

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

BCD-78-001-PE

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE BUILDING CODE DIVISION

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Relating to Placement of Smoke Detectors in Dwellings, Apartment Houses, Hotels, and Lodging Houses.

REPORT OF HEARING EXAMINER

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson of the State Office of Hearing Examiners at 8:30 a.m. on Monday, November 28, 1977 in Room 83 of the State Office Building, St. Paul, Minnesota.

Lee Sheehy, Special Assistant Attorney General, appeared as counsel for the Department of Public Safety. Wes Werner, State Fire Marshall, and Ron Sockness, Assistant Fire Marshall, testified in support of the proposed rules on behalf of the Department of Public Safety. The hearing continued until all interested groups or persons had an opportunity to be heard concerning the adoption of the proposed rules.

Pursuant to Minn. Stat. § 15.0412, subd. 4, this Report shall be available for review to all affected individuals upon request for at least five days.

The Department of Public Safety shall, if it proposes to adopt the rules as originally proposed or amended, submit the complete hearing record, including its Findings and Order, to the Chief Hearing Examiner no earlier than five days subsequent to the receipt of this Report. This submission shall also clearly indicate any changes made to the rules as originally proposed, preferably in the format that will be submitted to the State Register for publication. The Chief Hearing Examiner shall complete his review and submit his report to the Department on the issues of substantial changes in the rule and compliance with Minn. Stat. § 15.0412 within ten calendar days. Thereafter, the Department of Public Safety shall be responsible for filing the rules with the Attorney General.

Based upon all the records and proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

1. On October 26, 1977 the Department filed the following documents with the Chief Hearing Examiner:

(a) A copy of the proposed rules;
(b) A proposed Order for Hearing;
(c) A proposed Notice of Hearing; and
(d) A Statement of the estimated length and number of people attending the hearing.

2. On October 24, 1977 a Notice of Hearing and a copy of the proposed rules were published at 2 State Register 891.

3. On October 26, 1977 the Department mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

4. On November 3, 1977 the Department filed the following documents:

(a) The Order for Hearing;
(b) The Notice of Hearing as mailed;
(c) The Affidavit of Receipt of the Secretary of State's list;
(d) The Affidavit of Mailing;
(e) The Secretary of State's Certificate and list;
(f) The Statement of Need; and
(g) The Statement of Evidence, including the names of witnesses to be called;
(h) The names of Department personnel who will represent the agency.

The documents were available for inspection at the Office of Hearing Examiners from the date of filing to the date of the hearing.

5. The record remained open through December 20, 1977 for the receipt of written comments and statements.

6. Statutory authority to promulgate the proposed rules is contained in Laws 1977 Chapter 333.

7. Mr. Werner made the following statement in support of the need for and reasonableness of the proposed rules:

> The need to adopt these rules arises because of the legislative mandate of Laws 1977 Chapter 333. These rules essentially duplicate the requirements of the 1976 uniform building code, fire warning and fire extinguishing systems. Chapter 333 requires the state building code division to include in the state building code

requirements for placement of smoke detectors in dwellings, apartment houses, hotels and lodging houses. That law also requires the commissioner of public safety to promulgate such placement rules. Since "dwelling" is defined therein as private homes and duplexes and includes new construction, this law gives the commissioner of public safety and the building code division dual authority over placement of smoke detectors in such dwellings. Therefore, it is deemed most feasible to promulgate rules essentially the same as the building code so as not to have conflicting requirements. In various other code requirements, the state building code division has jurisdiction over new construction and the department of public safety has jurisdiction over existing structures. This law applies to newly constructed dwellings rented or remodeled after a specific date. It appears to be the least confusing for persons required to comply, to maintain a high degree of consistency in this area of overlap between the two codes. However, these rules do differ slightly as is pointed out in the following explanation of each rule:

Section 1.5067 explains the purpose and scope of the rules. Statutory authority contained in Laws 1977 Chapter 333 limits the scope of the rules to placement of smoke detectors in dwellings, apartment houses, hotels and lodging houses.

Section 1.5068 defines certain terms for the purpose of aiding in understanding the rules. The definitions of "alarm signal" and "smoke detector" are taken from N.F.P.A. No. 74 pamphlet entitled Household Fire Warning Equipment, a copy of which is submitted as an exhibit.

Section 1.5069 specifies placement of smoke detectors in dwelling units, hotels and lodging houses.

A. Dwelling units. This subsection covers dwelling units of dwellings, as referred to in Chapter 333, Section 2, Subd. 3. Such dwelling units include single family homes, duplexes and double bungalows, by definition of dwelling in Chapter 333. It also covers dwelling units of apartment houses, as referred to in Chapter 33, Section 2, Subd. 4. Such apartment dwelling units include triplexes, fourplexes and multiple dwellings of five or more dwelling units. This subsection requires a smoke detector to be placed in each corridor or area in a dwelling unit which gives access to sleeping rooms. It permits detectors must be placed outside of the sleeping unit, heat and smoke will pass by a properly placed wall mounted detector before building up enough to pass through the door. This rule differs from the building code in that this rule prohibits

placement of smoke detectors closer than six inches from the intersection of the wall and ceiling. As shown in Figure B-7.1.1 on page 23 of the attached exhibit, this is dead air space. This is a space into which heat and smoke have difficulty penetrating. It is most desirable to locate a detector in the center of the building. If mounted off center or on a wall, it should be located outside of the dead air space. Wall mounted detectors should be located no more than 12 inches below the ceiling (6 inches below the dead air space) for maximum effectiveness, since heat and smoke from a fire rise to the ceiling first and then banks down from the ceiling.

B. Hotels and lodging houses. This subsection requires placement of smoke detectors on ceilings only. Since the detector is generally placed within the sleeping room, a wall mounted detector could miss the build up of heat and smoke at the opposite side of the large room, and never sound an alarm even though deadly smoke is building up. This subsection covers three basically different but common configurations of hotel and lodging house sleeping rooms. In hotels and lodging houses, where the rented area is one guest sleeping room, the detector must be placed on the center of the ceiling of the guest sleeping room. In hotels and lodging houses where the rented area is a suite or group of rooms consisting of a main living room and separate bedroom(s), the detector must be placed on the center of the ceiling of the main room. In hotels and lodging houses where the rented area consists of living area on a lower level and sleeping rooms on an upper level, the detector must be placed at the center of the ceiling above the stairway leading to the upper level.

Section 1.5070 authorizes approval of alternate locations by the state fire marshal or local fire chief. Chapter 333 requires that these rules "take into account designs of the guest rooms or dwelling units." There are an infinite number of different designs of the types of occupancies covered by these rules. It is anticipated that these rules will provide adequate direction in proper placement of smoke detectors. However, for occupancies with unusual designs or configurations of rooms, the state fire marshal or local fire chiefs can provide alternate placement based on their experience and knowledge.

8. At hearing, Mr. Sockness proposed that § 1.5069 be amended as follows:

~~All detectors shall be located within 12 inches of the ceiling but not closer than 6 inches to the ceiling.~~ Care shall be exercised to insure that the installation will not interfere with the operating characteristics of the detector. When actuated, the detector shall provide an

alarm signal in the dwelling unit or guest sleeping room.

A. In dwelling units, smoke detectors shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to rooms used for sleeping purposes. All detectors shall be located within 12 inches of the ceiling. Detectors shall not be located closer than 6 inches from the intersection of the wall and the ceiling.

B. In ~~a~~ hotel guest sleeping rooms, ~~in~~ hotel suites and lodging houses, the detector...

The purpose of this amendment is to clarify the intent and increase the effectiveness of the rules. Mr. Werner's statement of support included the proposed amendment.

9. Herbert W. Meyer proposed that § 1.5069 A be rewritten as follows:

A. In dwelling units, smoke detectors shall be mounted on the ceiling or wall of a corridor or area giving access to rooms used for sleeping purposes.

1. Ceiling mounted smoke detectors shall be located as close to the center of the ceiling as possible, but not within 6 inches of a wall.

2. As an alternate, smoke detectors may be mounted on a wall within 12 inches of the ceiling, but not closer than 6 inches from the intersection of the wall and ceiling.

This amendment was supported by others and the Department because it clarifies the intent of the rules.

10. Mr. Meyer also suggested that § 1.5069 B be revised by deleting the last sentence in the paragraph and substituting in place thereof the following language:

"In hotel suites, where sleeping rooms are on more than one floor, the detector for the area of the sleeping rooms on the upper level shall be placed at the center of the ceiling directly above the stairway."

The Department concurred in this amendment as it further clarifies the intent of the rules.

11. The Department suggested that Figure B-7.1.1, a design figure showing the proper mounting of spot-type detectors, found in appendix B of NFPA publication No. 74 on page 23 be added to

the proposed rules to further explain the correct placement of the detectors.

Based on the foregoing Findings of Fact, the Examiner makes the following:

CONCLUSIONS

1. Due, timely and adequate legal notice of the hearing was properly served and filed by the Department of Public Safety. All other substantive and procedural requirements of statute or rule have been complied with.

2. Pursuant to Minn. Stat. § 15.052, subd. 3 (1976) it is the duty of the Hearing Examiner to: ". . . (4) make a report on each proposed agency action . . . taking notice of the degree to which the agency has (i) documented its statutory authority to take the proposed action, (ii) fulfilled all relevant, substantive and procedural requirements of law or rule, and (iii) demonstrated the need for and reasonableness of its proposed action with an affirmative presentation of facts."

3. The Examiner concludes that § 1.5069 be amended by:

a. Deleting the first sentence and making grammatical changes in paragraph B as set out in Finging 8;

b. Revise paragraph A as set-out in Finding 9; and

c. Delete the last sentence in paragraph B and replace it with the language set-out in Finding 10.

4. The Examiner concludes that Figure B-7.1.1 should be added to the proposed rules in order to clarify the placement requirements.

5. The Examiner concludes that the Department has documented its statutory authority to promulgate the proposed rules and the reasonableness of and need for the proposed rules, as recommended to be amended in this report, has been demonstrated by an affirmative presentation of facts.

6. The Examiner concludes that the amendments he is recommending make the rules more reasonable and none constitute a substantial change.

Based upon the foregoing Conclusions, the Hearing Examiner makes the following:

RECOMMENDATION

That the Department of Public Safety adopt the proposed rules as recommended to be amended in this report.

Peter C. Erickson

PETER C. ERICKSON
Hearing Examiner

Dated this 19th day of January, 1978.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE EDWARD G. NOVAK

COMMISSIONER OF PUBLIC SAFETY

In the matter of the proposed Adoption of Rules of the State Department of Public Safety Governing Placement of Smoke Detectors on Dwellings, Apartment Houses, Hotels, and Lodging Houses.

FINDINGS OF FACT

The above-entitled matter came on for hearing before Peter Erickson, Office of Hearing Examiners of the State of Minnesota on the 28th day of November, 1977, at 8:30 A.M. in Room 83, State Office Building, St. Paul, Minnesota, after proper notice required by Minn. Stat. 15.0412 (1976) was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, the Hearing Examiner has made his findings, attached. Upon review of the Hearing Examiner's findings and the evidence and statements submitted by interested parties, I find the following:

The report of the hearing examiner is hereby adopted as the findings of the Commissioner of Public Safety.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

Edward G. Novak
COMMISSIONER OF PUBLIC SAFETY

2-16-78
DATE

BCD-78-001-PE

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE STATE DEPARTMENT OF PUBLIC SAFETY RELATING TO PLACEMENT OF SMOKE DETECTORS IN DWELLINGS, APARTMENT HOUSES, HOTELS, AND LODGING HOUSES.

REPORT OF THE CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on November 28, 1977, before Peter C. Erickson, a Hearing Examiner of the State Office of Hearing Examiners, on the above-entitled matter in compliance with Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Report of Hearing Examiner made pursuant to Minn. Stat. § 15.052, Subd. 3, was issued to the Department of Public Safety on January 19, 1978; and

WHEREAS, the Department of Public Safety has now determined to adopt rules pursuant to Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Department of Public Safety has submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, Subd. 4, and Rule HE 107; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rules are not substantially different from those proposed at the public hearing and that the Department of Public Safety has met all requirements of Minn. Stat. § 15.0412, Subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Department of Public Safety has the responsibility of submitting the complete hearing record and the rules as adopted by the Department to the Attorney General and to publish in the State Register, all pursuant to Minn. Stat. § 15.0412, Subd. 4.

Dated this 22 day
of February, 1978.

DUANE R. HARVES
Chief Hearing Examiner

STATEMENT OF COMPLIANCE WITH

MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General Jane Prohaska, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making procedures has been followed.

Jane Prohaska

Special Assistant Attorney General

Dated: February 23, 1978

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE EDWARD G. NOVAK

COMMISSIONER OF PUBLIC SAFETY

In the matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Placement of Smoke Detectors in Dwellings, Apartment Houses, Hotels, and Lodging Houses.

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before the Commissioner of Public Safety of the State of Minnesota on the 28th day of November, 1977, at 8:30 A.M. in Room 83 State Office Building, St. Paul, Minnesota, after proper notice required by Minn. Stat. 15.0412 (1976) was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having considered all of the evidence adduced and upon the records, files and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above captioned rules and the reasonableness thereof.

