

EXECUTIVE BRANCH ETHICS COMMISSION
ADVISORY OPINION 96-52
December 17, 1996

RE: May Child Sexual Abuse and Exploitation Prevention Board accept donation from the Kentucky Broadcasters Association?

DECISION: No.

This opinion is in response to your November 6, 1996, request for an advisory opinion from the Executive Branch Ethics Commission (the "Commission"). This matter was reviewed at the December 17, 1996, meeting of the Commission and the following opinion is issued.

You state the relevant facts as follows. The Child Sexual Abuse and Exploitation Board (the "Board") is an autonomous agency within the Office of the Attorney General. The Board is chaired by the Attorney General and is staffed by employees of his office. The mission of the Board is the prevention of child sexual abuse through the financial support of local education and awareness organizations to the Child Victim's Trust Fund. The Board is authorized in KRS 15.930 to accept gifts and donations including monies generated by the state income tax check-off.

In its effort to generate donations during the past several years, the Board has contracted with several private agencies to produce public service announcements and brochures, and to seek free or discounted television air time for the public service announcements. During the past year the Board contracted with the Kentucky Broadcasters Association to seek air time for the announcements. The board anticipates seeking such a service in 1997, and anticipates that the Kentucky Broadcasters Association will bid for the contract again.

The Kentucky Broadcaster's Association is a sponsor of the Kentucky Horse Park's "Southern Lights," a holiday display of lights, and thus may designate a charity to receive a portion of the fees received by the Park for admission to the display. The Kentucky Broadcasters Association's Executive Director suggested that the contribution be made to benefit the Board. You ask whether the Board may accept the donation due to the fact that the Kentucky Broadcasters Association seeks to contract with the Board to provide television air time.

In Advisory Opinion 96-24 (a copy of which is enclosed), the Commission concluded that the foster care program, despite its worthy cause, should not accept donations from entities which do business with the agency which oversees the foster care program.

Similarly, the Commission believes that, because the Kentucky Broadcasters Association seeks to do business with the Board, the Board should not accept charitable donations designated by the Association.

EXECUTIVE BRANCH ETHICS COMMISSION

BY: Ruth H. Baxter, Chair

Enclosure: AO 96-24