

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Problem 14.29
Emergency Rules AVK 10-2-92

RULE REVIEW CHECKLIST

File No. 1954
DATE RECEIVED 10-1-92
REVIEW DATE ~~10-1~~
DUE DATE 10-15-92
(DIS)APPROVED
WITHDRAWN

Docket No. 05 0009 0720
ADOPTED W/O HEARING
EMERGENCY RULE
TO REVISOR ON 10-2-92
REVISOR (DIS)APPROVED 10/6/92
FILED W/SEC. OF STATE 10/15/92
RETURNED TO AGENCY 10/15/92

✓ Rule as adopted (4 copies)

Notice to Solicit Outside Information/Opinion (if applicable)
May 11, 1992 Date published in State Register
Comments

Petition for Adoption of a Rule

Board's Authorizing Resolution
Date adopted

✓ Proposed Rule
~~May 11, 1992~~ ✓ Revisor's Certificate

✓ Notice of Intent to Adopt Rule Chapter 571, section 11
1992 MN Laws Article 13 Statutory Authority
Small Business Statement
Expenditure of public money statement
August 17, 1992 Signature

Statement of Need and Reasonableness (if applicable)
NA Small Business Statement
Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
August 19, 1992 Dated 30/25 days before adoption
✓ Notice attached indicates it is attached
Copy of rule or summary attached

✓ Publication in State Register
August 24, 1992 Date 30/25 days before adoption

✓ 180-day deadline from:
~~Date I mailed it~~ Effective date of law requiring rule (14.12) (both rules) amendments don't apply
end of comment period (§ 14.26) (rules without hearing)
~~Date I mailed it~~ effective date of statutory authority (§ 14.29) (emergency rules)

Resolution Adopting
Date adopted

✓ Findings of Fact, Conclusions & Order Adopting
September 30, 1992 Date

✓ Written Requests, Submissions or Comments

✓ Declaration of Attorney
Oct 1 JB Belsie Name of SAAG representing agency

Oct 1 Notice of Submission to Attorney General (if applicable)

Oct 1 Affidavit of Mailing Notice to Attorney General (if applicable)

STATE OF MINNESOTA

Office of the Attorney General

TO : DAVE ORREN
Department of Public Safety
211 Transportation Bldg.

DATE : October 15, 1992

FROM : AMY V. KVALSETH
Special Assistant
Attorney General

PHONE : 296-9422

SUBJECT : In the Matter of the Adopted Rule Relating to Firearms Dealers Security Standards

The above-referenced rule has been approved as to its legality by the Attorney General on October 15, 1992. However, comments received indicated that the definition in pt. 7504.0100, subpt. 2 of "firearms dealer" raised an issue of why dealers operating out of their homes were exempted. The wording of subpart 2 should be clarified.

Enclosed is your copy of the approved rule. This office has already filed two copies with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submissions or comments along with any extra copies of documents which you submitted to the Attorney General.

Your next step is to arrange for publication of the Notice of Adoption in the State Register. In a day or two, you should receive from the Revisor's Office three copies of the notice of adoption of your rule. You should submit two copies of the Notice of Adoption to the State Register for publication. A permanent rule without a hearing does not become effective until five days after a notice of adoption is published in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

If you have any questions in this regard, please contact me.

Enclosures
cc: Jeffrey S. Bilcik
William Brown, Chief Judge
MaryAnn Hruby

AVK:jj.rules.bb9

Department of Public Safety

Adopted Emergency Rules Relating to Firearms Dealers Security Standards

Rules as Adopted

7504.0100 [Emergency] DEFINITIONS.

Subpart 1. **Scope.** For purposes of this chapter, the terms in subparts 2 to 6 have the meanings given them.

Subp. 2. **Firearms dealer.** "Firearms dealer" means a dealer federally licensed to sell pistols who operates a retail business in which pistols are sold from a permanent business location other than the dealer's home. For the purposes of this chapter, a dealer's home does not include the following:

A. a building located on property that is zoned commercial;

B. a business location where the square footage used for the business of selling firearms exceeds the square footage used for the dealer's residence; or

C. a building located on the same property as the dealer's home that is not attached to the dealer's home.

Subp. 3. **Small firearms dealer.** "Small firearms dealer" means a firearms dealer who operates a retail business at which no more than 50 pistols are displayed for sale at any time.

Subp. 4. **Large firearms dealer.** "Large firearms dealer" means a firearms dealer who operates a retail business at which more than 50 pistols are displayed for sale at any time.

Subp. 5. **Pistol.** "Pistol" includes a weapon designed to be fired by the use of a single hand and with an overall length less than 26 inches, or having a barrel or barrels of a length less than 18 inches in the case of a shotgun or having a barrel of a length less than 16 inches in the case of a rifle (1) from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances; or (2) for

Approved by Revisor MR

which the propelling force is a spring, elastic band, carbon dioxide, air or other gas, or vapor. Pistol does not include a device firing or ejecting a shot measuring .18 of an inch or less in diameter and commonly known as a BB gun, a scuba gun, a stud gun or nail gun used in the construction industry, or children's pop guns or toys.

Subp. 6. **Displayed for sale.** "Displayed for sale" means a pistol available for sale to customers that is either displayed or stored at the dealer's place of business. This does not include pistols temporarily stored at the place of business for repair or servicing.

7504.0200 [Emergency] SECURITY MEASURES FOR SMALL FIREARMS DEALERS.

After business hours when the dealer's place of business is unattended, a small firearms dealer shall place all pistols that are located in the dealer's place of business in a locked safe or locked steel gun cabinet, or on a locked, hardened steel rod or cable that runs through the pistols' trigger guards.

A. The door to a safe must be recessed or flush and made of at least ~~3/16-inch-thick~~ seven gauge steel. The body of a safe must be made of hot rolled steel of at least ~~one-eighth inch-thick~~ 12 gauge thickness. A safe must have an Underwriters Laboratory (UL) listed Group 2 combination lock.

B. A rod or cable used to secure a pistol must be hardened steel. The rod or cable must be at least one-fourth inch in diameter. The rod or cable must be secured with a hardened steel lock which has a shackle that is protected or shielded from attack by a bolt cutter.

C. No more than five pistols may be affixed to any one rod or cable.

D. The safe, gun cabinet, rod, or cable must be anchored to prevent its removal from the premises.

E. The door to a gun cabinet must be ~~recessed and~~ made of at least 14 gauge steel. The door may be recessed, flush, or overlapping. If the door is flush or overlapping, it

Approved by Revisor _____

must be designed to conceal the location of the locking bolts and hinges from the outside of the cabinet. The door must be reinforced and must be attached to the body by one continuous hinge or at least two hinges that are located either inside or outside the body. If the hinges are located outside the body of the safe, the safe must have an interior locking system consisting of permanent or moveable locking pins securing the door from the inside when it is in the closed position. The body of a gun cabinet must be made of hot rolled steel of at least 14 gauge thickness, and must be continuously welded to create a single, solid structure. A gun cabinet must have either a UL-listed group two combination lock or a UL-listed key lock that is encased in a high security, drill-resistant lock body. A key lock must use a restricted key that can only be duplicated by a factory-authorized source.