NOW, THEREFORE, IT IS ORDERED that these rules identified as 11 MCAR Sections 1.5067 through 1.5070 are adopted this 16th day of February, 1978, pursuant to authority vested in me by Minn. Stat. 299A.01, subd. 6 (1976).

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

Edward G. Novak

COMMISSIONER OF PUBLIC SAFETY

As amended after publication in State Register.

MINNESOTA DEPARTMENT OF PUBLIC SAFETY

FIRE MARSHAL DIVISION

CHAPTER SIX: SMOKE DETECTORS

1.5067 PURPOSE AND SCOPE

A. The purpose of these rules is to specify the placement of smoke detectors in dwelling units, apartment houses, hotels, and lodging houses.

B. These rules are enacted pursuant to Laws 1977 Chapter 333, Section 2, Subd. 2.

1.5068 DEFINITIONS

A. Administrative Authority. The fire chief, or his authorized representative, of the fire department having jurisdiction, or the state fire marshal or his authorized representative.

B. Alarm Signal. An audible signal indicating a fire condition.

C. Smoke Detector. A device which detects visible or invisible products of combustion.

1.5069 SMOKE DETECTOR PLACEMENT

~~All detectors shall be located within 12 inches of the ceiling but not closer than 6 inches to the ceiling.~~ Care shall be exercised to insure that the installation will not interfere with the operating characteristics of the detector. When actuated, the detector shall provide an alarm signal in the dwelling unit or guest sleeping room.

A. In dwelling units, smoke detectors shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to rooms used for sleeping purposes. <u>All detectors shall be located within 12 inches of the ceiling. Detectors shall not be located closer than 6 inches from the intersection of the wall and the ceiling.</u>

B. In ~~a~~ hotel guest sleeping rooms, ~~in~~ hotel suites and lodging houses, the detector shall be centrally located on the ceiling of the main room or hotel guest sleeping room. Where sleeping rooms are on an upper level, the detector shall be placed at the center of the ceiling directly above the stairway.

1.5070 ALTERNATE LOCATIONS

The administrative authority may approve alternate locations provided the proposed locations are substantially equivalent to the requirements of these rules so as not to alter the operating characteristics of the detector.

Honeywell

W. V. McDONNELL
Director of Marketing

RECEIVED
DEC
OFFICE OF

November 22, 1977

Commissioner Edward G. Novak
Department of Public Safety
210 Transportation Building
St. Paul, Minnesota 55155

Dear Commissioner Novak:

In response to the Department of Public Safety's notice of public hearing and desire to receive comments on the rules proposed for placement of smoke detectors, we respectfully ask your consideration of the enclosed statement.

The statement, a modification of Chapter Six: Smoke Detectors; Section 1.5069, Smoke Detector Placement; subsection A, is intended to clarify the directive that all detectors be located within 12 inches of the ceiling and not located closer than 6 inches from the intersection of the wall and the ceiling. This directive, we suggest, should pertain only to wall mounted detectors.

As published by the State of Minnesota, Department of Public Safety, Fire Marshall Division, the section in question reads:

> In dwelling units, smoke detectors shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to rooms used for sleeping purposes. All detectors shall be located within 12 inches of the ceiling. Detectors shall not be located closer than 6 inches from the intersection of the wall and the ceiling.

- continued -

We recommend the following modification:

> In dwelling units, smoke detectors shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to rooms used for sleeping purposes. All wall mounted detectors shall be located within 12 inches of the ceiling. Wall mounted detectors shall not be located closer than 6 inches from the intersection of the wall and the ceiling. Ceiling mounted detectors shall be centrally located on the ceiling.

We would like the statement entered into the record as part of the proceedings of the November 28, 1977, public hearing.

Sincerely,

WVM/cmh

ERICKSEN ELLISON AND ASSOCIATES INC ■ 1310 RANDOLPH AVENUE ■ SAINT PAUL MINN 55105 ■ PHONE 698-0316

CONSULTING ENGINEERS

RECEIVED
NOV 2 3 1977
OFFICE OF HEARING EXAMINERS

November 22 1977

Mr Peter Erickson
Office of Hearing Examiners
1745 University Avenue
Saint Paul, Minnesota 55104

Dear Sir

Concerning the proposed rules relating to the placement of smoke detectors.

Paragraph 1.5069 of the proposed rules states that detectors be placed within 12 inches but not closer than 6 inches to the ceiling.

The requirement that detectors be placed not closer than 6 inches to the ceiling will require that detectors be wall mounted or be "stem" suspended.

At the present time, I know of no detector that, when mounted on or in the ceiling, projects beyond 6 inches.

Paragraph 1.5069 (B) states that the detector must be on the ceiling.

A device suspended below the ceiling will be subject to damage as well as being objectionable in appearance. I do not understand the need for the requirement. I assume the concern is the location of the detector is a dead air space. It would be better to state that the detector not be placed in a dead air space.

Sincerely

Geo P Ellison

Geo P Ellison PE

nn

DARRYL J. BOSCA GEORGE P. ELLISON LEIF W. ERICKSEN BRUCE JOHNSON LAVERNE "VERN" NELSON MONTY TALBERT SR



CITY OF BLOOMINGTON
OLD SHAKOPEE ROAD AT PENN • BLOOMINGTON, MINN. 55431

December 12, 1977

Mr. Peter Erickson
Hearing Examiner
State Hearing Examiner's Office - Room 300
1745 University Avenue
St. Paul, MN 55104

Re: Department of Public Safety, Fire Marshal Division
Proposed Rules for Smoke Detectors Hearing Nov. 28, 1977

After review of the proposed Section 1.5069.B, and considering the questions posed at the hearing, I would suggest that the last sentence be deleted. The sentence is a part of a UBC section which applies to dwelling units that are on multi-level floors or stories. The wording "where sleeping rooms are on an upper, the detector shall be placed at the center of the ceiling directly above the stairway" does not really apply to the first sentence as written.

If it was to apply it would only affect hotel suites which have more than one sleeping room which would be on more than one floor. I have seen and been in such suites. If you feel such should be regulated, I would suggest the following language: "In hotel suites, where sleeping rooms are on more than one floor, the detector for the area of the sleeping rooms on the upper level shall be placed at the center of the ceiling directly above the stairway."

If you have any questions, you may call me at 881-5811, or at my home, 881-2552.

Very truly yours,

Herbert W. Meyer

Herbert W. Meyer

r
cc: Wes Werner, State Fire Marshal
1246 University Ave
St. Paul, MN 55104

2

MR. WARD WERNER
STATE FIRE MARSHAL
DEPT. PUBLIC SAFETY
1246 UNIVERSITY AVE
ST PAUL, MINN.

RE: SUGGESTED REVISION TO
CHAPTER 6, "SMOKE DETECTORS
SECTION 1.5069 A.

A-IN DWELLING UNITS, SMOKE DETECTORS SHALL BE MOUNTED ON THE CEILING OR WALL OF A CORRIDOR OR AREA GIVING ACCESS TO ROOMS USED FOR SLEEPING PURPOSES.

1. CEILING MOUNTED SMOKE DETECTORS SHALL BE LOCATED AS CLOSE TO THE CENTER OF THE CEILING AS POSSIBLE, BUT NOT WITHIN 6 INCHES OF A WALL.

2. AS AN ALTERNATE SMOKE DETECTORS MAY BE MOUNTED ON A WALL WITHIN 12 INCHES OF THE CEILING, BUT NOT CLOSER THAN 6 INCHES FROM THE INTERSECTION OF THE WALL AND CEILING.

DICK BRAUN

SORRY. NONE OF OUR TYPISTS SHOWED UP.

DIVISION OF STATE FIRE MARSHAL
1246 UNIVERSITY AVENUE
ST. PAUL, MINNESOTA 55104
TELEPHONE: (612) 296-7641

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

December 14, 1977

Mr. Peter Erickson, Hearing Examiner
State Hearing Examiner's Office - Room 300
1745 University Avenue
St. Paul, Minnesota 55104

Re: Department of Public Safety, Fire Marshal Division
Proposed Rules for Smoke Detectors Hearing November 28, 1977

Dear Mr. Erickson:

Regarding the two pieces of correspondence submitted to our office with the hearing transcript, and as per your request for response to these two items of correspondence, I wish to first comment on the letter received and written by Mr. Ellison.

After reading Mr. Ellison's letter I do understand where he may have been confused by the proposed rules; specifically section 1.5069a. As testimony indicated at the hearing, the wording within this section is apparently somewhat confusing to many readers. Thus, I can understand Mr. Ellison's confusion also. It is my feeling that word changes made as a result of the hearing to section 1.5069a and b will much better clarify the meaning of these sections and thus eliminate the confusion which was related by Mr. Ellison.

Regarding the suggested revisions submitted by Mr. Herbert Meyer, I have reviewed those suggestions and it is my feeling our proposed rule could be changed to incorporate the suggested changes offered by Mr. Meyer. His suggested changes do tend to further clarify the purpose of the proposed rules. I would further recommend that we give strong consideration to incorporating into the proposed rules figure b-7.1.1; a design figure showing the proper mounting of spot type detectors. This diagram is contained in appendix b of NFPA publication No. 74 on page 23. It is my feeling this diagram quite clearly shows what section 1.5069a is trying to explain in words.

Questions raised at the hearing about the specific application of the proposed rules could possibly be answered by placing in the rule document the specific requirements as outlined in the original statute. I feel the statute is quite clear as to when the detectors are required within the different type occupancies. However, from what I heard at the hearing, the people speaking were saying they need a copy of the statutes and the placement rules in order to fully understand first of all whether they need the detectors within their facilities, and secondly, where they are to be placed. What they were suggesting is combining those two documents into one by including in the placement rules, at some location, the

-continued on page two-

AN EQUAL OPPORTUNITY EMPLOYER

specific requirements of the statute as to when a building and its dwelling units are required to have these detectors installed. Legally I do not know whether the requirements of a statute can be reproduced and copied into the proposed rules. This will probably have to go through the Attorney General's Office.

Commissioner Novak's Office has also forwarded to our office a copy of a letter from Mr. W. V. McDonnell, Director of Marketing for Honeywell Incorporated. The intent of Mr. McDonnell's letter was to offer a suggested clarification of the portion of the proposed rule pertaining to wall mounted detectors. In reviewing Mr. McDonnell's letter I would agree with him; as I previously mentioned the portion of the proposed rule pertaining to wall mounted detectors was somewhat vague. The proposed changes offered by Mr. McDonnell would clarify this section and are somewhat consistent with the suggestions already offered in the previous correspondence which I have already commented on. In my opinion, Mr. McDonnell's comments are well worth considering in our overall review of the proposed rules and possible clarification changes.

Basically these are my comments regarding the correspondence received thus far regarding the proposed rules, and should you have further questions please feel free to contact our office.

Sincerely,

W. Werner

Wes Werner
State Fire Marshal

WW:jh

cc: Diane Hamilton, Department of Public Safety ✓
Jane Prohaska, Attorney General's Office
Ronald Sockness, State Fire Marshal Division

BEFORE THE OFFICE OF HEARING EXAMINERS

OF THE STATE OF MINNESOTA

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE STATE DEPARTMENT OF PUBLIC SAFETY RELATING TO PLACEMENT OF SMOKE DETECTORS IN DWELLINGS, APARTMENT HOUSES, HOTELS, AND LODGING HOUSES.

) H. E. DOCKET NO. BCD-78-001-PE

Room 83
State Office Building
St. Paul, Minnesota
Monday, November 28, 1977

Met, pursuant to Notice, at 8:30 a.m.

BEFORE:

Peter Erickson, Hearings Examiner

AGENCY PANEL PRESENT:

Wes Werner, State Fire Marshal

Ron Sockness, Assistant Fire Marshal, State of Minnesota

Lee Sheehy, Special Assistant Attorney General, appearing on behalf of Department of Public Safety and on behalf of Jane Prohaska, Special Assistant Attorney General

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DPS EXHIBITS:

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PUBLIC COMMENTS, QUESTIONS OR STATEMENTS PRESENTED BY:

Herbert W. Meyer..... 13, 25

Anthony Scarano..... 15

Al Brodie, Executive Vice President of Minnesota Hotel Association..... 16, 27

Margaret Irsay, Spiegler Construction..... 19

Allan Wold, Fire Marshal, City of Minneapolis..... 20

Joseph Prause, representing Coon Rapids.... 22

P R O C E E D I N G S

(DPS Exhibits 1 through 9 marked for identification.)

EXAM. ERICKSON: This hearing is called to order at 8:50 a.m. on Monday, November 28th, 1977 in Room 83 of the State Office Building, St. Paul, Minnesota. This is a hearing in the matter of the Proposed Adoption of Rules of the State Department of Public Safety relating to Placement of Smoke Detectors in Dwellings, Apartment Houses, Hotels and Lodging Houses.

My name is Peter Erickson and I am an independent Hearing Examiner appointed by the Chief Hearing Examiner to hear this matter. My job is to preside over the hearing, submit Proposed Findings of Fact, Conclusions and Recommendations to the Fire Marshal Division, prior to their decision whether to adopt, modify or reject the proposed rules.

Will those here representing the Fire Marshal Division please note their appearance for the record. Please state and spell your name, give your address. Mr. Sheehy, let's start with you.

MR. SHEEHY: My name is Lee Sheehy, S-h-e-e-h-y, Special Assistant Attorney General appearing today on behalf of the Department of Public Safety and on

behalf of Jane Prohaska, Special Assistant Attorney General, who is absent because of a trial today.

