



## FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

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February 9, 2010

Bruce W. Ebert  
300 Harding Blvd, Ste 118  
Roseville, CA 95648

Re: Your Request for Advice  
**Our file No. A-09-053a**

Dear Mr. Ebert:

We have received and reviewed your request for reconsideration of Advice Letter, No. A-09-053 provided to you on March 17, 2009, and the additional facts you provided. Our prior letter was based on the facts you presented, mainly that as the President of the Board of Psychology, you reviewed an Administrative Law Judge's ("ALJ") decision regarding a license revocation. To make its determination whether to accept or reject the ALJ's determination, the Board reviewed the information that the ALJ provided regarding the case. Based on the facts and conclusions the ALJ presented, the Board made the ultimate determination on whether or not to revoke the license. In your request for reconsideration, you provided information that to reinstate the license, the Board must consider, inter alia, "the nature and severity of the act(s) or offense(s)" and "the total criminal record." To do this, the Board must consider the facts involved in the revocation proceeding. The Board therefore will be considering the same facts about the same party that was previously before it and we thus consider this to be the same proceeding for purposes of the Political Reform Act's "permanent ban" under Government Code Sections 87400-87404.

Our advice on questions concerning Government Code Sections 87400-87404 is made on a case by case basis and considers the particular facts of each case. The "permanent ban" applies to prevent a former state official from leaving state service and representing a party for compensation on the same proceeding he or she worked while in state service. You made a decision while in state service that you now seek to be paid to reverse. For the reasons stated in our prior letter, the "permanent ban" applies and we reaffirm our advice in that letter.

If you have other questions on this matter, please contact me at (916) 322-5660.

Sincerely,

Scott Hallabrin  
General Counsel

A handwritten signature in black ink that reads "Heather M Rowan". The signature is written in a cursive style with a large, prominent 'H' and 'R'.

By: Heather M. Rowan  
Commission Counsel  
Legal Division

HMR:jgl