7504.0300 [Emergency] SECURITY MEASURES FOR LARGE FIREARMS DEALERS.

A large firearms dealer shall ~~either~~ comply with the requirements of items A to H or the requirements of part 7504.0200 [Emergency], items A to D, ~~or the requirements of items A to H~~ except that a large firearms dealer shall not use a gun cabinet.

A. The dealer shall install vehicle-resistant barriers to prevent the penetration of the dealer's place of business by a motor vehicle. The barriers must protect any areas that are accessible to vehicles and that have a free run distance of 50 feet or more.

B. The dealer shall secure each perimeter doorway according to subitem (1), (2), or (3).

(1) The dealer may use a windowless steel security door equipped with both a dead bolt and a doorknob lock.

(2) The dealer may use a windowed metal door that is equipped with both a dead bolt and a doorknob lock. The window must be made of one-half inch polycarbonate or glass reinforced with metal mesh. If the window has an opening of

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five inches or more measured in any direction, then the window must be covered with steel bars or metal grating affixed to the interior of the door.

(3) The dealer may use a metal grate that is padlocked and affixed to the premises independent of the door and door frame.

C. A dealer shall cover all windows with steel bars that are anchored internally to the wall joists.

D. A dealer shall secure a room where pistols are stored after hours with a locked steel door or metal grating.

E. A dealer shall not display pistols within four feet of a window unless the window is covered by metal screen that is anchored internally to the wall joists.

F. A dealer shall secure heating, ventilating, air conditioning, and service openings with steel bars, metal grating, or an alarm system as described in part 7504.0400 [Emergency].

G. A dealer shall illuminate each perimeter doorway so that the doorway is clearly visible after dark from a distance of 100 feet.

H. Metal grates and grating must have spaces no larger than six inches ~~on-center~~ wide along any diagonal. Metal screen must have spaces no larger than three inches wide along any diagonal. Steel bars must be no more than six inches apart on center.

7504.0400 [Emergency] ELECTRONIC SECURITY FOR ALL FIREARMS DEALERS.

A firearms dealer shall install and maintain an electronic security system that meets the requirements of items A to I.

A. The system must emit an audible alarm at the dealer's place of business when triggered.

B. The system must transmit a silent alarm when triggered. The silent alarm must be transmitted directly to a public safety answering point where this service is available. If no local public safety answering point provides an

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by Revisor _____

alarm-monitoring service, the silent alarm must automatically transmit a violation signal to a UL-approved monitoring station that must notify an appropriate law enforcement agency within two minutes of receiving the violation signal.

C. A large firearms dealer's system must include a backup silent alarm that transmits the alarm as provided in item B if the primary transmission system fails.

D. The system must include a line cut alarm unless the incoming phone lines are hardened by routing them through underground conduit or similar protective barrier. The line cut alarm must be triggered when the phone line is cut, and must emit an audible alarm.

E. The system must monitor all exterior doors, windows, and other entry points, including but not limited to heating, ventilating, air conditioning, and customer and service entry points.

F. The system must use motion and heat sensors to monitor pistol storage areas and alarm control boards.

G. The system must monitor all interior doors that provide access to pistol storage areas.

H. All components of the system must be UL-approved.

I. All components of the system must be independently tested and certified to comply with this part at least once per year. The test must be conducted by an alarm system installation or monitoring firm or a person approved by the alarm system manufacturer or distributor. Written certification must be available for inspection by a local law enforcement authority.

7504.0500 [Emergency] INSPECTION BY LAW ENFORCEMENT.

A firearms dealer shall make its place of business available to local law enforcement officials during normal business hours for the purpose of verifying compliance with this chapter. A local law enforcement official is not required to give advance notice of an inspection.

7504.0600 [Emergency] EXEMPTIONS.

Approved by Revisor _____

Upon written request from a firearms dealer, the commissioner of public safety shall grant an exemption from compliance with a requirement of this chapter if the following conditions are met:

A. the request shows that the firearms dealer is unable to comply with the requirement because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the firearms dealer;

B. the request identifies security measures used in lieu of complying with the requirement;

C. the requirement is not ~~mandated by~~ specifically set out in statute; and

D. the commissioner determines that the security measures will provide a degree of security similar to the degree of security provided by the requirement or will cause a delay in the unauthorized entry into the dealer's business premises equivalent to the delay provided by complying with the requirement.

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Adopted Emergency Rules Relating to Firearms Dealers Security Standards

AGENCY: Department of Public Safety

MINNESOTA RULES: Chapter 7504

APPROVED AS TO FORM AND LEGALITY
10-15 1992
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY Amy V. Kvilseth
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT 15 1992
Joan Anderson Growe
Secretary of State

11:15 AM
PRB

The attached rules are approved for filing with the Secretary of State

Ron Ray

Ron Ray
Senior Assistant Revisor

RANDY C. KELLY
Senator 67th District
G-27 State Capitol
St. Paul, MN 55155
Phone: (612) 296-5285
FAX: (612) 296-6511
1630 David Street
St. Paul, MN 55119

Senate
State of Minnesota

September 15, 1992

Thomas H. Frost
Commissioner
Department of Public Safety
Transportation Building
395 John Ireland Blvd.
St. Paul, MN 55155

Dear Commissioner Frost:

I have read your Notice of Intent to Adopt Emergency Rules Relating to Firearms Dealers Security Standards. As the Senate Author of the enabling legislation, I fully support the proposed rules as outlined in the Notice of Intent. Additionally, I believe that proposed rules accurately reflect the intent of the Legislature.

I would appreciate it if you could provide me with copies of feedback that you have received from others regarding the proposed rules. Likewise, I would like to be kept abreast of the status of these rules and any changes that they undergo.

You and your staff have been very helpful to Representative Pugh and myself as we worked to address this growing problem of gun store break-ins. Thank you. I am hopeful that our efforts will reap positive results in the coming months and years.

Sincerely,

Randy Kelly

Randy C. Kelly
State Senator

Public Safety
SEP 16 1992
Commissioner's Office

Printed on Recycled Paper

COMMMITTEES: Judiciary, Vice Chair • Economic Development & Housing
Metropolitan Affairs • Taxes and Tax Laws
Chair of Ramsey County Senate Delegation

Sir:

Public Safety
SEP 04 1992
Commissioner's Office

I have read the ~~orlin~~ proposed on rules to Firearms Dealers Security

The rules should be For all dealers or no dealers. large or small or home or comercial places of business.

Statistically home burglers produce more pistol etc on the ~~street~~ then unsecessid comercial Break ins. Because of the news press and tv Radio coverage it is made into good sales for there product.

Most business have already taken precautions not to lose there valuables. I see this action as goverment overreaction to the press ad radio tv coverage. lets not let them control sensible measures.

I see this as burden to some dealers and not others and if you decide to pass the legislations — then make (all) dealers Home - commercial small or large comply or none and let economy or Insurance Claims control

North Branch MN.