EXAM. ERICKSON: Mr. Werner?

MR. WERNER: My name is Wes Werner, W-e-r-n-e-r, State Fire Marshal, 1246 University Avenue, St. Paul.

MR. SOCKNESS: Ron Sockness, S-o-c-k-n-e-s-s, Assistant Fire Marshal, State of Minnesota.

EXAM. ERICKSON: As I previously stated there is a Registration Sheet located on the table down at the left. Anyone who desires to present oral testimony today should sign up on that sheet prior to their presentation. Also if you want to be notified when my Report has been issued, you can just check the box in the far right on the sheet and I will send you a memo in that regard.

Also located on that table is a document entitled Rules Hearing Agenda and Guidelines and Lobbyists Requirements. I will dispense with reading that aloud, however I would like to point out the following items on that sheet.

Rule 4 states anyone who desires to submit written comments may do so at this hearing or within 20 days of the close of the hearing. Such materials should be submitted to Peter Erickson, Office of

Hearing Examiners, 1745 University Avenue, Room 300, St. Paul, Minnesota 55104. The materials must be received within 20 days to be considered. The last Session of the Legislature changed the 20 day requirement. Now it is between five working days and twenty days at the discretion of the Examiner. Sometime before we wind this hearing up this morning we will make a decision as to how long the record will remain open. So if you are going to want to submit extensive written comments, you might just keep that in mind and we will talk about that later and decide how long the record should remain open.

Number 5 states lobbyists are required to register with the Ethical Practices Board. The requirements are stated on the back of the sheet.

Mr. Sheehy, do you have an opening statement to make?

MR. SHEEHY: Thank you, Mr. Examiner. On behalf of the Department of Public Safety I would like to introduce into the record the following jurisdictional documents.

Document Number 1, entitled DPS 1,is an Order for Hearing ordering the hearing in this matter signed by Commissioner Novak.

DPS Number 2 is a Notice of Hearing again

regarding the hearing in this matter signed by Commissioner Novak.

DPS Number 3 is a two-page document, an Affidavit reflecting Receipt of the Secretary of State's List for distribution of said notices in this matter.

Document Number 4, DPS Number 4, is an Affidavit of Receipt of the Secretary of State's List signed by Diane Hamilton reflecting receipt of said list.

DPS Number 5 is an Affidavit of Mailing signed by DarlaMae Hormann. Some clarification of this Affidavit is necessary. The Building Code Division of the Department of Administration, State of Minnesota, mailed the Notice of Hearing on behalf of the Department of Public Safety. Therefore although this Affidavit does not reflect mailing of the specific Department of Safety's Notice of Hearing, it was included in said mailing and the Affidavit is offered for that purpose.

DPS Number 6 is a copy of the rules as proposed and published in the State Register on October 24th, 1977.

DPS Exhibit Number 7 is a copy of the rules as amended after publication in the State Register. I believe copies are available, copies of this amended

amended rule, are available on the table near the door. I might only add that the Department of Public Safety will submit testimony to show that the amendments made herein do not constitute a substantial change.

DPS Exhibit Number 8 is a Statement of Need. Attached thereto is an Appendix entitled "Household Fire Warning Equipment", regarding background documentation for the rules as presently proposed.

DPS Exhibit Number 9 is a Statement of Evidence capsulizing the evidence which will be offered by the Department of Public Safety in this matter.

Mr. Examiner, I offer these exhibits into the record.

EXAM. ERICKSON: DPS Exhibits 1 through 9 are received.

(DPS Exhibits 1 through 9 received in evidence.

MR. SHEEHY: At this time, Mr. Examiner, I would like to introduce Mr. Wes Werner, the State Fire Marshal.

EXAM. ERICKSON: Off the record.

(Off-the-record discussion.)

MR. WERNER: The need to adopt these rules arises because of the legislative mandate of Laws 1977

Chapter 333. These rules essentially duplicate the requirements of the 1976 uniform building code, fire warning and fire extinguishing systems. Chapter 333 requires the state building code division to include in the state building code requirements for placement of smoke detectors in dwellings, apartment houses, hotels and lodging houses. That law also requires the commissioner of public safety to promulgate such placement rules. Since "dwelling" is defined therein as private homes and duplexes and includes new construction, this law gives the commissioner of public safety and the building code division dual authority over placement of smoke detectors in such dwellings. Therefore, it is deemed most feasible to promulgate rules essentially the same as the building code so as not to have conflicting requirements. In various other code requirements, the state building code division has jurisdiction over new construction and the department of public safety has jurisdiction over existing structures. This law applies to newly constructed dwellings and existing dwellings rented or remodeled after a specific date. It appears to be the least confusing for persons required to comply, to maintain a high degree of consistency in this area of overlap between the two codes. However, these rules do differ slightly as is pointed out in the

the following explanation of each rule:

Section 1.5067 explains the purpose and scope of the rules. Statutory authority contained in Laws 1977 Chapter 333 limits the scope of the rules to placement of smoke detectors in dwellings, apartment houses, hotels and lodging houses.

Section 1.5068 defines certain terms for the purpose of aiding in understanding the rules. The definitions of "alarm signal" and "smoke detector" are taken from N.F.P.A. No. 74 pamphlet entitled Household Fire Warning Equipment, a copy of which is submitted as an exhibit.

Section 1.5069 specifies placement of smoke detectors in dwelling units, hotels and lodging houses.

A. Dwelling units. This subsection covers dwelling units of dwellings, as referred to in Chapter 333, Section 2, Subd. 3. Such dwelling units include single family homes, duplexes and double bungalows, by definition of dwelling in Chapter 333. It also covers dwelling units of apartment houses, as referred to in Chapter 333, Section 2, Subd. 4. Such apartment dwelling units include triplexes, fourplexes and multiple dwellings of five or more dwelling units. This subsection requires a smoke detector to be placed in each corridor or area in a dwelling unit which gives

access to sleeping rooms. It permits detectors to be placed on either the ceiling or wall. Since the detector must be placed outside of the sleeping unit, heat and smoke will pass by a properly placed wall mounted detector before building up enough to pass through the door. This rule differs from the building code in that this rule prohibits placement of smoke detectors closer than six inches from the intersection of the wall and ceiling. As shown in Figure B-7.1.1 on page 23 of the attached exhibit, this is dead air space. This is a space into which heat and smoke have difficulty penetrating. It is most desirable to locate a detector in the center of the ceiling. If mounted off center or on a wall, it should be located outside of the dead air space. Wall mounted detectors should be located no more than 12 inches below the ceiling (6 inches below the dead air space) for maximum effectiveness, since heat and smoke from a fire rise to the ceiling first and then banks down from the ceiling.

B. Hotels and lodging houses. This subsection requires placement of smoke detectors on ceilings only. Since the detector is generally placed within the sleeping room, a wall mounted detector could miss the build up of heat and smoke at the opposite side of the large room, and never sound an alarm even though deadly

smoke is building up. This subsection covers three basically different but common configurations of hotel and lodging house sleeping rooms. In hotels and lodging houses, where the rented area is one guest sleeping room, the detector must be placed on the center of the ceiling of the guest sleeping room. In hotels and lodging houses where the rented area is a suite or group of rooms consisting of a main living room and separate bedrooms or bedroom, the detector must be placed on the center of the ceiling of the main room. In hotels and lodging houses where the rented area consists of living area on a lower level and sleeping rooms on an upper level, the detector must be placed at the center of the ceiling above the stairway leading to the upper level.

Section 1.5070 authorizes approval of alternate locations by the state fire marshal or local fire chief. Chapter 333 requires that these rules "take into account designs of the guest rooms or dwelling units." There are an infinite number of different designs of the types of occupancies covered by these rules. It is anticipated that these rules will provide adequate direction in proper placement of smoke detectors. However, for occupancies with unusual designs or configurations of rooms, the state fire marshal or local fire chiefs can provide alternate placement

guidance based on their experience and knowledge.

EXAM. ERICKSON: Mr. Sockness, are you going to make a statement --

MR. SOCKNESS: Those of you that have a copy of the proposed rules, the second page is the way they were published in the Register in accordance with the law. The first page is the way they are being presented at this hearing as amended based primarily on some questions which came into the Department of Public Safety after they were published in the Register. We made the word changes in 1.5069 in order to help clarify the rules as proposed and also in 1.5069 B. we made several minor letter and word changes to help clarify that statement also. Essentially the proposed rules are patterned after the '76 Building Code requirements, as they are applicable to new construction. In meeting with Building Code people and our Attorney General representative, we felt this would be the best method of promulgating rules in order to be consistent with new construction requirements. Yet we do have in the proposed rules a statement where the administrative authority may approve alternate locations. This is in accordance with the requirements of the statute. Should special difficulties arise in new construction, or existing construction, excuse me, where

a decision must be made as to the actual placement, under the proposed rule, we have the authority to permit alternate placement locations, thereby deviating from the specific requirement. Essentially this is where we drew from to come up with these proposed rules. We felt it would be the most consistent between the two divisions, and would cause the least amount of confusion to the public.

EXAM. ERICKSON: Mr. Sheehy, anything further on behalf of the State?

MR. SHEEHY: No, sir, the State rests at this time. Thank you.

EXAM. ERICKSON: Okay. Mr. Meyer, do you want to lead off? Please state and spell your name, give your address.

MR. MEYER: Mr. Hearing Examiner,my name is Herbert W. Meyer, M-e-y-e-r, I live at 10824 Zenith Avenue South, Bloomington, Minnesota. While I am a registered lobbyist, I am not representing anybody at this hearing specifically, but have a suggested further amendment to the proposed rules which I would like to read and then I have a printed copy which I will submit as an exhibit. It is an amendment to 1.5069 and the paragraph A of that particular item, and where the present new language is underlined I would

like to substitutethe following words and put a subparagraph number 1 and say, "Ceiling mounted smoke detectors shall be located as close to the center of the ceiling as possible, but not within 6 inches of a wall", and paragraph number 2, as an alternate, "smoke detectors may be mounted on a wall within 12 inches of the ceiling but not closer than 6 inches from the intersection of the wall and ceiling", and the reason for those proposed changes are specifically with reference to the NFPA Pamphlet 74 that Mr. Werner referred to in his presentation in which there is this diagram specifically suggesting the wording that we have. We think this would be much clearer to operate under and hopefully will be acceptable to the Fire Marshal Division. We will submit both of those at this time.

Beyond that, I would like to state that I have been in the Fire Marshal's Office many years and with the State Building Inspector, and a building inspector for 30 years and would support the proposed rules specifically with this amendment as such.

EXAM. ERICKSON: Thank you. Mr. Werner, do you have any response to this proposed amendment at this time?

MR. WERNER: None at this time.

EXAM. ERICKSON: Mr. Sockness?

MR. SOCKNESS: No.

EXAM. ERICKSON: The gentleman in the green jacket, do you want to make your presentation?

MR. SCARANO: Yes.

EXAM. ERICKSON: Please state and spell your name, give your address.

MR. SCARANO: My name is Anthony Scarano and I live at 3 Springdale Terrace, Morrisville, Pennsylvania. Although I am here today as a representative of the Plastics Pipe Institute, I would like to make it perfectly clear that on this particular issue I am speaking as a private citizen.

EXAM. ERICKSON: Your last name is spelled?

MR. SCARANO: S-c-a-r-a-n-o, you know, like in the Godfather. That may be out of order. Although I am not a resident of this state I do feel that I am very indebted to this state. Some twenty some years ago I received a new lease on life down at the Mayo Clinic so I feel that I should make some kind of contribution to this great State of Minnesota. I am definitely in favor of the use of fire detectors. As a matter of fact I have three in my own home, which gives me a feeling of confidence while I am away. It protects both my wife and my family, and I must state

that each time I leave home I double check to make sure that they are functional. After I leave my wife figures I may have removed the batteries, so she will double check them, but I do highly recommend them. I feel that they are a good investment at a nominal fee and I thank you very much.

EXAM. ERICKSON: Thank you. Anyone else who desires to make a statement? Sir? Please state, spell your name, give your address.

MR. BRODIE: Mr. Hearing Examiner, my name is Al Brodie, B-r-o-d-i-e. I am Executive Vice President of the Minnesota Hotel Association, 7300 France Avenue South, Minneapolis, 55435. More in the line of a question, Mr. Examiner, in Section B, of 1.5069, it refers to where sleeping rooms are on the upper level, detectors shall be placed in the center of the ceiling directly above the stairway. Does that indicate then that detectors are not required in rooms on an upper level?

EXAM. ERICKSON: Mr. Werner? Mr. Sockness?

MR. SOCKNESS: To us it would indicate that they are not required within that sleeping room on that upper level. The detector at the top of that stairway would be sufficient. This particular sentence refers to a design which would have a living area on one level

and possibly one or two rooms on an upper level with a stairway leading to that level, all of this configuration within the dwelling itself or within the room itself, and as proposed, the detector would be placed at the center of the ceiling directly above the stairway.

MR. BRODIE: Then you are not talking about a hotel or motel where there would be numerous rooms on upper levels.

MR. SOCKNESS: No, this is applicable only to a specific room arrangement or unit arrangement, not to the building per se.

