

## Burgos, Alexander N

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**Subject:** FW: [External] RE: PPSB Temp Rule Requests for Changes - April 2023 RRC Meeting  
**Attachments:** 20230418114920374.pdf

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**From:** Gray, Jeffrey <[JGray@bdixon.com](mailto:JGray@bdixon.com)>  
**Sent:** Tuesday, April 18, 2023 11:50 AM  
**To:** Liebman, Brian R <[brian.liebman@oah.nc.gov](mailto:brian.liebman@oah.nc.gov)>  
**Cc:** Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>; Amanda Barham <[abarham@bdixon.com](mailto:abarham@bdixon.com)>  
**Subject:** RE: [External] RE: PPSB Temp Rule Requests for Changes - April 2023 RRC Meeting

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Brian:

I have made all your requested changes below but a couple. I still do not think “sponsor/sponsor licensee/licensee” is confusing, especially since the PIA can work with a licensee that is not necessarily the sponsor licensee, but I have made the changes as you have insisted.

As to .1502, I am sorry I did not understand your initial request, but your clarification is now confusing. You ask that I specify which laws of the State of North Carolina the Board is requiring. In both instances it is specified: “North Carolina’s laws on **use of force**, and the federal and State **firearms** laws. Both “use of force” and “firearms” laws are a body of law; like saying “the motor vehicle laws,” “landlord and tenant law,” or “tort law.” Since much of it in both instances is case law – especially “use of force” -- it is not possible to cite to a statute or statutes. I have taught both for almost 25 years at the NC Justice Academy. It’s a body of law taught in Basic Law Enforcement Training, Armed Security Guard Training, the Concealed Handgun course for private citizens, and likely other places. I don’t know how to make it more specific.

As to .1704, I did not handle the Board’s rules back then, the Board’s former attorney, Charles McDarris, still did. I can find nothing in the file indicating that Amanda objected to “contact” or asked that it be clarified. Her e-mail to Charles, as well as the rule as changed based on her Request, is attached. If there was an objection, and he had a discussion with Amanda, it was likely by telephone and there is no record. The review of this rule was in conjunction with the Board’s Periodic Review and Charles has copious notes in the file.

As to .1705, this rule does not need the “decoder” or conversion via .0204(d). Merely having the degree gives the applicant the hours. This rule is the conversion rule for purposes of a degree.

Finally, since there will be discussion and changes based and Public comment, and you are requesting changes, I wish to formally withdraw .01709.

Reviewed rules forthcoming. (I estimate by 1:00 p.m. today.)

Jeff

*Jeffrey P. Gray*  
Of Counsel  
Bailey & Dixon, LLP