F.F.L. Dealer
U.S.C gun & Pawn
Steve Elkins

TREAD CORPORATION

P.O. Box 13207
Roanoke, Va. 24032
Phone (703) 982-6881
FAX (703) 344-7536

Public Safety

SEP 03 1992

Commissioner's Office

August 27, 1992

Attn:John Gundersen
Minnesota Bureau of Criminal Apprehension
1246 University Avenue
St. Paul, MN 55104

Re: Proposed Emergency Rules Relating to
Firearms Dealers Security Standards

Dear Mr Gundersen:

We have reviewed the proposed SECURITY MEASURES FOR...FIREARMS DEALERS issued by your department. As a manufacturer of steel gun safes and gun cabinets for nearly 20 years, we would like to offer our comments from the viewpoint of a company familiar with what is required for adequate firearms security.

It is apparent in reading these proposed rules that your department researched the gun safe market before writing these specifications. We think that you have done a good job of identifying the essential characteristics of a secure gun safe or gun cabinet.

It is noteworthy also that these rules include a requirement for electronic security for the premises. While a safe can buy the time needed for law enforcement response, an alarm is needed to trigger that response. Hopefully, the choice between a secure gun cabinet and an even more secure gun safe would include the consideration of local law enforcement response times.

Best regards,

DMCole

David Cole
Engineering Manager

7504 e 26th Emergency
7504 e 26th Emergency Sept 1, 1992

Dear John Gunderson

This letter to you is to inform you of my concerns over the new Secu. measures for gun dealers in Minnesota.

It is virtually impossible to make a living on firearms sales. We must sell th. at cost to compete with Fleet Farm, and Wal-mart and other chain stores. We sell for cost to have a satisfied customer, In hopes of selling him ammo. and other supplies with a higher profit margin.

The new laws would require us to put out thousands of dollars in security measures. This is totally unreasonable to do this statewide. (EX) When a dealer in Hennepin County does $200,000. in business and has had 3 robberies, his expense, the same as a dealer in rural Stearns C. who only does $5000. in business and has never had a burglary - he must incur the same expense for security measure.

Businesses are patrolled regularly an. Residences may not have a squad car go p. for weeks. To let people doing business out of their homes, be exempt is

outrageous. He is more likely to be robbed & he has less police surveillance & doesn't have the overhead that a ~~dealer~~ retail dealer has.

Yet he is exempt.

I urge you to change the laws to have them geared more towards dealers in a "high crime" area. Dealers with previous burglaries.

And most of all not to discriminate against the small dealer by letting Home dealers off the hook.

Any Questions feel free to contact me at 612-256-4263 during bussiness hours.

Sincerely,
PATRICK W ROTHE
504 E. MAIN ST.
MELROSE, MN. 56
MELROSE FRISKY BA
PROPRIETER

Patrick W Rothe
FFL #3-41-075-01-5C-
54761

MELROSE FRISKY BAIT
504 E. MAIN ST.
MELROSE, MN 56352



FIREARMS AND SHOOTING EQUIPMENT SPECIALISTS

Ahlman's Inc.

Rt. 1 — Box 20
MORRISTOWN, MINNESOTA 55052
507 / 685-4244

SINCE 1943

9/2/92

John Gunderson
Bureau of Criminal Apprehension
1246 University Ave. St. Paul, Mn.
55104

Dear Mr. Gunderson; Regarding Minn. Statutes, sections 14.29 to 14.36 of article 15 chapter 571, which will be enacted Oct. 1, 1992 (SECURITY MEASURES FOR FIREARMS DEALERS).

We would like to request that the following exemption be added to this measure;

FIREARM DEALERS LOCATED IN LOW CRIME AREAS, AND WHO HAVE EXCELLENT RECORD OF PROTECTING THEIR STORE FROM CRIME, SHALL BE EXEMPTED.

Our reason is this: We have been in the business of selling firearms for (49) continuous years. During this time we have NEVER had an incidence of burglary or robbery (or even an attempt). This is because we take safeguards against it and we are in a "Low Crime" area. We are proud of our record on this and we do not want inspectors coming around and telling us that our window bars are incorrectly spaced or our door steel is the wrong gauge. We have too many inspectors now and do not want more.

There are numerous other gun stores in Minnesota who share our views. They are located inside shopping malls, or small towns, or areas that are virtually "Crime Free". This law is designed for big city, high crime rate areas. Please add language to this measure that will direct it only towords those high crime areas that it was intended for. Please don't punish the entire State for crimes caused in the big cities.

Very sincerely,

Larry Ahlmann

Public Safety

SEP 0 8 1992

Commissioner's Office

LARRY AHLMANN (Member) Nat'l Rifle Assn. (Life) — Nat'l Muzzle Loading Rifle Assn. — Nat'l Shooting Sports Foundation — Nat'l Sporting Goods Assn. — Comm. For Effective Crime Control — Minnesota Weapons Collectors Assn. — Minnesota Rifle & Revolver Assn. — Southern Minnesota Waterfowl Assn. — Izaack Walton League — American Legion — Faribault Rifle & Pistol Club — Morristown Gun Club — Morristown Commercial Club — Aircraft Owners and Pilots Assn. — Civil Air Patrol.

Tyler Body Shop
JAMES BRUST, Owner
109 EAST LINCOLN
TYLER, MINNESOTA 56178
TELEPHONE 507 247-5513

PUBLIC SAFETY

Dear Anne

I am a FFL holder and sell firearms at my place of business. I am a small dealer in a small town. Your "Emergency Rules" about required security measures of gun stores will put me out of the gun business. I can't afford to comply.

You really should join the DFL party. you'd fit better

James Brust



"Quality Auto Body Work"

Public Safety
SEP 15 1992
Commissioner's Office

Tyler Body Shop

JAMES BRUST, Owner

109 EAST LINCOLN TYLER, MINNESOTA 56178

TELEPHONE 507 247-5513

Dear John Gun

I am a small stocking firearms dealer in a small town. I stock 8-12 handguns and 18-25 long guns. Your proposed Emergency Rules will force me to stop selling guns at my place of business. I cannot afford to comply with these "rules".

It is my own belief that home based FFL holders violate Federal Law and yet you exempt them from these stupid rules. Isn't that illegal discrimination?

Public Safety

SEP 15 1992

Commissioner's Office

Tyler Body Shop

JAMES BRUST, Owner

109 EAST LINCOLN TYLER, MINNESOTA 56178

TELEPHONE 507 247-5513

In typical bleeding heart liberal government fashion you are attacking gun store burglaries, what is your plan for daytime armed robberies? Home thefts of firearms?

How about applying the same logic to sex crimes? After dark — all vagina have to be locked indoors and secured.

Have you guys ever considered some "Emergency Rules" for "poor misunderstood" criminals?

Have a nice day. Jerk

James Brust

"Quality Auto Body Work"

Memo . . .

FROM:

KINGSBERY MANUFACTURING CORPORATION

AMERICA'S LEADING MANUFACTURER OF STEEL GUN & HOME SAFES

715 WEST ZAVALA STREET
CRYSTAL CITY, TEXAS 78839

DUN & BRADSTREET
NO. 00-812-9769

JACK KINGSBERY, PRESIDENT
PHIL ALCOZER, VICE PRESIDENT
EVELYN B. KINGSBERY, TREASURER

OFFICE: (512) 374-3473
1-800-445-0763

9-3-92

John Gunderson
St. Paul, MN

Dear Mr Gunderson,

Our safes exceeds the proposed emergency rules proposed by the Minnesota State Dept. of Public Safety.

