political committee, according to the schedule provided in this section."

Additionally, Idaho Code § 67-6610A(1)(a) provides: "Aggregate contributions by a corporation, political committee, other recognized legal entity, or an individual to a candidate for the state legislature, judicial office, or local government office, and political committees organized on the candidate's behalf, shall be limited to an amount not to exceed one thousand dollars (\$1,000) for the primary election and an amount not to exceed one thousand dollars (\$1,000) for the general election."

Your candidate campaign reported a \$1,000 contribution from the Idaho Freedom Caucus PAC on April 16, 2024. Meanwhile, the Idaho Freedom Caucus PAC reported a \$1,440 independent expenditure to The People's Pen on April 17, 2024 in support of the Elaine Price campaign for State Representative District 4 Seat B. These communications cannot be reported by the Idaho

Freedom Caucus PAC nor the Kootenai County Republican Central Committee as independent expenditures in relation to your campaign. The communications are instead in-kind contributions from these committees to your campaign that it must also report.

Further, since the Idaho Freedom Caucus PAC's April 17, 2024 independent expenditure to your campaign cannot be an independent expenditure and should instead be an in-kind contribution, this results in the Idaho Freedom Caucus PAC exceeding the contribution limits to your campaign for the 2024 election cycle. Since legislative candidates are only allowed to receive an amount not to exceed \$1,000 for the primary election cycle and \$1,000 for the general election cycle from a political committee, your campaign has exceeded the contribution limit from the Idaho Freedom Caucus PAC by \$440. Please refund \$440 to the Idaho Freedom Caucus PAC in order to bring your reports into compliance with Idaho law.

Please respond to our questions and make the necessary amendments to your filings no later than May 10, 2024.

We look forward to your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. H. McQuade, Jr.", written in a cursive style.

Robert H. McQuade, Jr.
Assistant Chief Deputy