



CITY OF COEUR D'ALENE

LEGAL DEPARTMENT

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February 8, 2010

Mr. Tim Hurst
Idaho Secretary of State's Office
P.O. Box 83720
Boise, ID 83720-0080

Re: Campaign contribution use and reporting

Dear Mr. Hurst:

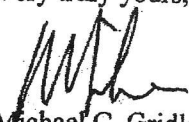
The city of Coeur d'Alene conducted a municipal election in November 2009 that resulted in one councilmember winning re-election by 5 votes. The losing candidate has filed a lawsuit challenging the election. Both the winner and loser in this election have hired lawyers and have conducted fundraising activities to pay for the cost of the election challenge lawsuit.

We are seeking guidance from your office and the Attorney General's office on several questions:

- 1) Are expenditures by a candidate incurred as part of a post-election lawsuit challenging or upholding the election results campaign expenditures under Idaho Code Title 67, Chapter 66?
- 2) Are contributions received by or on behalf of a candidate to pay for the expenses of a post-election lawsuit challenging or upholding the election results subject to the contribution reporting requirements and contribution limits contained in Idaho Code Title 67, Chapter 66?
- 3) Is an organization that raises money and makes contributions to a candidate to pay for the expenses of a post-election lawsuit challenging or upholding the election results a political committee that is subject to Idaho Code Title 67, Chapter 66?

Please call me if you need any additional information. I appreciate your time and guidance in answering these questions.

Very truly yours,


Michael C. Gridley
City Attorney

cc: Brian Kane-Assistant Chief Deputy, Idaho Attorney General's Office