I think the proposal is adequate.

I'm enclosing a brochure of our safes.

Sincerely,
Jack Kingsbery, Pres.

Public Safety
SEP 15 1992
Commissioner's Office

SINCE 1902
SCHEELS
SPORT SHOP

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September 11, 1992

Mr. John Gunderson
Minnesota Bureau of Criminal Apprehension
1246 University Ave.
St. Paul, MN 55104

Re: Proposed Emergency Rules Relating to Firearms Dealers
Security Standards

Dear Mr. Gunderson:

Scheels is a group of seventeen sports stores in the upper Midwest with three of the stores doing business in Minnesota. The proposed emergency rules are not only unnecessary for public safety, but also pose unnecessary additional expense for Minnesota business.

All Scheels stores have internal motion, entry glass, and magnetic exterior door alarm systems. We require our stores to physically check their alarms for both function and police response weekly, and to maintain a permanent record of those checks. We have an excellent record of loss prevention which is open to public scrutiny. These proposed measures would add greatly to the cost of doing business in Minnesota, and would do nothing to reduce the loss of firearms by theft from our stores.

We further object to the exclusion of " dealers" who sell firearms from their homes. Compared to a well-run retail store, the typical security in these "basement dealers" homes is non-existent. These "dealers" are a far greater risk for uncontrolled sales and theft of firearms into the wrong hands than any retail dealer.

These regulations seem nothing more than poorly thought, knee-jerk reactions to big-city crime. Penalizing legitimate Minnesota businesses is not the answer.

Please do not adopt these measures without more thorough study and scrutiny of the facts.

Sincerely,

Steve W. Hulbert
Executive Vice President

Public Safety
SEP 15 1992
Commissioner's Office

SCHEELS SPORTS SHOP • 505 CENTER AVE. • P. O. BOX 426 • MOORHEAD, MN 56561 • (218) 233-2751 • FAX 218-233-9167

TELEPHONES: CODE 218
OFFICE: 879-8016
RESIDENCE: 879-7995

SPORTS EQUIPMENT • SHOES • CLOTHING



LOYDEN'S
POST OFFICE BOX 315
CLOQUET, MINNESOTA 55720

September 10, 1992

Mr. John Gundersen
Minnesota Bureau of Criminal Apprehension
1246 University Avenue
St. Paul, Minnesota 55104

SUBJECT: Proposed Emergency Rules Relating to Firearms Dealers Security Standards

Dear Mr. Gundersen:

I am writing in regard to your notification to this store regarding the emergency rules being drafted for firearms dealers who are in the process of selling hand guns to the general public that qualify for this purchase. We have been in business for the past forty-six (46) years and are highly concerned with these potential regulations.

My number one concern is I feel that you have discriminated against us who have local businesses and are trying real hard to continue in business. You have discriminated against us by exempting our competition who sell out of their homes with no additional overhead such as we face. I feel that this is not fair and your regulations ill not stop them from selling them from the comfort of their homes without additional costs of this new program. If these rules affect us as firearms licensed dealers, it should affect them also!!! We are a small dealer and one of the very few left in this area that can service the general public for their needs for sporting and hunting.

We also feel that these general demands will be very costly, cumbersome, and time consuming without any great advantage for the goal that these regulations seemingly seek.

We shall send a copy of this message to our senator and trust that Mr. Chmielewski will vote against this proposal.

Thank you,

Loyden Anderson

Loyden's of Cloquet
316 East Carlton Avenue
Cloquet, Minnesota 55720

Public Safety
SEP 15 1992
Commissioner's Office

GLEN'S ARMY-NAVY
701 N.W. 4th Street
GRAND RAPIDS, MINNESOTA 55744
True Value HARDWARE STORES 10-M670-6
Howie, Chris, Mitch & Rusty Eichorn
Phone: (218) 326-1201 • Fax: (218) 326-9437

DATE 9/5/92

TO JOHN GUNDERSEN

SUBJECT FIREARMS DEALER SECURITY RULES.

WE HAVE BEEN BUILDING OUR FAMILY BUSINESS SINCE 1946 - (46 YEARS.). THE TYPE OF RULES AND REGULATION BEING SUGGESTED WOULD PROBABLY MEAN THE END OF OUR BUSINESS WHICH IS HEAVILY MERCHANDISED WITH FIREARM.

PLEASE CONSIDER THAT THIS WOULD ADD 25 PEOPLE TO THE UNEMPLOYED LIST - JUST FROM OUR STORE.

WE COULD NOT AFFORD THE TOTALLY UNREASONABLE REQUIREMENTS THAT PROPOSED REGULATIONS SUGGEST, AND SO WE'RE ASKING THAT YOU RECONSIDER THE CONSEQUENCES OF ADOPTING SUCH REGULATIONS.

THANK YOU FOR YOUR CONSIDERATION

RESPECTFULLY, Howard Eichorn

SIGNED

Item # F380 Grayarc, P.O. Box 2944, Hartford, CT 06104-2944
© Wheeler Group, Inc., 1982

Fold At (—) To Fit Grayarc 2/View Envelope # EW9DW

Public Safety
SEP 15 1992
Commissioner's Office

GLEN'S ARMY-NAVY
701 N.W. 4th Street
GRAND RAPIDS, MINNESOTA 55744
True Value
10-M670-6
Howie, Chris, Mitch & Rusty Elchorn
Phone: (218) 326-1201 • Fax: (218) 326-9437

DATE 9/15/92

TO John Gunderson

SUBJECT Emergency Rules for Gun Dealers Security

— This is clearly an attempt, to put Firearms Dealers, both large & small, out of Business. I would estimate our cost to comply with these Rules, with the required alarm system, at Roughly $ 20,000.00. Please Reconsider these security measures.

Thank you.

Rusty Elchorn
SIGNED

Item # F380 Grayarc, P.O. Box 2944, Hartford, CT 06104-2944
© Wheeler Group, Inc., 1982

Fold At (—) To Fit Grayarc 2/View Envelope # EW9DW

Public Safety
SEP 15 1992
Commissioner's Office

Sept. 5, 1992

Public Safety
SEP 15 1992
Commissioner's Office

John Lindersen
Minnesota Bureau of Criminal Apprehension
1246 University Ave.
St Paul, MN 55104

Re: Proposed Emergency Rules Relating to
Firearms Dealers Security Standards
#7504.0100, 7504.0200, #7504.0300 →

Dear Mr. Lindersen:

I am writing today as a concerned citizen and avid gun collector and owner.

This intent to circumvent the legislative process with these so called emergency rules is an outrage! The only result of these rules being implemented will be more firearms dealers run out of business and increased prices passed on to me as a gun buyer by those dealers who remain in business and comply with the rules.

All existing dealers already have (for insurance requirements) electronic security systems and many other deterrents in place. To expect them to now comply with all these

7504.0400, 7504.0500, 7504.0600

unnecessary improvements is unbelievable.