MR. BRODIE: That was the question that -- that I did have. It is in with the hotel and guest sleeping room area. That is why I was wondering -- had concern about that. I had one other question, Mr. Examiner, I am not sure if it fits into this particular discussion on where the detector should be, but we have had a series of meetings and we do not object to detectors. Certainly we are in favor of them. We were waiting to see what the Commissioner, what the Fire Department, would come up with as far as location. Our people do have a concern, though, and I am not sure if it can be handled by regulation or have to go back into the legislative process, about the theft of this

equipment. While it is covered in the law, refer to the same type of penalties apply that apply to other fire fighting apparatus, the feeling of our members seems to be that that smoke detector is a little more convenient device to remove than say a fire hose or a fire extinguisher and a more wanted device quite frankly for a home owner who may be out traveling and I would ask if anyone, if I may, if either of these gentlemen would have any suggestions or recommendations or is that a legislative process to go through.

MR. SOCKNESS: You mean a penalty for the theft of these from your facility?

MR. BRODIE: Yes, other than what the law provides right now.

MR. SOCKNESS: I would presume that would have to be new legislation that would have to be written into the law. I really offhand wouldn't know how --

EXAM. ERICKSON: Mr. Brodie, I am sure that would have to result through the legislative process. Right now, as you are aware, we have got criminal statutes for theft and I think that is what would cover this situation presently, but if anything further is to be done in regard to smoke detectors specifically, I am sure that would have to be done through the

Legislature.

MR. BRODIE: Thank you, Mr. Examiner.

EXAM. ERICKSON: Yes, Ma'am?

MS. IRSAY: I am Margaret Irsay, with Spiegler Construction, 1573 Selby, St. Paul.

EXAM. ERICKSON: Please spell your last name.

MS. IRSAY: I-r-s-a-y.

EXAM. ERICKSON: And Spiegler --

MS. IRSAY: Spiegler Construction, S-p-i-e-g-l-e-r, 1573 Selby. I am wondering, since battery operated units would be indicated in existing structures, upon whom does the responsibility for the battery maintenance devolve, the tenant or the landlord?

EXAM. ERICKSON: Ma'am, I'm not sure that we are prepared to answer that question right now. I think the rules today are designed to set up the location for smoke detectors and not necessarily to determine who is liable, if they are not maintained.

MS. IRSAY: Well, in this case we have many tenants that would be above the age of 75 and in 22 some buildings that the company owns, and it would be to our advantage to determine in advance the type of liability because if it would be, let us say, the tenant's liability, this might be one thing. If it is our liability, we would install a different type of

detector then.

EXAM. ERICKSON: I don't think we are in a position to make a legal decision right now as to who would be liable.

MS. IRSAY: Thank you.

EXAM. ERICKSON: Off the record.

(Off-the-record discussion.)

EXAM. ERICKSON: Mr. Sockness has just pointed out that there is a maintenance requirement in the statute itself. Mr. Sockness, would you please read that.

MR. SOCKNESS: Well, under Subdivision 5, Maintenance Responsibilities, for all occupancies covered by this section, where the occupant is not the owner of the dwelling unit or the guest room, the owner is responsible for maintenance of the smoke detector.

MS. IRSAY: Thank you.

EXAM. ERICKSON: Sir, please state, spell your name, give your address.

MR. WOLD: Allan Wold, W-o-l-d, 5848 Girard Court, Minneapolis. I am Fire Marshal for the City of Minneapolis, really here representing myself. I would like to ask Mr. Sockness to clarify a few points for me. Was not there some indication that wired in

detectors were to be used in rental units in this Bill? I see now in the copy that I have here there is nothing referring to wired in or battery.

MR. SOCKNESS: I really cannot speak to the way the Bill was drawn, Allan, because I was not involved in it. The only way it reads to me is that either wired in or battery units would be acceptable.

MR. WOLD: Well, in new construction it is cheaper to install the wired in detectors at the time of installation, however in retrofit I think that a lot of people are going to take advantage of the battery detectors, although they cost a little more, install those. It has been our experience in the City of Minneapolis that we are having a lot of problems with battery detectors. They go off, people take out the batteries, and therefore we have no protection whatsoever. We felt that this should have been in the Code.

And another question, about reference to testing, are these detectors required to be listed by ICBO or UL, FM, something like this?

MR. SOCKNESS: Back to your other question, the Statute does not spell out specifically electrical or battery and this is basically where the requirements should have been put. We are most -- we are required to

only come up with the placement of the detectors, so again any change along those lines should be legislative, through the law itself.

And as far as your approvals, in Subdivision 4, depending upon the type of occupancy involved, detectors must conform to requirements of U. L. Laboratories Incorporated or approved by the International Conference of Building Officials.

MR. WOLD: That answers my question, thank you.

EXAM. ERICKSON: Thank you. Any further comments or questions? Sir? Please state and spell your name, give your address.

MR. PRAUSE: My name is Joseph Prause. I live at 9927 Hanson Boulevard, Coon Rapids, Minnesota. I am here as a representative of the City of Coon Rapids.

EXAM. ERICKSON: Your last name is spelled?

MR. PRAUSE: P-r-a-u-s-e. I raise the question of a previous speaker in regard to placement of the smoke detector units in motel units. The reason I am raising this question is I have not had the opportunity of reviewing plans and so forth for motel unit. I do have one coming up, and as I read the '76 Uniform Building Code, Section 1310 would require the smoke detector

units to be in each sleeping unit, also at the head of the stairway. I would like some clarification on that matter, if possible.

EXAM. ERICKSON: Mr. Sockness.

MR. SOCKNESS: Well, I guess we are under the assumption that it would be a room requirement with the exception where the sleeping rooms were on an upper level, then the detector could be placed at the top of that stairway. So taking the common basic motel room, which is strictly one room, with the exception of a separated bathroom, the detector would be placed at the center of the ceiling within that room. But if you were to receive plans for a new building which showed several room layouts, with a large living or dining area, lounging area, and a stairway leading to maybe one or two separate rooms on an upper level, the detector would be placed at the top of that stairway leading to that level, and then detectors would not be required within those sleeping rooms themselves. This is our understanding of the proposal and the way it was drawn from the Building Code. We double checked this aspect with the Building Code Division and this is the way it was explained to me.

MR. PRAUSE: In other words, what you are saying is that a stacked unit of 24 rooms on one floor

and with stairways leading to the second floor with another 24 units up there, there would only be two detectors if only two stairways were required.

MR. SOCKNESS: No, not necessarily. You have to realize the law applies strictly to the unit, to the room itself. It does not apply to the building. I really don't understand how you can get 24 units stacked on top of each other with one stairway up.

MR. PRAUSE: I am saying two stairways, four, or whatever numbers of stairways would be required, that there would be a smoke detector at the head of each required stairway.

MR. SOCKNESS: You are talking about a building then, right?

MR. PRAUSE: Right, I am talking about a building.

MR. SOCKNESS: We are talking applicable only to the unit, only to the room within the building. We do not have any jurisdiction with these rules outside of the unit itself, outside of the room. The remainder of the building we cannot apply these rules to. If you have a 200 foot building with a stairway at each end and central corridor, our authority for the placement of the detectors is within each room only, within each living or guest room, not within the rest

of the building.

MR. PRAUSE: I think that clears up my mind, because I misinterpreted it. I was under the impression that you were saying that it only required it in the corridor, but they are required in each guest facility?

MR. SOCKNESS: Right, with the exception of the one where you might have within that specific room layout a different type of layout. The law is specific. It says that we can only apply detector requirements to the units or guest rooms or whatever they might be. The remainder of the building we have no jurisdiction with these particular placement rules.

MR. PRAUSE: Thank you, sir.

EXAM. ERICKSON: Mr. Meyer, do you have a copy of the Building Code? Maybe you can refer to that.

MR. MEYER: Yes, I do. I would like to point out, and I don't disagree with what either gentleman said, but -- my name again is Herbert W. Meyer, that the section that Mr. Prause referred to, Section 1310 of the 1976 Code, it includes some language that is not in the proposed rules and I would like to just read that if I may, which I think will clear up the question somewhat. It says, "Every dwelling unit within an apartment house and every guest room in a hotel used

for sleeping purposes shall be provided with smoke detectors conforming to UBC Standard Number 43-6. In dwelling units detectors shall be mounted on the ceiling or wall at a point located in the corridor area giving access to the rooms used for sleeping rooms." Then it goes on to say, "In an efficiency dwelling unit, hotel sleeping rooms and in hotel suites, the detector shall be centrally located on the ceiling of the main room or hotel sleeping room." Then it goes on to say, "Where sleeping rooms are on an upper level, the detector shall be placed in the center of the ceiling..."What this is talking about is basically where you get apartment units that may have the total apartment on more than one floor and that is really what it is talking about, that you do the same as you can with a single family dwelling unit. You can set one detector at the head of the stairs, that will be central to those sleeping rooms, as such, so you really have to take the whole thing together in an interpretation of what it says.

EXAM. ERICKSON: Mr. Meyer, then how do you read this regulation?

MR. MEYER: I would read it that you would have to have a detector in every hotel sleeping room and then if there was an arrangement as Mr. Sockness pointed out where you had a suite maybe and you had

sleeping rooms above the main part of that suite, you could then put the detector up at the head of that stair that leads to that part of the suite.

EXAM. ERICKSON: Okay, thank you. Mr. Werner, I am wondering if maybe this paragraph B couldn't be clarified somewhat to take care of some of these concerns, maybe broken up into two sections, one dealing -- well, maybe we should think about that, okay?

MR. WERNER: All right.

EXAM. ERICKSON: Just so we can alleviate some of these questions.

MR. BRODIE: Mr. Examiner, my name is Al Brodie. That was the comment I was going to make. You have to appreciate that we are going to be sending this regulation out and perhaps a copy of the law to our motel members in this State. They do not have a copy of the Building Code nor are they to be expected to understand specifically the law and or the regulations. I think it is going to be rather difficult for them and perhaps even -- listening to the comments of the gentleman, even someone from a Fire Department in an out-state community to understand exactly what you mean in these regulations, and regulations are there to clarify and specify what the law means and I

think we have kind of gotten away from that by throwing that particular sentence in right after hotel, motel sleeping rooms, and if some change -- I have no suggested changes, but if some changes could be made to clarify that, I think it would be appreciated by all.

EXAM. ERICKSON: Okay, if any of you might have any suggested changes for this paragraph of the regulation, I am sure that the Fire Marshal Division would appreciate your sending those to them and also please send them to me so I can consider them. Mr. Meyer?

MR. MEYER: Mr. Examiner, we would be glad to sit down and I will talk to some of the people and I guess we can submit -- I don't think it is going to take much to clarify that particular section, such as -- you know we have done this before, we would be glad to try and work out some language in paragraph B clarifying what should be said.

EXAM. ERICKSON: Okay, any further comments or questions? Okay, let's go off the record.

(Off-the-record discussion.)

EXAM. ERICKSON: Okay, it has been decided off the record that the record will remain open for 20 days, consequently the record will be closed

at 4:30 on Monday, December 19th. Are there any further comments or questions? Let me remind all of you that you may submit written comments to me any time prior to December 19th, that is to Peter Erickson, Office of Hearing Examiners, 1745 University Avenue, Room 300, St. Paul, 55104. If there is nothing further, then this hearing is adjourned.

(Whereupon the hearing adjourned.)

REPORTER'S CERTIFICATE

I, Nancy J. Duehn, do hereby certify that I recorded in stenotypy the proceedings had in the foregoing matter on the 28th day of November, 1977, at St. Paul, Minnesota, before Peter Erickson, Hearings Examiner;

I further certify that I thereafter transcribed into typewriting the foregoing transcript;

I further certify that said transcript of said proceedings constitutes a full, true and correct transcript of the proceedings to the best of my ability.

Dated this 9th day of December, 1977.

Nancy J. Duehn
Court Reporter
3729 - 39th Avenue South
Minneapolis, Minnesota 55406
Phone: 729-9528

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed
Adoption of Rules of the
Department of Public Safety
Governing Placement of Smoke
Detectors in Dwellings, Apartment
Houses, Hotels and Lodging Houses

AFFIDAVIT OF MAILING

DarlaMae Hormann, being first duly sworn, desposes and says:

That on the 26th day of October, 1977, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Hearing by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached Certificate of the Secretary of State.

DarlaMae Hormann

DarlaMae Hormann
Building Code Division

Subscribed and sworn to before me
this 25th day of November, 1977.

Notary Public, Ramsey County, Minn.
MY COMMISSION EXPIRES
June 8, 1979

Roy W. Peterson

STATE OF MINNESOTA

DEPARTMENT OF ADMINISTRATION

In the Matter of the Proposed
Adoption of Amendments to
the State Building Code

CERTIFICATE OF DELIVERY
OF THE SECRETARY
OF STATE LIST

I hereby certify that the attached 490 labels and 10 sheets constitute the complete list of persons, associations, and other interested groups who as of 10:00 o'clock a.m., this 25 day of October, 1977, have requested pursuant to M.S. 1974, Section 15.0412 that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

SECRETARY OF STATE

Joan Anderson Growe

By: Cheri L. Mattson

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Rules of the State Department of Public Safety governing Placement of Smoke Detectors in Dwellings, Apartment Houses, Hotels and Lodging Houses

AFFIDAVIT OF RECEIPT OF SECRETARY OF STATE'S LIST

Margaret Opalinski, being duly sworn on oath deposes and says:

1) That she is an employee of the Building Code Division, Department of Administration of the State of Minnesota.

