

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 ••• 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance •• Administration •• Executive/Legal •• Enforcement
(916) 322-5662 322-5660 322-5901 322-6441

July 22, 1985

Senator James R. Mills
119 Thirteenth Street
Del Mar, CA 92014

Re: Advice Letter No. A-85-161

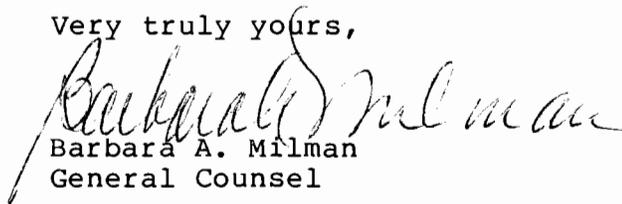
Dear Senator Mills:

Commission Chairman Dan Stanford has referred your letter of July 15, 1985 to me. You have asked whether it is legal for you to donate campaign funds to the San Diego Historical Society, knowing that they would be used to publish a book from which you may eventually receive royalties.

The Political Reform Act only deals with campaign finance reporting; it does not determine whether particular uses of campaign funds are legal or illegal. There is a prohibition of "personal use" of campaign funds in the Elections Code (Sections 12400, et seq.). However, the Commission does not interpret or enforce this "personal use" law. Only the Attorney General can give opinions interpreting these sections of the Elections Code.

I enclose a copy of Elections Code Sections 12400-12407 for your information. I am sorry we cannot be of more assistance.

Very truly yours,


Barbara A. Milman
General Counsel

BAM:plh
Enclosure

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July 18, 1985

James R. Mills
119 Thirteenth Street
Del Mar, CA 92014

Dear Jim:

I am in receipt of your letter to me, dated July 15, 1985, requesting advice regarding the expenditure of campaign funds to publish a history of San Diego through reprints of articles from San Diego Magazine.

I have forwarded your letter to Barbara Milman, General Counsel and Chief of our Legal Division for her review. And, I can assure you that your inquiry will receive her prompt attention.

If I can be of any further assistance, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Dan".

Dan Stanford
Chairman

DS:jc

JUL 17 1985

119 Thirteenth Street
Del Mar, California 92014
July 15, 1985

Dan Stanford, Chairman
FAIR POLITICAL PRACTICES COMMISSION
Post Office Box 807
Sacramento, California 95804

Dear Mr. Stanford:

Over the course of a number of years I wrote dozens of articles on the history of San Diego for San Diego Magazine. They would make an interesting book, if collected and published together, I think.

The San Diego Historical Society would, I believe, undertake publishing such a book, but does not have the funds to do so. If I were to contribute, from campaign funds, enough money to set up a publication fund for works of history relating to this area, and if the Society decided to publish my articles as a book, and if I were to receive royalties on the sale of that book, would that be a legal and approved use of campaign funds?

I would not, under those circumstances, be receiving money myself from campaign funds. On the other hand, the moneys I would receive would have been generated by the expenditure of campaign funds.

Thank you for your assistance with this matter.

Sincerely,


JAMES R. MILLS