Unnecessary overhead in today's business climate is just what any merchant in Minnesota needs. And that is exactly what you are placing upon the backs of the gun dealers. Eliminating businesses from ~~the~~ the states economy today because of their inability to comply is something we don't need either.

You can bet South Dakota gun dealers can't wait for the increase in sales.

Sincerely,

Greg Huibregtse

Greg Huibregtse
409 West Dodge St.
Luverne MN 56156

CHARLES W. BALSIGER, P.C.
ATTORNEY AT LAW
P. O. BOX 17
900 RIVERSIDE BLVD.
NORFOLK, NE 68702-0017

(402) 379-2543

September 8, 1992

Mr. John Gundersen
Minnesota Bureau of Criminal Apprehension
1246 University Avenue
St. Paul, MN 55104

Re: Minnesota State Department of Public Safety
Proposed Regulation # 7504.0200E

Dear Mr. Gundersen:

We have received a copy of the Department's proposed regulations, most particularly proposed regulation 7504.0200E regarding gun cabinets.

The proposed regulation requires that gun dealers store pistols in such a cabinet after hours when the dealer's place of business is unattended, and more particularly requires that the "door to a gun cabinet must be recessed...."

Arkfeld Mfg. and Distr. Co., Inc. manufactures and distributes gun cabinets which do not meet your proposed requirements in that the door is not recessed. The Arkfeld design has an overlapping door which increases security by concealing the location of the locking bolts and the hinges from the outside of the cabinet. The design could not be used with a recessed door.

We propose that the proposed regulation, number 7504.0200E, read as follows:

e. The door to a gun cabinet must be at least 14 gauge steel, reinforced, and attached to the body by at least two hinges that are located and secured inside the body of the cabinet. The body of a gun cabinet must be made of hot rolled steel at least 14 gauge, and must be continuously welded to create a single, solid structure. A gun cabinet must have either a UL-listed group two combination lock or a UL-listed key lock that is encased in a high security, drill-resistant lock body. A key lock must use a restricted key that can only be duplicated by a factory-authorized source.

Public Safety
SEP 15 1992
Commissioner's Office

It is our understanding that the regulation that we propose would comply with federal regulations as well as most other state regulations.

Yours very truly,

Charles W. Balsiger, P.C.

CWB/cs

cc: Robert Arkfeld
Arkfeld Mfg. & Distr. Co., Inc.

AL FORTMANN'S

FORTMANN'S
115 1st Ave. North
~~1814 2ND ST.~~
LONG PRAIRIE, MN 56347

PHONE 612-732-2813

FFL 3-41-077-01-A4-18724

GUNSMITH
DEDICATED TO SHOOTERS & THEIR GUNS

John Gunderson
Minnesota Bureau of Criminal Apprehension
1246 University Ave.
St. Paul, Mn. 55104

Public Safety
SEP 15 1992
Commissioner's Office

Dear Mr. Gunderson:

This letter is to voice my opposition to proposed SECURITY LAWS concerning HAND GUNS AND STOCKING DEALERS. I feel that this law will be of no value in accomplishing what it is intended to do. It will cause untold hardships for many dealers.

Why should dealers who work out of their homes be exempt? 90% of them pay no commercial taxes on their property,they don't have a shop per se, they don't have regular hours and they have an FFL only so they can buy wholesale and sell a few guns to their friends. Many of these, especially those in large metro areas,are responsible for guns getting to the wrong hands because the BATF insists on issuing FFLs to anyone who will pay the fee and stocking dealer suffers not only from unfair laws such as this, but also from the loss of business.

If the people resposible for the writing of this law would do their research correctly, they would find that the majority of the cities have laws and regulations prohibiting the operation of a business in a residential zoned district which leaves the small dealer a choice between commercial and rural. You have chosen to exempt the small rural dealer and he is by far the most vulnerable to theft even though he does live on the premisses and yet the small dealer who must conduct his business on commercial property thats actually in a residential area and under the watchful eye of all his close neighbors is forced to comply with your new law regardless of the hardship and expense that it will cause.

Granted, large dealers in high crime areas and metro areas need to have laws governing security but dont make the small stocking dealer pay the price for the lack of clout in our judicial system. The small town stocking dealer cannot afford to pay for unnecessary restrictions such as this.

I strongly suggest that some more thought and research be put into this matter and some ammendments made to this bill. Also there needs to be some heat put onto the BATF to change their policy in issuing FFLs. Their excuse is, they don't have enough manpower to check out all applicants which is a bunch of bunk. all they need to do is to call the local law inforcement or city officials and check on the address to see if it is zoned commercial. If not then they are not stocking dealers.

Sincerely,

9-10-92

JOHN GUNDERSON

THIS MEMO IS TO PROTEST THE NEW RULES REGARDING FIREARMS DEALERS;

1. THERE IS NO WAY TO EFFECTIVELY MEASURE HOW EFFECTIVE THESE NEW RULES WILL BE IN REDUCING BREAK-INS. MY FRIEND TIM FOSLIEN WAS MURDERED IN HIS SHOP DURING NORMAL HOURS (BEFORE THINGS WERE LOCKED UP).

2. THE COST TO IMPLEMENT THESE VARIOUS SECURITY MEASURES WOULD PLACE TOO MUCH BURDEN ON TYPICAL GUN SHOPS AND MOST LIKELY FORCE CLOSURE OF THE SHOP. (OR IS THIS PART OF THE SCHEME)?

3. GUN SHOPS SHOULD BE ALLOWED TO COMPLY WITH THESE REGULATIONS IF THEY WANT TO. THIS SHOULD NOT BE FORCED ON ALL DEALERS.

4. GUN DEALERS ARE ALREADY ENCUMBERED WITH ENOUGH RED TAPE, PAPER WORK AND LAW ENFORCEMENT SCRUTINY. WE DON'T NEED MORE! WE DON'T WANT MORE!

5. THIS IS MID SEPTEMBER, YOUR 1-1-93 IMPLEMENTATION DATE IS MUCH TO SOON (OVER) (SUGGEST 1-1-94) IF IT MUST BE!

6. FINALLY, LET THE GUN DEALERS PROPOSE OUR OWN SOLUTIONS AND THEN, WORKING WITH US, DECIDE WHAT AVENUE IS BEST.

THE BEST FORM OF CRIME CONTROL IS GETTING TOUGHER ON THE CRIMINALS!

REGARDS,
BIA
BIA DiSANTO
15131 ALPACA ST. NW
RAMSEY, MN 55303

September 14, 1992
Regarding: 7504.0100 Emergency Burglary Law for Shops selling firearms:

Minnesota Bureau of Criminal Apprehension
Mr. John Gundersen
1246 University Avenue
Saint Paul, MN 55104

Public Safety
SEP 16 1992
Commissioner's Office

Dear Mr. Gundersen:

Help us stop enactment of 7504.0100. We know that it is well-intended. Our friends at Lloyd's were killed in cold blood. Faced with Lloyd's new security measures to prevent repeated burglaries, they walked in and killed two armed employees. Lloyd's gun safe, cable locks, steel doors, video, motion detectors, crash barriers, steel barred windows, and removing valuables at night were of no benefit to the two dead men.

