

EXECUTIVE BRANCH ETHICS COMMISSION
ADVISORY OPINION 94-26

April 19, 1994

RE: May PVA conduct auctions for the master commissioner of county?

DECISION: Yes

This opinion is in response to your April 5, 1994, request for an advisory opinion from the Executive Branch Ethics Commission (the "Commission"). This matter was reviewed at the April 19, 1994, meeting of the Commission, and the following opinion is issued.

You state the relevant facts as follows. You are a Property Valuation Administrator ("PVA") in a Kentucky county. You are also a licensed auctioneer. When foreclosures of property occur in your county, the property is sold at an auction administered by a Master Commissioner who is appointed by a circuit judge. The Master Commissioner is paid for his services from the auction proceeds. You ask if you may conduct the auctions occasionally for the Master Commissioner of your county.

As the PVA of your county, you are a public servant as defined in the Executive Branch Code of Ethics. The Commission finds no provision in the Code of Ethics which prohibits public servants from being employed by or accepting compensation from such court-appointed Master Commissioners. You may conduct auctions for the Master Commissioner if such activity does not interfere with your duties as a PVA.