2) That on the 25th day of October, 1977, she went to the Secretary of State's office of the State of Minnesota and requested a current list of all representatives of associations or other interested groups or persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to Minn. Stat. 15.0412 (1976).

3) That on the 25th day of October, 1977, in response to the above request, the Secretary of State provided her with such a list, a copy of which is attached hereto and incorporated by reference.

Margaret Opalinski

Subscribed and sworn to before me

this 25th day of November, 1977.

Darla Mae R. Hormann

DARLA MAE R. HORMANN
NOTARY PUBLIC - MINNESOTA
RAMSEY COUNTY
My Commission Expires Feb. 7, 1981

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ALLENDORF MARSHALL
220 GRAIN EX 400 S 4TH
MPLS MN
55415

ALLERS JOHN
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BLOOMINGTON MN
55431

ANCHOR BLOCK COMPANY
PO BOX 3360
ST PAUL MN
55165

ANDERSON HERBERT
418 8TH ST. SO.
VIRGINIA MN
55792

ANDERSON MARY
4425 RUTLEDGE AVE
EDINA MN
55436

ANDERSON STANFORD P
14600 MINNETONKA BLVD
MINNETONKA MN
55343

ARNOLD ROBERT MESPA
41 SHERBURNE
ST PAUL MN
55103

ARROWHEAD ECONOMIC OP AGENCY
CO S BRUSTUN BOX 1066
VIRGINIA MN
55792

ARVER JOHN A
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ST PAUL MN
55113

ASMUSSEN,DENNIS,MPIRG
3036 UNIV AVE SE
MPLS MN
55414

ASSN RESIDENCES FOR RETARDED
459 RICE SUITE 301
ST PAUL MN
55103

BARRETT FRED
ST LOUIS CO COURT HOUSE
DULUTH MN

BARTHOLOW HAROLD E FIRE CHF
2600 109 AVE N W
COON RAPIDS MN
55433

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ALBERT,AA CALDER CORP
366 JACKSON ST
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55101

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2333 UNIV AVE SE
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ST PAUL MN
55155