Police officers captured the two men. Police officers recovered the stolen guns. But they have failed to resurrect the two dead men.

Our family business is our dream. With nine employees, we make serious decisions every day, and we have survived in business 21 years. We have the right to make our own decisions about security risks, and precautions. We were burglarized once, 15 years ago. The Police almost caught him! He got very little for his risk. With a few changes, we have not been robbed since. We could never implement the over-kill precautions mandated in this new law.

We cannot imagine working in such an environment. Our shop is a gathering place for hunting buddies, marksmen, reloaders, campers, America's best. The environment described sounds like the armoury of a Third World dictator.

Minnesota is clean, beautiful, and free. Do not imprison us in a storefront from Beiruit. We cannot pursue happiness while working behind steel bars.

The title of your organization reveals the correct answer to this problem. Help us. We will be crushed by these huge and unnecessary requirements.

Don't do this to us.

David S. Ripplinger

David S. Ripplinger
Post Office Box 6
Osseo, MN 55369
Facsimile: 612-424-9860
Telephone: 612-424-2500

Mom dies in latest carjacking

By Steve Marshall
USA TODAY

A Maryland woman taking her toddler to her first day of preschool died Tuesday in a carjacking — the latest victim of a violent trend.

Pamela Basu, 34, of Savage, was accosted by two men who drove off in her brown BMW, dragging her for about 2 miles.

Carjackings — armed seizures of an occupied vehicle — have occurred in many U.S. cities, including Los Angeles, Atlanta and Detroit — where several people have also died.

New York alone reported more than 1,000 carjackings in each of the past two years.

Police didn't know whether Basu's clothing became entangled or if she hung on to save her 22-month-old daughter.

Witness Catherine Nehring said she saw something "dragging out the driver's side rear door.... The idea of a body just didn't come to mind."

Witnesses said the child, strapped in her car seat, was thrown out, but was unharmed.

Police arrested and charged the men with first-degree murder, kidnapping, robbery and felony theft.

Targeted vehicles often are luxury models, says Sean Mooney of the Insurance Information Institute. Thieves "are not stealing the cars for joy riding, this is for profit," he says.

The cars are exported for sale or chopped up for parts: a $15,000 Cadillac may fetch $30,000 just for its parts.

Police advise victims: "Give (a carjacker) what he wants," says New York's Sgt. Ed Burns.

Cars are worth buying - people, not worth dying.

Public Safety
SEP 16 1992
Commissioner's Office

Dear Mr. John Gunderson:

This letter is in regards to Firearms Dealers Security Standards that have been proposed.

It is my feeling that I would not be able to meet these standards.

1. The Cost - Having a small business, I must be able to remain competitive. The expense of these proposed rules would shut my doors.

2. I don't think it would be that effective on the serious firearm thief.

3. Legislation is needed to put these people away with strong enough sentancing to make stealing unattractive.

I would request that you drop the proposed rules completely.

My son is interested in getting into the firearms business and there is no way he could start this business on his own under these rules.

Thank you.

Sincerely,

David R Schultz

Rt 3 Box 49
Mapleton, MN 56065

Steven Brown
R2 Box 32
Kensington, Mn 56343

In reference to proposed firearms rules relating to firearms dealers security standards.

It never ceases to amaze me how the people who run our government seem to think, if in fact they think at all! They do not seem to have the ability to use the brains that God gave them.

Why is it the honest person always made to pay the price and carry the load? Why not severely punish the person who is always breaking the law and always will be breaking the law? Instead you expect the honest person to add all this extra cost & trouble to keep the criminal from being a criminal.

I have never seen a criminal stop be a crook by adding more anti-theft devices. He will figure out how to get around all these new ideas faster than you can figure out how to make them. When you start punishing according to these deeds, swiftly & without fail then and only then will your out down on the crime period. We do not want or need any more rules & laws we already have way more than we need! In fact we only need one "thou shall not steal". Why not inforce just that one and make the penalty stiff enough so they will think twice about stealing anything period, enough said!!!

Steve Brown

Public Safety
SEP 17 1992
Commissioner's Office

Michael T. Larson
11045 Stanley Curve
Bloomington, MN 55437

Phone No. 612-888-9138

September 16, 1992

Mr. John Gundersen
Minnesota Bureau of Criminal Apprehension
1246 University Avenue
St. Paul, MN 55104

Dear Mr. Gundersen,

As a member of The Minnesota Weapons Collectors Association and a thirty year tax paying resident of the State of Minnesota my family and myself wish to formally protest the adoption of the "Proposed Emergency Rules Relating to Firearms Dealers Security Standards" as stated under sections 7504.0100, 7504.0200, 7504.0300, 7504.0400, 7504.0500, and 7501.0600 as published in the State Register dated August 24, 1992.

The proposed standards place undue financial burden on all gun dealers regardless of the number of handguns the dealer carries in inventory and are unreasonable to comply with under normal business conditions.

I have seen a copy of a letter sent to the Minnesota Bureau of Criminal Apprehension by Mr. William Penney, a "Large Firearms Dealer" by proposed regulation standards, which recommends that all handguns displayed at area gun shows be subject to the proposed regulations. The shows sponsored by the Minnesota Weapons Collectors Association use security personnel to secure the total show area during non-show hours. I believe the application of the kind of regulations that Mr. Penny recommends on Collectors Shows would eventually force the shows out of existence. This would be of great benefit to Mr. Penny.

New legislation being forced on law abiding citizens that prevents them from conducting their life in a normal manner is not good legislation no matter how noble the intention. Please start to enforce the laws that are on the books first before enacting new laws and regulations that do nothing but make it more difficult conduct a normal business.

I request to be notified of the date of submission of the Proposed Emergency Rules Relating to Firearms Dealers Security Standards to the Attorney General, and to receive a copy of the adopted rules.

Sincerely

Mike Larson

Michael T Larson

September 14, 1992

John Gundersen
Minnesota Bureau of Criminal Apprehension
1246 University Ave.
St. Paul, Minnesota 55104

Public Safety
SEP 17 1992
Commissioner's Office

Dear Mr. Gundersen,

This letter is in regard to the State Department of Public Safety's proposed emergency rules relating to firearms dealers securing all pistols in a safe, gun cabinet, or with steel rods or cables. And the proposed rule for "large firearms dealers" to harden their building to prevent or delay unauthorized entry. These same dealers would be required to have electronic security systems and permit the inspection of the security system by local law enforcement authorities.

This emergency rule discriminates against the retail dealers. Either ALL firearms dealers comply with the rules or no one should have to comply. Firearms dealers who deal from their homes shoule also have to comply with the rules. If you target retail dealers only, you will be putting a lot of dealers out of business. The home dealers are already cutting gun prices because they do not have to pay rent, heat, wages, lights, insurance, etc. Now, you want to add more expenses to the retailer and none to the home dealers. This is not fair and i doubt if it is even legal!

Through my personal experiences, I know what I am talking about. When I sell a gun, I only make a $10-15.00 profit. This is because home dealers will sell the gun and be happy with the $10-15.00 profit because they have no expenses. Why dont you try and make a living selling guns in a retail situation, you can find out for yourself how much profit there is in selling guns.

I was also broken into twice in less than two years. And guess what, I already had an alarm system that is connected to the police department and I also have wire mesh on ALL of my windows and doors. If the criminals want to get in, they will!! I have the proof. They got into my store and stole thirteen guns before the police even got there. AND MY STORE IS ONE BLOCK FROM THE POLICE STATION!!! Now, what do you think about your rules?? I think they are a waist of money and no one should be forced to comply with them.

Why dont you people worry about enforcing the laws already on the books, instead of creating new ones that will and do NOT work. The only thing these emergency rules are going to do is create a few more pencil pushing, high paying, government jobs.

The adaption of these emergency rules is suppose to be in effect for only 180 days. But you know as well as I do, this adaption of emergency rules will stay in effect and become law.

I request notification and a copy of the submission to the Attorney General.

Sincerely,

Daryl Holley
Riverview Guns & Pawn
73 Washington St.
Winona, MN. 55987

P.S. I would think that the Bureau of Criminal Apprehension would be more interested in creating a law that would automatically punish criminals who use guns in the commission of a crime to ten years in prison without parole. NOW THAT SOUNDS LIKE A LAW THAT ALL LAW ABIDING CITIZENS WOULD APPRECIATE. I guess your department would not be interested in such a common sense approach to stopping criminal activity.

REED'S
Sporting Goods

Public Safety
SEP 18 1992
Commissioner's Office

490 Main Street
Walker, MN 56484
218-547-1505

112 S. Main St.
Park Rapids, MN 56470
218-732-5227

Fax 218-547-3162

September 17, 1992

John Gunderson
MN Bureau of Criminal Apprehension
1246 University Ave.
St, Paul, MN 55104

In reference to the emergency rules governing firearm dealerships in Minnesota we submit these comments for consideration.

We are a four season family sporting goods store as well as a firearm dealership. We sell fishing equipment, water skis and accessories, sports clothing, books, and a large variety of other merchandise besides guns. The nature of our business requires us to look like a family store. We cannot have our windows and doors covered up with bars. It is not feasable for us to move all of our handguns every morning and evening. The time involved would drive our prices too high.

We feel we are a secure store already. Our lights are left on all night and the gun room is clearly visible from the street and the sidewalk. We are located on a very busy street in a county seat. Police traffic is very high, with the Sheriff, Highway Patrol, and City Police all located within two blocks of our store. Police can, and do, watch our store both by driving by and walking.

Our guns are over fifty feet from an entrance.

REED'S
Sporting Goods

490 Main Street
Walker, MN 56484
218-547-1505

112 S. Main St.
Park Rapids, MN 56470
218-732-5227

Fax 218-547-3162

Our front windows are set in brick and are more than two feet off the sidewalk. A car could not drive through them. Our doors are also set in brick and are two narrow to drive through. Our back doors are all steel doors set in concrete blocks. They also have double locks on them.

We have an up to date electronic security system that alarms both in the store and at the Sheriff's Department, two blocks away.

Strict compliance with the emergency rules would destroy the image as a family sport shop that we have been developing for the past twenty one years.

We assume the security measures we have taken in the past will be acceptable. If not, or if you would like further information, please notify us by September 21 at 5:30 closing time.

Thank you

Jeff Arnold

Olson Engine Repair

Mapleton, Minnesota
56065-0138

September 15, 1992

Mr. John Gunderson
Minnesota Bureau of Criminal Apprehension
1246 University Avenue,
St. Paul, MN 55104

Dear Mr. Gunderson,
This letter is in regard to the proposed gun dealers security rules.

I am a small town, rural area, dealer. I provide a basic service to my area. I do not stock handguns, but order as needed. I sell several times as many dollars worth of reloading components, ammunition and related supplies, for each dollars worth of firearms sold. The display area for firearms, in my shop holds about ten rifles or shotguns; and is usually not full.

To comply with the "small dealer" rules would remove this customer service from our community. A wholesaler will not sell to me unless I have an F.F.L., and tax number. With the F.F.L. I am a dealer, and as such would be licensed to sell handguns, but am not a likely source of stolen handguns.

I already have an alarm system in place, but the 'certified testing' of it would be prohibitive. I installed it, I test it, and it does function. The shop is stronger than almost all of the other retail buildings in our small city; but is not the 'fortress' that is specified in the proposed rules. I feel that the rules are oppressive for the smaller than 'small' dealer.

Sincerely,

Alvin Olson

Minnesota Weapons Collectors Assn.
POST OFFICE BOX 662 HOPKINS, MINNESOTA 55343

September 15, 1992

John Gunderson
Minnesota Bureau of Criminal Apprehension
1246 University Avenue,
St. Paul, MN 55104

Dear Sir:

Re: Proposed rules for Firearms Dealers Security Standards

At the September members meeting of the Minnesota Weapons Collectors, a motion was passed that I communicate, to you, the feelings of those that were in attendance. They had read the proposed rules, and felt that for most of them; the rules would create hardships.

A great number of our members are "Firearms Dealers" that do not stock "street weapons", as the crime guns are called. These people deal with Collectable Firearms, and need an F. F. L. to conduct their business, and/or further enhance their collections.

Even a person that does restoration of firearms; usually has an F. F. L. for shipping and receiving them. Many do not stock hand-guns, or even long-guns. Since they have a license, they would be "dealer" in the proposed rules.

They also felt that while provision is made to ask for an 'exemption' to a part of the rules is included; there seems to be no provision to appeal the denial of such a request for 'exemption'. We think that an appeal, or hearing, should be allowed.

This is on behalf of our nearly one thousand members. I thank you for your indulgience.

Sincerely,

Alvin Olson

Alvin Olson, Preident
Minnesota Weapons Collectors

STREICHER'S
a JENNIGES-TONNE INC. company
SINCE 1953
10911 W. HWY. 55
P.O. BOX 41398
MINNEAPOLIS, MN 55441
(612) 546-1155

Agent John Gunderson
Bureau of Criminal Apprehension
1246 University Avenue
St. Paul, MN 55104

09/17/92

RE: Proposed FFL dealer security standards

Dear John:

I applaud you in your attempt to control the proliferation of illegal firearms. As a licensed firearms dealer, avid sportsman and a family man, I am also concerned. My concern centers around the current and future safety of my family. This also includes the continued success in my business. I personally feel that your proposed legislation is well intended. May I offer a couple of suggestions.

First, it targets only the legitimate businesses reselling firearms from their inventory. Statistic show that house burglaries out number commercial significantly. Yet your definition excludes the federal firearms licensed (FFL) dealers operating out of their house in a residential area, we title "basement bandits". Many of these dealers have large inventories of firearms. They should be the first to fully comply to the state law as they are more vulnerable and an easier target. Currently they operate outside the federal law by not having a commercial establishment with normal business hours open to the public. Don't let them abuse the state legal system.

If the definition under 7504.0100, subp. 2 would simply state "Firearms Dealer: any person, sole proprietor, partnership, or corporation issued a Federal Firearms License." it would be more acceptable. Under this definition the law doesn't discriminate against anyone, including small business or a large corporation.