ARROWHEAD REG. DEV COMM.
211 W 2ND ST
DULUTH MN
55802

ARROWHEAD REGIONAL DEV CO
200 ARROWHEAD PLACE
DULUTH MN
55802

ASSOCIATED GEN CONTROF MN
48 E 8TH STREET
ST PAUL MN
55101

ASSN OF MINN COUNTIES
55 SHERBURNE AVE #203
ST PAUL MN
55103

BABCOCK LOCHER NELSON ET AL
118 E MAIN ST
ANOKA MN
55303

BADALICH JOHN P
2025 THOMPSON AVE
SO ST PAUL MN
55075

BECK PAT
953 HYACINTH AVE
ST PAUL MN
55106

BEGALKA D REV
212 N ELK ST
BELLE PLAINE MN
56011

BEMIDJI STATE COLLEGE
PLACEMENT BUR.J.C.BRADY
BEMIDJI MN
56601

BENSONI PETER USH OF AM.
609 PROVIDENCE BLDG.
DULUTH MN

BEST FLANAGAN ET AL
4040 IDS CENTER
MPLS MN
55402

BEUTEL ROBERT
2200 SILVER LAKE RD
NEW BRIGHTON MN
55112

BLOOMINGTON CITY CLERK
2215 W OLD SHAKOPEE RD
BLOOMINGTON MN
55431

BOHRER DONALD
5880 BACON AVE
INVER GROVE H TS
55075

BREHL JAMES W
332 HAMM BLDG
ST PAUL MN
55102

BRICK PHILIP D
807 SELLWOOD BLDG
DULUTH MN
55802

BROOKS WILLIAM F JR
854 MIDLAND BK BLDG
MPLS MN
55401

BROWN D M GOODRIDGE PUB SCH
IND DIST #561
GOODRIDGE MN
56725

BRUNING C.R.DEPT.CLINIC.EXP.
BURTON HALL
MPLS. MN
55455

BUSCH NOEL
SUITE 705 510 MARQUETTE
MPLS MN
55402

BUR.ENGR.IND.DIV. MR.KIBIGER
219 N. 2ND ST.
MPLS. MN

BUR NATL AFFAIRS INC
1231 25TH ST NW
WASHINGTON DC
20037

CAIN RUTH
730 E 38TH ST
MPLS MN
55407

CAIRNS JOHN A
47TH FLR IDS CENTER
MPLS MN
55402

CARRISON DALE K
MANKATO STATE COLLEGE
MANKATO MN
56001

CHAMBER OF COMMERCE
30 SO 1ST AVE EAST
ELY MN
55731

CHILDS J L
4012 LYNN AVE S
MPLS MN
55416

CHRISTIAN SCI COMM ON PUB
1821 UNIV AVE SUITE 271
ST PAUL MN
55104

CITY CLERK
386 CITY HALL
ST PAUL MN
55102

CITIZENS LEAGUE
530 SYNDICATE BLDG
MPLS MN
55402

CLAUSEN PHILLIP
2307 STANDISH ST
ST PAUL MN
55108

CLAWSON CONNIE
HELP CT 317-17TH AV SE
MPLS MN

BERGERUD ALF
300 ROANOKE BLDG
MPLS MN
55402

BERGSETH THOMAS
1011 NICOLLET MALL
MPLS MN
55403

BLADIN PAPER CO W J LICKE
115 1ST ST SW
GRAND RAPIDS MN
55744

BLOMQUIST BARRY L

NORTH BRANCH MN
55056

BOLTON MALCOLM
422 ALDRICH AVE NO
MPLS MN
55405

BOWMAN & BRUNS ATTN P MAS
1616 PIONEER BLDG
ST PAUL MN
55101

BRIGGS & MORGAN - B F FRIEL
2200 W 1ST NATL BK BLDG
ST PAUL MN
55101

BROEKER JOHN
2850METRO DR. SUITE 504
BLOOMINGTON MN
55420

BROWN H D
4961 KINGSBERRY LANE
MINNETONKA MN
55343

BRUBACHER RICHARD COMM AD
208 ADM BLDG
ST PAUL MN
55101

BUCHHOLTZ CHARLES
5044 BRENT AVE E
INV GRV HTS MN
55075

BURGER ALBERT
600 DEGREE OF HONOR BLD
ST PAUL MN
55101

CABLE COMM SYST-H SARRAZI-
BOX 777
HECTOR MN
55342

CARLSON CARL L
7516 80TH ST S
COTTAGE GROVE MN
55016

CARLSON VERNE E
BOX 755 CITY HALL
WILLMAR MN
56201

CHAVARRIA ADAM
1325 W 251/2 ST APT 206
MPLS MN
55405

CHERCHES CHRIS CITY MGR
5005 MTKA BLVD
ST LOUIS PARK MN
55416

CHRISTIANSEN FREDRIK
RM 505 CAPITOL SQ BLDG
ST PAUL MN
55155

CHRYSALIS CENTER FOR WOME
2104 STEVENS AVE S
MPLS MN
55404

CITY OF ROBBINSDALE
C LARSON 4221 LAKE RD
ROBBINSDALE MN
55422

CLARKSON J.B.
2350 I.D.S. CENTER
MINNEAPOLIS MN
55402

COLEMAN NICHOLAS
208 STATE CAPITOL
ST PAUL MN
55155

COLLIN LAURENCE
RT 2
ISANTI MN
55040

COMMUNITY DESIGN CENTER
118 E 26TH ST
MPLS MN
55404

CONCORDIA COLLEGE
DEAN
MOORHEAD MN
56560

CRAVEN NORMAN
10637 THOMAS AVE S
BLOOMINGTON MN
55431

CROW WING CO PLANNING & ADV
COURT HOUSE
BRAINERD MN
56401

DAHLKE LOIS M
118 S EAGLE ST
BELLE PLAINE MN
56011

DAILEY THOMAS ECONOMICS LAB
370 WABASHA ST
ST PAUL MN
55102

DAYTON CHAS SIERRA CLUB
800 MIDLAND BANK BLDG
MPLS MN
55401

DEVELOP DISABILITIES PROGRAM
STATE PLAN 101 CAP SQ
ST PAUL MN
55155

DISPATCH PIONEER PRESS
PRESS RM STATE CAPITOL
ST PAUL MN
55101

DORSEY MARQUART
2400 1ST NATL BANK BLDG
MPLS MN
55402

DUDLEY E H
RT 7 BOX 122
EXCELSIOR MN
55331

DUNN OLIVER PLUMBERS LOC 15
708 SO 10TH ST
MPLS MN
55404

E CENTRAL REG. DEV. COMM
COURTHOUSE 18 N VINE ST
MORA MN
55051

ELDER DR JAMES B
11140 WASHBURN AVE SO
BLOOMINGTON MN
55431

ELDRED R W ARMOUR & CO
UNION STOCK YARDS
SO ST PAUL MN
55075

ENNIS A F BOISE CASCADE
PO BOX 713
INTL FALLS MN
56649

ENV SERV-GEN RESOURCE CORP
6340 INDUSTRIAL DR
HOPKINS MN
55343

ESSE KENNETH
4801 W 50TH ST
EDINA MN
55424

ETHICS COMM
RM 410 STATE OFF BLDG
ST PAUL MN
55155

FAEGRE & BENSON ATTN LIB.
1300 NW BANK BLDG
MPLS MN
55402

FELHABER R S
W 1ST NATL BANK BLDG
ST PAUL MN
55101

FILTER LOREN
BOX 36
BRITT MN
55701

CONSUMER SERVICES DEPT COMM
5TH FLR METRO SQ BLDG
ST PAUL MN
55101

COUNTY ATTYS COUNCIL
95 SHERBURNE AVE S203
ST PAUL MN
55103

CUSHMAN J S DAYTON HUDSON
700 NICOLLET MALL
MPLS MN
55402

DANKERS, KENNETH
1200 WEST FOURTH STREET
RED WING MN
55066

DANIELSON RODNEY L
418 AUDITORIUM
ST PAUL MN
55102

DICKINSON MRS JOANNE
BOX 1065
MARSHALL MN
56258

DIEHL JOHN
26 KENWOOD PKWY
ST PAUL MN
55105

DOUGLAS BELL ET AL
2212 AM.NATL BK BLDG
ST PAUL MN
55102

DOW CHEMICAL
47 BLDG
MIDLAND MI
48640

DUPONT MIKE
5720 EXCELSIOR BLVD
MPLS MN
55416

DZUGAN KEN ST PAUL PLANNI
421 WABASHA ST
ST PAUL MN
55102

EBELING EDWARD H.
161 W. MAIN
PERHAM MN
56573

EICHTEN DANIEL
3794 HAZEL
WHITE BEAR LK MN
55110

ELMER EDWIN W
2901 PLEASANT AVE
MPLS MN
55408

EMERICK RICHARD A
1908 IDS CENTER
MPLS MN
55402

ERDMAN ROGER TENNANT CO
701 N LILAC DR
MPLS MN
55441

ERNEST K LEHMANN & ASSOC.
1409 WILLOW ST.
MPLS MN
55403

EVANS CHAS.L. PRENTICE-HALL
ENGELWOOD CLIFFS
NEW JERSEY

EWING MRS WM
42 ASTAR RD
BABBITT MN
55706

FARMERS ELEVATOR ASSN
852 GRAIN EXCH BLDG
MPLS MN
55415

FARRELL FRANK BUR NOR
RM 1180 176 E 5TH ST
ST PAUL MN
55101

FINLEY JAMES F
920 MINN BLDG
ST PAUL MN
55101

FINNEGAN J.R.
55 E. 4TH
ST.PAUL MN
55101

FLEMING FREDERICK A
1860 HIGHLAND PARKWAY
ST PAUL MN
55116

FOX W.E. LINDQUIST & VENNUM
4200 IDSCTR 80 S.8TH ST
MINNEAPOLIS MN
55402

FREDRIKSON BYRON ET AL
47TH FLR IDS CENTER M
PLS MN
55402

GALVIN M J JR
W2162 1ST NATL BK BLDG
ST PAUL MN
55101

GIEL DAVID
RM B-28 STATE CAPITOL
ST PAUL MN
55155

GOLDBERG PROF MELVIN
WM MITCHELL COL OF LAW
ST PAUL MN
55105

GREATER MET AREA HOSPITALITY
5152 CEDAR AVE S
MPLS MN
55417

GRUMMERT REV DONALD
1435 ADAMS ST
MPLS MN
55413

H B FULLER CO
2400 KASOTA AVE
ST PAUL MN
55108

HANSON ETHEL
2813 85TH AVE N
MPLS MN
55444

HAYES, THOMAS W
700 SELLWOOD BLG
DULUTH MN
55812

HEAD & TRUHN
1007 SOO LINE BLDG
MPLS MN
55402

FLADLAND CLINT MN L&P BUR
795 RAYMOND AVE
ST PAUL MN
55114

FRANKLIN ROBERT B MPLS TR
426 PORTLAND
MPLS MN
55415

FRIESEN MILLER A
RAHR BD 624 13TH ST S
VIRIGINIA MN
55792

GARDNER HDW - R A JOHNSON
515 WASHINGTON AVE N
MPLS MN
55401

GLEESON MICHAEL
909 SOC SC BLDG U OF M
MPLS MN
55455

GOODMAN DF TEL CABLE TV
302 E SUPERIOR
DULUTH MN
55802

GREEN DEL CITY MGR
BLOOMINGTON CITY HALL
BLOOMINGTON MN
55431

GUSTAFSON DAN-LABOR TEMPL
312 CENTRAL
MPLS MN
55414

HAFNER DR A J
BOX393 MAYO U OF M
MPLS MN
55455

HAROLD J WESTIN CONSTRUCT
45 E 8TH ST
ST PAUL MN
55101

HART PATRICK V
112 E LIBERTY BOX 3271
MANKATO MN
56001

HEADWATERS REG DEV. COMM
BOX 584 MENTAL HEALTH
BEMIDJI MN
56601

FITZGERALD DR BOB
3007 LYNDALE AVE SO
MPLS MN
55408

FITZPATRICK LEO
8138 HENSLOWE AVE S
COTTAGE GROVE MN
55016

FORBES GORDON MINN RRS ASSN
203 HANOVER 480 CEDAR
ST PAUL MN
55101

FORSBERG AGR SERV
518 SUMMIT AVE
NEW ULM MN
56073

FREDIN CONRAD M
811 FIRST NATL BK BLDG
DULUTH MN
55802

FREDLUND MRS PHYLLIS
RR 4 BOX 37
CANBY MN
56220

FRISON FRANK NECA
RM 305 200 SO ROBERT
ST PAUL MN
55107

GEBERT K L
220 GRAIN EXCH
MPLS MN
55415

GEO A HORMEL & CO LAW DEPT
PO BOX 800
AUSTIN MN
55912

GLEN. HILLS HOSP.R.VAN HAUER
3901 GOLDEN VALLEY RD.
MPLS. MN
55422

GODIN RALPH J
3824 47TH AVE SO
MPLS MN
55406

GRAHAM THOS H
854 MIDLAND BK BLDG
MPLS MN
55401

GRANATH MARVIN -HONEYWELL
2701 4TH AVE SO
MPLS MN
55408

GREEN GARY J
41 SHERBURNE AVE
ST PAUL MN
55102

GREEN JANET
9773 N SHORE DR
DULUTH MN
55804

GUSTAFSON WALLACE
BOX 567
WILLMAR MN
56201

HALLBERG LEE & MCCABE
4927 34TH AVE S
MPLS MN
55417

HANFT PHILIP M
1200 ALWORTH BLDG
DULUTH MN
55802

HARRY RICK
RT 1 BOX 138
KETTLE RIVER MN
55757

HAUN DR J W GEN MILLS
PO BOX 1113
MPLS MN
55440

HARTFELDT WILL
434 HAMM BLDG
ST PAUL MN
55102

HAVEN ROBT TWIN TN TREATMENT
1706 UNIV AVE
ST PAUL MN
55104

HEALTH MANPOWER C LARSON
717 DELAWARE ST SE
MPLS MN
55440

HEANEY BILL
30 W SUPERIOR ST
DULUTH MN
55802

HEISENFELT WM
BOX 516
BEMIDJI MN
56601

HELTZER JAMES DAYTON HUDSON
777 NICOLLET MALL
MPLS MN
55402

HINRICHSEN PATRICK
MANKATO FREE PRESS
MANKATO MN
56001

HORNER WALDORF - KAZIUKEWICZ
PO BOX 3260
ST PAUL MN
55165

HOLT JOHN
517 4TH ST NW
FARIBUALT MN
55021

HULSTRAND ANDERSON & LARSON
PO BOX 130
WILLMAR MN
56201

HUMAN RIGHTS
200 CAPITOL SQ BLDG
ST PAUL MN
55101

HUTCHISON R.M. ANOKA CO. COMP
COURT HOUSE
ANOKA MN
55303

HYDROLOGIST
CHIPPEWA NATL FOREST
CASS LAKE MN
56633

IMAGE
BOX 3215
ST PAUL MN
55165

INGEBRIGTSEN DR K H
23 SE 4TH ST
MPLS MN
55414

INTERSTATE POWER RW STEELE
1000 MAIN ST
DUBUQUE IA
52001

IUOE LOC 49 CHAS SWENSON
2580 UNIV AVE
ST PAUL MN
55101

JAIN NIRMAL ENIV PROCESS
1220 GLENWOOD AVE
MPLS MN
55405

JENSEN CARL A
127 E MAIN ST
SLEEPY EYE MN
56085

JENSEN MRS GAYNOLD
111 WEST 107TH ST
MPLS MN
55420

JOHNSON CLARENCE IBEW LU 292
3615 37TH AVE S
MPLS MN
55406

JOHNSON G ROBERT
4344 IDS CENTER
MPLS MN
55402

JOHNSON LANCE J
265 S LAFAYETTE RD
ST PAUL MN
55107

JONES C NORTHSIDE RES REDEV
1800 OLSON MEMORIAL HWY
MPLS MN
55411

HEARING EX.OFF. M GREENBERG
1745 UNIV AVE
ST PAUL MN
55104

HEIM PAUL M
3944 IDS CENTER 80 S 8
MPLS MN
55402

HENDRICKSON A WM
100 FREEMAN DRIVE
ST PETER MN
56082

HENDRICKSON MRS VIRGINIA
3324 COUNTRY WOOD DR
BURNSVILLE MN
55337

HOLMES EUSTIS ET AL
4610 IDS CENTER
MPLS MN
55402

HOPKINS WM.B. DIR.MISCCA
3915 GOLDEN VALLEY ROAD
GOLDEN VALLEY MN
55422

HOULE MELVIN
881 W HWY 96
SHOREVIEW MN
55112

HOUSE APPROPRIATIONS COMM
RM 109 STATE CAPITOL
ST PAUL MN
55101

HUMAN SERVICES
414 LAFFAYETTE RD 5THFL
ST PAUL MN
55101

HUSEBYE, CRAIG J.
5036 FRANCE S.
EDINA MN
55410

HYLAND DEAN
1501 W 50TH ST
MPLS MN
55419

INGVALSON VERN MN.FARM BU
1976 WOODDALE BOX 43370
ST PAUL MN
55164

INS FED OF MINN
902 SOO LINE BLDG
MPLS MN
55402

IVERSON DR JCS DEPT ED
ST OLAF COLLEGE
NORTHFIELD MN
55057

IZAAK WALTON MN DIV
111 E FRANKLIN RM-210
MPLS MN
55404

JENOS INC
525 LAKE AVE SO
DULUTH MN
55801

JENSEN ARTHUR,CITY CLK
2215 W OLD SHAKOPEE RD
BLOOMINGTON MN
55431

JOHANSEN BUS SERV INC
19 DAYTON RD
CHAMPLIN MN
55316

JOHNSON & SANDERSON
ST MARYS HOSPITAL
ROCHESTER MN
55901

JOHNSON LEROY
9939 BLUEBIRD ST NW
COON RAPIDS MN
55433

JOHNSON M.D. FRUNDT & FRU

BLUE EARTH MN
56013

KABLE RICHARD W

BETHEL MN
55006

KAVANEY RICHARD
1220 NORTHERN FED BLDG
ST PAUL MN
55102

KEABLE MIKE
909 6TH AVE N
ST CLOUD MN
56301

KJERVIK DIANE
4302 POWEL HALL U OF M
MPLS MN

KLOSTER MARION PEAVEY CO
730 2ND AVE S
MPLS MN
55402

KNUTSON DR KEITH, BIOLOGY DPT
ST CLOUD STATE
ST CLOUD MN
56301

KNUTSON R N CRANNIS ETAL
F J SCHULT BLDG
ST ST PAUL MN
55075

KRAMER ERNEST W
717 DELAWARE ST SE
MPLS MN
55440

KROEGER CHARLES
122 NW 7TH STREET
FARIBAULT MN
55021

KUHL CARL
4421 4TH ST NE
COL HEIGHTS MN
55421

KVB ENGINEERING INC
600 S CO RD 18
MPLS MN
55426

LAKE SUPERIOR INDUSTRIAL BUR
828 FIRST AM. BK. BLDG.
DULUTH MN
55802

LANAHAN E F - SIBLEY CO
184 E 6TH ST
ST PAUL MN
55101

LARSON C L
3800 MINNEHAHA AVE SO
MPLS MN
55406

LARSON HANS P DIV HOSP SERV
717 DELAWARE ST SE
MPLS MN
55440

LEG.REF.LIB-Z. DEWITT
RM 111 STATE CAPITOL
ST PAUL MN
55155

LEVEY JESS MET STATE UNIV
METRO SQ RM 121
ST PAUL MN
55101

LIBBEY LEONARD
BOX 17011 NOKOMIS STA
MPLS MN
55417

LINDALL & JONATHAN DEVELOP.
VILLAGE ONE CENTER
CHASKA MN
55318

LUTH SOC SERVICE OF MN
2414 PARK AVE
MPLS MN
55404

LYNCH DONALD SIBLEY CO
184 E 6TH ST
ST PAUL MN
55102

MADSON HUGH
AETNA 212 S 6TH ST
MPLS MN
55402

MAHCF RICK CARTER
2850 METRO DR SUITE 431
BLOOMINGTON MN
55420

MANKATO STAT STUDENT SENATE
CENTENNIAL STUDENT UN
MANKATO MN
56001

MANKATO STATE STUDENT ASSN
BOX 58 MANKATO COLLEGE
MANKATO MN
56001

KEENAN RICHARD J
4444 IDS BLDG
MPLS MN
55402

KEILY DANILE
3549 V2 PLEASANT AVE
MPLS MN
55408

KLUZ STEVEN J
1910 1ST NAT L BK BLDG
MPLS MN
55402

KNOPP TIMOTHY
COLLEGE FORESTRY U OF M
ST PAUL MN
55108

KOLLER MR & MRS ERWIN A
1568 DULUTH ST
ST PAUL MN
55108

KOPP MRS VERNON
2050 65TH ST E
INVER GR HGHT MN
55075

KRONLOKKEN J E
10048 NORD RD
BLOOMINGTON MN
55437

KROON H CLIFTON
210 E WALNUT
MANKATO MN
56001

LABELLE JUANITA MRS
5816 AQUILA AVE NO
NEW HOPE MN
55428

LANGVIN DAVID
7500 80TH ST S
COTTAGE GROVE MN
55016

LAPP LAZAR LAURIE ET AL
1200 BUILDERS EXCHANGE
MINNEAPOLIS MN
55402

LEAGUE MN MUNIC
300 HANOVER 480 CEDAR
ST PAUL MN
55101

LEAGUE WOMEN VOTERS OF MI
555 WABASHA
ST PAUL MN
55102

LEAVEY THOS
829 22ND AVE SE
MPLS MN
55414

LEWIS DR.C.M JR.
ABBOTT 110 E 18TH ST
MPLS MN
55403

LOCKNER GARY
R R 1 BOX 23
BAUDETTE MN
56623

LOWE DOUG
2701 N LEXINGTON AVE
ROSEVILLE MN
55113

MALECKI JAMES
1 SO STATE ST
NEW ULM MN
56073

MALONE E I COMM LABOR & I
444 LAFAYETTE RD 5TH FL
ST PAUL MN
55101

MANTHEY T J PICKANDS MATHER
1100 SUPERIOR AVE
CLEVELAND OH
44114

MARRINAN MARGARET M
1117 COMMERCE BLDG
ST PAUL MN
55101

MASTOR & MATTSON LTD
315 PEAVEY BLDG
MPLS MN
55402

MAUL WARREN E
320 S 4TH ST
MPLS MN
55415

MCDONALD PHILIP M
2077 SELBY AVE
ST PAUL MN
55104

MCFADDEN G H DISPATCH-PRESS
55 E 4TH ST
ST PAUL MN
55101

MCNEILLY GREG MNDSVIEW ED AS
41 SHERBURNE AVE
ST PAUL MN
55103

MET. WASTE CONTOL COMM.
350 METRO SQ BLG
ST PAUL MN
55101

METROPOLITAN COUNCIL LIBRARY
300 METRO SQUARE
ST PAUL MN
55155

MEYER HERBERT
10824 ZENITH AVE S
BLOOMINGTON MN
55431

MILLER PAUL J PHARMACY SERV
ST MARYS HOSP
ROCHESTER MN
55901

MILLER RICHARD A
1020 PLYMOUTH BLDG
MPLS MN
55402

MINN ASPHALT PAVEMENT ASSN
555 WABASHA RM 209
ST PAUL MN
55102

MINN ASSN COOPERATIVES
55 SHERBURNE AVE
ST PAUL MN
55103

MINN ASSN VOL SOC SERVICE
1821 UNIV SUITE 389
ST PAUL MN
55114

MINN ASSN WATERSHED DIST'S

ADA MN
56510

MINN COMMUNITY DEVELOP SERV
512 ROSSMOR BLDG
ST PAUL MN
55101

MINN DEPT HEALTH J C MCKASY
717 DELAWARE S E
MPLS MN
55440

MINN GOV ENG COUNCIL
2400 SHERWOOD HILL RD
MINNETONKA MN
55343

MINN HEREFORD-LJ SCHAFER

BUFFALO LAKE MN
55314

MINN HWYS MANAGEMENT SERVICE
407 HWY BLDG
ST PAUL MN
55101

MINN LAND USE COMMITTEE
4344 IDS CENTER
MPLS MN
55402

MINN.MTR.TRANSP. .J.N.DENN
1821 UNIV.
ST.PAUL MN
55104

MINN PETROLEUM COUNCIL
1020 NORTHERN FED BLDG
ST PAUL MN
55102

MN REP STATE CENTRAL COMM
555 WABASHA AVE
ST PAUL MN
55102

MINN RESTAURANT ASSN
2001 UNIVERSITY AVE.
ST PAUL MN
55104

MAYO FOUNDATION G ORHOLL
200 FIRST AVE NW
ROCHESTER MN
55901

MCCLURG EUNICE
1061 109TH AVE NE
BLAINE MN
55434

MCKIBBON MRS SHIRLEY
11 EVERGREEN LN
BABBITT MN
55706

MCLELLAN LARKIN
215 ADM BLDG ST CAPITOL
ST PAUL MN
55101

MEIEROTTO, JOAN
1794 SO LEXINGTON
ST PAUL MN
55118

MET TFR MEN ASSN A ROSENT
1821 UNIV AVE
ST PAUL MN
55104

MEYERLE KATHLEEN
345 RAMSEY ST
ST PAUL MN
55102

MIDLAND GLASS-HD SPURLING
PO BOX 69
SHAKOPEE MN
55379

MILLER TOM
2311 PILLSBURY AVE S
MPLS MN
55404

MINN APT ASSN
GRIGGS-MIDWAY BLDG
ST PAUL MN
55104

MINN ASSN ELEC COOPERATIVES
4901 W 77TH ST
MPLS MN
55435

MINN. ASSN. PET RETAILERS
1115 2ND AVE. SO.
MINNEAPOLIS MN
55403

MINN CHAP ASSOC BLDRS-CONTRS
7204 W 27TH ST
MPLS MN
55426

MINN COMM FOR HANDICAPPED
METRO SQ 492 7TH & ROBT
ST PAUL MN
55101

MINNESOTA FARMERS UNION
1717 UNIVERSITY AVE
ST PAUL MN
55104

MINN FOOD RETAILERS ASSN
555 WABASHA
ST PAUL MN
55101

MINN. HOTEL & MTR. ASSN
2001 UNIVERSITY AVE
ST PAUL MN

MINN HOUSING INST N T CAR
1573 SELBY AVE APT 101
ST PAUL MN
55104

MINN LP GAS ASSN
7515 WAYZATA BLVD 106
MPLS MN
55426

MINNE MINE CREDIT UNION
3000 HUDSON PK S 100
ST PAUL MN
55119

MINN POLLUTION CONTROL AGCY
1935 W CO RD B2
ROSEVILLE MN
55113

MINN POULTRY & HATCHERY A
BOX 158
MADELIA MN
56062

MINN RETAIL FED INS
131 METRO SP
ST PAUL MN
55101

MINN RETAIL HARDWARE ASSN
3033 EXCELSIOR BLVD 313
MPLS MN
55416

MINN SOCIETY ARCHITECTS AIA
NW NATL BK BLDG
ST PAUL MN
55101

MINN STATE BAR ASSN
100 MINN FED BLDG
MPLS MN
55402

MINN STATE MEDICAL ASSOC
STE 900 AM NATL BK BLDG
STPAUL MN
55101

MINN STATE RETIREMENT SYSTEM
529 JACKSON ST
ST PAUL MN
55101

MINN.TURKEY GROWERS ASSN
2383 UNIV AVE
ST PAUL MN
55114

MINN VETERANS MED ASSN
2175 W HWY 36
ROSEVILLE MN
55113

MN AUTOMOBILE DEALERS ASSN
277 UNIV AVE
ST PAUL MN
55103

MN. ASN.C&IND H.D.PETERSON
480 CEDAR ST.
ST.PAUL MN
55101

MN ELECTRICAL ASSN
3100 HUMBOLT SO
MPLS MN
55408

MN PUB INT RESEARCH GROUP
3036 UNIV AVE SE
MPLS MN
55414

MN STATE SER BLIND-K NATARDY
1745 UNIVERSITY AVE
ST PAUL MN
55104

MIXA FRANK LK MNTKA CONS DIS
402 E LAKE ST
WAYZATA MN
55391

MORTON BUILDINGS INC
R #1
FOLEY MN
56329

MOSS DR JEROME
125 PEIK 159 PILLSBURY
MPLS MN
55455

MPLS ASSN RETARDED CITIZENS
3100 W LAKE ST
MPLS MN
55416

MPLS CITY ATTORNEY
325M CITY HALL
MPLS MN
55415

MT OLIVET ROLLING ACRES
R 1 BOX 576
EXCELSIOR MN
55331

MURPHY DIANA E
4200 IDS-LINDQUIST VENN
MPLS MN
55402

NATL CAR RENTAL ATT D MITZEL
5501 GREEN VALLEY DR
MPLS MN
55437

NATL COUNCIL JEWISH WOMEN
4330 CEDAR LK RD
MPLS MN
55416

NELSON JOHN
4809 180TH ST N
HUGO MN
55038

NEREN MADONNA
376 NEAL AVE S
AFTON MN
55001

NO SUB MONTESSORI-S SADDLER
2487 HELEN COURT
NO ST PAUL MN
55109

NORTH CENTRAL ELEC ASSN
PO BOX 202
BATTLE LAKE MN
56515

MINN STATE BD PHARMACY
717 DELAWARE ST SE #351
MPLS MN
55414

MINN STATE EMP UNION COUN
236 E PLATO BLVD
ST PAUL MN
55107

MINN TEAMSTERS CREDIT UNION
2021 HENN AVE E
MPLS MN
55413

MINN TBR PRODUCERS ASSN
200 CHRISTIE BLDG
DULUTH MN
55802

MINN WATER RESOURCES BD
RM 206 555 WABASHA ST
ST PAUL MN
55102

MINN-WISC BOUNDARY AREA C
600 2ND ST
HUDSON WI
54016

MN AFL-CIO L.O. LASHOMB
175 AURORA
ST PAUL MN
55103

MN.BD OF NURSING
717 DELAWARE ST SE
MPLS MN
55414

MN SOC SERV ASS J HOOD
614 PORTLAND
ST PAUL MN
55102

MN ST PHARMACEUTICAL ASSN
2469 UNIVERSITY AVE
ST PAUL MN
55114

MOFFITT R C
RM 301 M MPLS CITYHALL
MPLS MN
55415

MOOD R BLOOMINGTON HLTH D
10200 PENN SO
BLOOMINGTON MN
55431

MOTOR VEHICLE MFRS ASSN
411 MAIN ST (215)
ST PAUL MN
55102

MPIRG
BOX 45 ST MARYS COLLEGE
WINONA MN
55987

MPLS STAR PRESS ROOM
STATE CAPITOL
ST PAUL MN
55101

MPLS TRIBUNE CITY DESK
425 PORTLAND AVE
MPLS MN
55415

NASS GEO V HENN CO GEN HO
5TH AND PORTLAND AVE
MPLS MN
55415

NATL FAMILY INS CO
2147 UNIV AVE
ST PAUL MN
55114

NCEC INC C/O DR DAHLBERG
CONCORDIA COLLEGE
MOORHEAD MN
56560

NEUMAN RALPH W
RT 2 BOX 125
EMBARRASS MN
55732

NIELSEN STOCK & BLACKBURN
415 730 BLDG
MPLS MN

NURSING HOME ADMRS BD EXAMRS
RM 340 717 DELAWARE SE
MPLS MN
55414

NURSING HOME RES ADV CO.
111 E FRANKLIN S210
MPLS MN
55404

NUTTER JULIA
743 W MONTANA
ST PAUL MN
55117

NW BELL TEL CO LEGAL DEPT
224 S 5TH ST RM 2000
MPLS MN
55402

NYQUIST DEAN A
3707 53RD PL N
BROOKLYN CTR MN
55429

OFFICE OF THE GOVERNOR
130 STATE CAPITOL
ST PAUL MN
55101

OLOFSON ARTHUR MBO & MAINC
927 SOO LINE BLDG
MPLS MN
55402

PATTISON ORVIS
BOX 645
WILLMAR MN
56201

PETERSON GARY
854 MIDLAND BK BLDG
MPLS MN
55401

PFEIFER AND SHULTZ, INC
1433 UTICA AVE S
MPLS MN
55416

PINNETTI NICK M HALEY & ASS.
40 CENTRAL PARK S
NEW YORK NY
10019

POPOVICH PETER S
314 MINN BLDG
ST PAUL MN
55101

PORT AUTH CITY OF ST PAUL
330 MINNESOTA BLDG
ST PAUL MN
55101

POSS DONALD G
6301 SHINGLE CREEK PKWY
BROOKLYN CTR MN
55430

PROCTOR&GAMBLE L THEOHAROUS
IVORYDALE TECH CENTER
CINCINNATI OH
45217

PULSCHER RBT SPRINGSTED INC
813 OSBORN BLDG
ST PAUL MN
55102

RADMAN RICHARD-LABOR TEMPLE
418 AUDITORIUM
ST PAUL MN
55102

RALPH BURKE ASSOCIATES
7710 COMPUTER #S101
MPLS MN
55435

REAGAN MICHAEL
% MINN LEARNING CTR
BRAINERD MN
56401

REARDON MRS HELEN
1125 S E 6TH ST
WILLMAR MN
56201

REGION FIVE REG. DEV. COMM.
102 6TH ST N
STAPLES MN
56479

REGION NINE DEV. COMM.
709 N FRONT ST
MANKATO MN
56001

RENQUIST ARTHUR NSP CO
414 NICOLLET MALL
MPLS MN
55401

RICHARDSON THOS
7851 METRO PKWY S 103
MPLS MN
55420

NW COUNTRY ELEVATOR ASSN
802 GRAIN EXCH BLDG
MPLS MN
55415

NW REG. DEV. COMM
425 WOODLAND AVE
CROOKSTON MN
56716

O'BRIEN J.DENNIS
1100 1ST NATL.BANK BLDG
MINNEAPOLIS MN
55402

O'CONNELL RAY
MN GAS CO 733 MARQ AVE
MPLS MN
55402

OLSON KATHLEEN
192 SEYMOUR AVE SE
MPLS MN
55414

OTTER TAIL POWER CO.
215 S. CASCADE ST.
FERGUS FALLS MN
56537

PAYNE COL ALVIN

DEGRAFF MN
56233

PAYNE WM B
2400 FIRST NATL BK BLDG
MPLS MN
55402

PHAR MFGRS ASSN WM D PATTON
1155 15TH ST NW
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PHILLIPS LEGISLATIVE SERV
459 RICE ST
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55103

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MPLS MN
55406

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56175

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56357

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55433

RAMSEY CO MEDICAL SOC
908 AM NATL BK BLDG
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55101

RAUENHORST CORP-C ANDERSO
7900 XERXES S. S-2200
MPLS MN
55431

REID DAVID H
6469 N GRAHAM RD
INDIANAPOLIS IN
46220

RED OWL STORES INC
215 E EXCELSIOR AVE
HOPKINS MN
55343

REINO O LAINE 3M COMPANY
3M CENTER
ST PAUL MN
55101

RENNER R.H. ST PAUL AREA
300 OSBORN BLDG.
ST PAUL MN
55102

RICHARDS MONTGOMERY ET AL
1430 RAND TOWER
MPLS MN
55402

RIEKE DAVID
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ROE DAVID
175 AURORA
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55103

ROSS ALFRED
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55014

SE MN REG DEV COMM
301 MARQ BK BLDG
ROCHESTER MN
55901

SCARBOROUGH WILLIAM
DIV.ED. U.M.
MORRIS MN
56267

SCHMIDT H W TCHRS RETIREMENT
302 CAPITOL SQ BLDG
ST PAUL MN
55101

SCHUTZ LINDA
RM 328 CAPITOL BLDG
ST PAUL MN
55155

SCHNEIDER & NEESER
706 1ST ST SO PO BX 876
WILLMAR MN
56201

SENATE FINANCE COMMITTEE
ROOM 121 STATE CAPITOL
ST PAUL MN
55155

SHAW ROBERT M
616 MOBIL OIL BLDG
MPLS MN
55402

SIX W REG. DEV. COMM
128 W SORENSON
APPLETON MN
56208

SNYDER, R.W. U OF M
RM 248C CLASS OFF BLDG.
ST PAUL MN
55108

ROBBIE JOSEPH
904 CARGILL BLDG NO CTR
MPLS MN
55402

ROSS ROY J
CLK TREAS
LITCHFIELD MN
55355

SAN SIMEON DEVELOP CORP
OLD 1ST STATE BK BLDG
PAYNESVILLE MN

ST PAUL BUR HLTH DR P COX
555 CEDAR ST
ST PAUL MN
55101

SCHAEN ETHEL
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SCHMIDT LARRY WCCO-TV NEWS
50 S 9TH ST
MPLS MN
55402

SCHWARTAU NEAL METH HOSP
201 W CENTER ST
ROCHESTER MN
55901

SCHROEDER ALFRED H
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SENATE GOV OP COMM
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55155

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8545 W 28TH ST
ST LOUIS PARK MN
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SMERIKA WN.
BOISE CASCADE PAPERS
INTL FALLS MN
56649

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MPLS MN
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ROWLEY STEPHEN
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55407

RUDY FLOYD
118 AVE C
CLOQUET MN
55720

SANFORD S M
7000 PORTLAND AVE
RICHFIELD MN
55423

SAX DOVE & STENSON
310 ENDICOTT BLDG
ST PAUL MN
55101

ST PAUL FOOD RETAILERS ASSN
1220 ARCADE
ST PAUL MN
55106

SW REGIONAL DEV COMM
2811 BDWY
SLAYTON MN
56172

SCHLICHT REV ROBT
611 W MAIN ST
BELLE PLAINE MN
56011

SCHMIDT D R MN ASSN REALT
6101 WAYZATA BLVD
MPLS MN
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SELECTVISION INC FR VALENTIN
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SENATE COUNSEL OFFICE
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SHABATURA EUGENE H
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SITE ENGINEER INC
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WELCH MN
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SIX EAST REG. DEV. COMM.
311 W 6TH ST
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VANDERVOORT T J MET WASTE
350 METRO SQUARE BLDG
ST PAUL MN
55101

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55812

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MPLS MN
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WESTIN CHAS W
220 MEDICAL ARTS BLDG
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WHITLOCK A G
ECON LAB OSBORN BLDG
ST PAUL MN
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ST.PAUL MN
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WIS FEEDER PIG MARKET CO-OP

FRANCIS CREEK WI

WOLKERSTORTER THEODORE
676 17TH AVE NW
NEW BRIGHTON MN
55112

STEELWORKERS CREDIT UNION
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BABBITT MN
55706

SULLIVAN JEANETTE
CDIC SW STATE UNIV
MARSHALL MN
56258

SWANSON DALE
P O BOX 339
FOREST LAKE MN
55025

TATE VERN 3M CO
3M CENTER 220/6W
ST PAUL MN
55101

TIMESAVERS INC ATT R S VOLD
5270 HANSON COURT
MPLS MN
55422

UNION STOCK YARDS
ATTN PRES
SO ST PAUL MN
55075

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PELICAN RAPID MN
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VILLAGE OF WOODBURY
2100 RADIO DRIVE
WOODBURY MN
55042

WALTERS THOS H
4510 W 77TH ST STE 235
MPLS MN
55435

WELLINGTON R R SKELLY OIL
PO BOX 1650
TULSA OK
75102

WHITLOCK MARSHALL
RM 3 CAPITOL BLDG
ST PAUL MN
55155

WILEY ENTERPRISES
101 5TH AVE SE
OSSEO MN
55369

WOZNIAK D D
401 FIRST FED BLDG
ST PAUL MN
55101

1550 NW BK BLDG
ST PAUL MN
55101

SUMMIT NATL BANK D L MORR
205 AURORA AVE
ST PAUL MN
55103

SWANSON GERALD H
212 CITY HALL
ROCHESTER MN
55901

TENNESSEN SEN ROBERT J
RM 309 STATE CAPITOL
ST PAUL MN
55165

TOUCHE ROSS & CO K H STOC
780 NORTHSTAR CNTR
MPLS MN
55402

UTLEY JOHN
4610 IDS CENTER
MPLS MN
55402

VAN EVERA MUNDT ET AL
700 TORREY BLDG
DULUTH MN
55802

VOSS REV GORDON O
11120 NE 7TH ST
BLAINE MN
55434

WANQUIST ALLEN
RM 252 FEDERAL BLDG
ST PAUL MN
55101

WEST CENTRAL REG. DEV.
ADM BLDG, COMMUNITY COLL
FERGUS FALLS MN
56537

WHITING RALPH
7316 BAILEY ROAD
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55055

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1 GATEWAY CENTER
PITTSBURGH PA
15222

WYANT CLINTON W ATTY

ATKIN MN
56431

ZIMMERMAN & OFFERMAN
CAMBRIDGE STATE HOSP
CAMBRIDGE MN

STATE OF MINNESOTA

BEFORE EDWARD G. NOVAK

COUNTY OF RAMSEY

COMMISSIONER OF PUBLIC SAFETY

In the matter of the Proposed Adoption of Rules of the State Department of Public Safety Relating to Placement of Smoke Detectors in Dwellings, Apartment Houses, Hotels, and Lodging Houses.

NOTICE OF HEARING

Notice is hereby given that a public hearing in the above-entitled matter will be held in Room 83 State Office Building, St. Paul, Minnesota on November 28, 1977, commencing at 8:30 a.m., and continuing until all persons have had an opportunity to be heard concerning adoption of the proposed rules captioned above.

All interested or affected persons or representatives of groups or organizations will have an opportunity to participate, by submitting either oral or written data, statements, or arguments. Written materials may be submitted by mail to Peter Erickson, Office of Hearing Examiners, 1745 University Avenue, St. Paul, MN, either before the hearing or within 20 days after the close of the hearing.

The Commissioner proposes to adopt rules relating to placement of smoke detectors in dwelling units, apartment houses, hotels and lodging houses, pursuant to Laws 1977, Chapter 333, Section 2. The proposed rules apply to such buildings, remodeled, rented, or offered for rent after January 1, 1980. With slight modifications, the proposed rules are essentially the same as the Uniform Building Code requirements for smoke detector placement in newly constructed buildings.

One free copy of the proposed rules is available and may be obtained by writing to Diane Hamilton, Department of Public Safety, 210 Transportation Building, St. Paul, Minnesota 55155. Additional copies will be available at the door on the date of the hearing.

A Statement of Need explaining the need for and reasonableness of the proposed rules and a Statement of Evidence outlining the testimony the department will be introducing at the hearing will be filed with the Office of Hearing Examiners at least 25 days prior to the hearing and will be available there for public inspection.

Please be advised that Minnesota Statutes, Chapter 10A, requires each lobbyist to register with the Ethical Practices Board within five days after he commences lobbying. Lobbying includes attempting to influence rule making by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than $250 per year for lobbying or any individual who is engaged for pay or authorized to spend money by another individual or association

and who spends more than $250 per year or five hours per month at lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, phone (612) 296-5615.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

Edw J Novak
COMMISSIONER OF PUBLIC SAFETY

10-11-77
DATE

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE EDWARD G. NOVAK

COMMISSIONER OF PUBLIC SAFETY

In the matter of the Proposed Adoption of Rules of the State Department of Public Safety Relating to Placement of Smoke Detectors in Dwellings, Apartment Houses, Hotels, and Lodging Houses.

ORDER FOR HEARING

To effectively implement Laws 1977, Chapter 333, the Minnesota Commissioner of Public Safety deems it necessary to consider adoption of the proposed rules captioned above pursuant to the authority vested in me by Minn. Stat. 299A.01, subd. 6 (1976).

NOW, THEREFORE, IT IS ORDERED this 7th day of October, 1977, that a public hearing on the proposed rules captioned above be held in Room 83, State Office Building, St. Paul, Minnesota, on November 28, 1977, commencing at 8:30 a.m., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard.

IT IS FURTHER ORDERED, that a Notice of Hearing be mailed to all persons or representatives of associations or other interested groups who have registered their names with the Secretary of State for that purpose.

IT IS FURTHER ORDERED, that the Notice of Hearing be published in the State Register.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

Edw G Novak
COMMISSIONER OF PUBLIC SAFETY

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE EDWARD G. NOVAK

COMMISSIONER OF PUBLIC SAFETY

In the Matter of the Proposed Rules of the Department of Public Safety Relating to Placement of Smoke Detectors in Dwellings, Apartment Houses, Hotels and Lodging Houses.

STATEMENT OF NEED

The above captioned rules are not amendments to existing rules of the Department of Public Safety, Fire Marshal Division.

The need to adopt these rules arises because of the legislative mandate of Laws 1977 Chapter 333. These rules essentially duplicate the requirements of the 1976 uniform building code, fire warning and fire extinguishing systems. Chapter 333 requires the state building code division to include in the state building code requirements for placement of smoke detectors in dwellings, apartment houses, hotels and lodging houses. That law also requires the commissioner of public safety to promulgate such placement rules. Since "dwelling" is defined therein as private homes and duplexes and includes new construction, this law gives the commissioner of public safety and the building code division dual authority over placement of smoke detectors in such dwellings. Therefore, it is deemed most feasible to promulgate rules essentially the same as the building code so as not to have conflicting requirements. In various other code requirements, the state building code division has jurisdiction over new construction and the department of public safety has jursidiction over existing structures. This law applies to newly constructed dwellings and existing dwellings rented or remodeled after a specific date. It appears to be the least confusing for persons required to comply, to maintain a high degree of consistency in this area of overlap between the two codes. However, these rules do differ slightly as is pointed out in the following explanation of each rule:

Section 1.5067 explains the purpose and scope of the rules. Statutory authority contained in Laws 1977 Chapter 333 limits the scope of the rules to placement of smoke detectors in dwellings, apartment houses, hotels and lodging houses.

Section 1.5068 defines certain terms for the purpose of aiding in understanding the rules. The definitions of "alarm signal" and "smoke detector" are taken from N.F.P.A. No. 74 pamphlet entitled Household Fire Warning Equipment, a copy of which is submitted as an exhibit.

Section 1.5069 specifies placement of smoke detectors in dwelling units, hotels and lodging houses.

A. Dwelling units. This subsection covers dwelling units of dwellings, as referred to in Chapter 333, Section 2, Subd. 3. Such dwelling units include single family homes, duplexes and double bungalows, by definition of dwelling ~~in~~ Chapter 333. It also covers dwelling units of apartment houses, as referred to in Chapter 333, Section 2, Subd. 4. Such

apartment dwelling units include triplexes, fourplexes and multiple dwellings of five or more dwelling units. This subsection requires a smoke detector to be placed in each corridor or area in a dwelling unit which gives access to sleeping rooms. It permits detectors to be placed on either the ceiling or wall. Since the detector must be placed outside of the sleeping unit, heat and smoke will pass by a properly placed wall mounted detector before building up enough to pass through the door. This rule differs from the building code in that this rule prohibits placement of smoke detectors closer than six inches from the intersection of the wall and ceiling. As shown in Figure B-7.1.1 on page 23 of the attached exhibit, this is dead air space. This is a space into which heat and smoke have difficulty penetrating. It is most desirable to locate a detector in the center of the ceiling. If mounted off center or on a wall, it should be located outside of the dead air space. Wall mounted detectors should be located no more than 12 inches below the ceiling (6 inches below the dead air space) for maximum effectiveness, since heat and smoke from a fire rise to the ceiling first and then banks down from the ceiling.

B. Hotels and lodging houses. This subsection requires placement of smoke detectors on ceilings only. Since the detector is generally placed within the sleeping room, a wall mounted detector could miss the build up of heat and smoke at the opposite side of the large room, and never sound an alarm even though deadly smoke is building up. This subsection covers three basically different but common configurations of hotel and lodging house sleeping rooms. In hotels and lodging houses, where the rented area is one guest sleeping room, the detector must be placed on the center of the ceiling of the guest sleeping room. In hotels and lodging houses where the rented area is a suite or group of rooms consisting of a main living room and separate bedroom(s), the detector must be placed on the center of the ceiling of the main room. In hotels and lodging houses where the rented area consists of living area on a lower level and sleeping rooms on an upper level, the detector must be placed at the center of the ceiling above the stairway leading to the upper level.

Section 1.5070 authorizes approval of alternate locations by the state fire marshal or local fire chief. Chapter 333 requires that these rules "take into account designs of the guest rooms or dwelling units." There are an infinite number of different designs of the types of occupancies covered by these rules. It is anticipated that these rules will provide adequate direction in proper placement of smoke detectors. However, for occupancies with unusual designs or configurations of rooms, the state fire marshal or local fire chiefs can provide alternate placement guidance based on their experience and knowledge.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

Edward G Novak
COMMISSIONER OF PUBLIC SAFETY

Nov. 2 1977
DATE

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Rules of the State Department of Public Safety governing Placement of Smoke Detectors in Dwellings, Apartment Houses, Hotels and Lodging Houses

CERTIFICATE

I hereby certify that the enclosed 2 SHEETS ~~general labels and~~ Public Safety list constitute the complete list of persons, associations, and other interested groups who as of 10:00 o'clock A M., this 24th day of OCTOBER, 1977, have requested pursuant to Minn. Stat. 15.0412, subd. 4 (1976), that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

SECRETARY OF STATE

JOAN ANDERSON GROWE

Joan Anderson Growe

By Cheri L. Mattson

EXHIBIT E

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Rules of the State Department of Public Safety governing Placement of Smoke Detectors in Dwellings, Apartment Houses, Hotels and Lodging Houses

AFFIDAVIT OF RECEIPT OF SECRETARY OF STATE'S LIST

Diane Hamilton, being duly sworn on oath deposes and says:

1) That she is an employee of the Department of Public Safety of the State of Minnesota.

2) That on the 24th day of October 1977, she went to the Secretary of State's office of the State of Minnesota and requested a current list of all representatives of associations or other interested groups or persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to Minn. Stat. 15.0412 (1976).

3) That on the 24th day of October, 1977, in response to the above request, the Secretary of State provided her with such a list, a copy of which is attached hereto and incorporated by reference.

Diane Hamilton

Subscribed and sworn to before me this 26th day of October 1977.

Ernest E. Scheidness

ERNEST E. SCHEIDNESS
Notary Public, Ramsey Co., Minn.
MY COMMISSION EXPIRES
April 11, 1983

Berry, Ed, Box 144, Emmons, 56029

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