Second problem is the extensive security measures. These far surpass the requirements police agencies must comply. Yet they store submachine guns, narcotics, and cash as evidence often times in their garage and in their squad cars. How can the state legislate private industry this tightly while the state, county, and local government warehouse equal or more desirable contraband without restrictions?

Full compliance of the security measures and the over extensive electronic security system would cost thousands of dollars. Many of our state's legal firearms dealers who are small businesses will be forced to close because they cann't afford the expense. Result: more unemployment, less tax revenue and another drain on our states financial burden.

Lastly, making the establishment open for local law enforcment inspection without cause or notice rings of communistic tactics. I have nothing to hide but I know cops. They are human and they could unintentially pass sensitive inventory, physical layout or security information to the wrong person. A legally issued search warant with probable cause is the only acceptable method to invade a persons business for inspection.

Before this is furthered toward becoming law, don't hesitate to contact me, personally. I would enthusiastically join you or anyone else in making this workable and acceptable legislation.

Cordially,

Steven Jenniges

Steven Jenniges
President

Ted Capra's SPORTING GOODS
FISHING & HUNTING HEADQUARTERS
8565 Hwy 65 NE • Blaine, MN 55434 • (612) 780-4557

John Gundersen
Minnesota Bureau of Criminal Apprehension
1246 University Ave
St. Paul. MN 55104

September 15, 1992

Mr. Gundersen,

You are receiving this letter in response to the proposed Emergency Rules Relating to Firearms Dealers Security Standards, rules which can not be allowed to pass as legislation.

Although these proposed "Emergency Rules" are good in their intent, and correct in the attempt to foil criminal theft, the goal of the proposed "Emergency Rules" will only cause harm to those that they are intended to protect, the firearms dealers themselves.

The proposed "Emergency Rules" are excellent ideas, in the prevention of criminal theft, that each firearms dealer should consider and initiate at his or her own discretion. But making these ideas mandatory will only force the criminal to attempt the theft <u>during</u> business hours, putting the lives of all store employees in tremendous harm. Even though the proposed "Emergency Rules" could save firearms dealers loss of property, it is the lives of the dealers employees that can not be replaced. And if an attempted theft <u>is</u> made on a firearms dealers property, we all agree that it is best done after hours when there will be no possibility of employee loss-of-life.

There are few firearms dealers that do not comply with most, if not all, the proposed "Emergency Rules" already. And, there are none that value the cost of property over the cost of the lives of their employees. Let the firearms dealers mandate their own "Emergency Rules", do not do this for them.

In closing, the Emergency Rules Relating to Firearms Dealers Security Standards are excellent ideas that should be carried out by all firearms dealers, but should not be made mandatory by law. This will only cause daylight theft,

Ted Capra's SPORTING GOODS
FISHING & HUNTING HEADQUARTERS
8565 Hwy 65 NE • Blaine, MN 55434 • (612) 780-4557

increasing the risk of loss-of-life of firearms dealers employees. Last, a majority of firearms dealers comply with most, if not all, of the proposed "Emergency Rules" already. Please do not allow the Emergency Rules Relating to Firearms Dealers Security Standards to pass as legislation. Vote it Down.

Sincerely,

Scott A. McCarthy

Scott McCarthy
Firearms Sales Manager
Ted Capras Sporting Goods

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FAX ROUTING SLIP

TO

NAME David Orren
DEPARTMENT Dept of Public Safety
COMPANY State of Minnesota
BUSINESS PHONE (612) 296-2631
FAX PHONE (612) 297 5728

FROM

NAME Stan Shaw
DEPARTMENT
COMPANY Pro-Steel
BUSINESS PHONE (801) 373-2385
FAX PHONE

Number of pages including cover sheet: 16

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ProSteel Security Safes®
DIVISION OF PROVO STEEL & SUPPLY CO.
1400 South State Street P.O. Box 977 Provo, Utah 84603-0977 (801) 373-2385

September 18, 1992

Mr. John Gundersen
Minnesota Bureau of Criminal Apprehension
1246 University Avenue
St Paul MN 55104

Dear Mr. Gundersen:

With regard to the "Proposed Emergency Rules Relating to Firearms Dealers Security Standards" under the Department of Public Safety Notice of Intent to Adopt Emergency Rules, the following data is presented for your consideration.

Pro-Steel is the largest and one of the oldest gun safe manufacturers in the country. We manufacture gun safes for the Browning Firearms Company which are sold under the brand name "Browning Pro-Steel." Our safes have been field tested for over fifteen years and we have more experience in the industry than anyone else. Based on that experience, and after reviewing your proposed regulations, we would suggest the following changes:

Paragraph 7504.0200 Sub-Paragraph A should read:

The door to a safe may be either recessed, flush or overlapping. If the door is recessed or flush it must be made of at least 7 gauge steel and reinforced around the interior perimeter of the door with angle iron or square tubing. If the door is overlapping it must be made of at least 3/16" thick steel and reinforced around the interior perimeter of the door with either angle iron or square tubing. The body of the safe must be made of hot rolled steel of at least 12 gauge thickness and must be reinforced around the interior perimeter of the doorway frame. The safe must have an interior locking system consisting of permanent or moveable locking pins securing the door from the inside when it is in a closed position. The interior locking system shall be secured using an Underwriters Laboratory (UL) listed Group 2 combination lock protected from drilling through the door of the safe by case hardened steel plate.

The reasons for these suggested changes are as follows:

Steel plate less than 3/16" thick is not purchased in fractional dimensions but by gauge thicknesses. Thus it is

not possible to purchase 1/8" steel. Most gun safe manufacturers use a 12 gauge thickness of steel. Over 90% of gun safes readily available to dealers will be constructed of 12 gauge steel. There is only a 5/1000" difference between the tolerances of 12 gauge and 1/8" steel. Accordingly, this does not affect security at all. A similar reason applies to 7 gauge and 3/16" steel as these two steel thicknesses are commonly interchanged. Our testing experience indicates that there is no practical difference between the pry-ability of a recessed, flush or overlapping door if it is properly secured and reinforced on the inside. The primary purpose for a recessed door is to give a visual confidence to the customer. There are a number of heavier duty doors available in an overlapping style which can provide very adequate security. It is absolutely necessary that the UL listed combination lock be protected by hard plate in order to prevent drilling, and that the lock secure an interior locking system opposed to an exterior locking system. Therefore, we would suggest adding the description for an interior locking system.

With respect to Section 7504.0200 Sub Paragraph E, we would suggest that this paragraph be deleted in its entirety. Throughout the industry there are a large number of gun security containers which meet the definition outlined above and are called either a safe or cabinet. They are available from almost all manufacturers and available in a wide range of pricing which would make them readily accessible to virtually every small or large firearms dealer. It becomes confusing to try to separately define a gun cabinet. However, if you would like to continue with this terminology we would suggest Paragraph E read as follows:

The door to a gun cabinet must be recessed and be at least 12 gauge steel. The door must be reinforced and must be attached to the body with one continuous hinge or at least two hinges located at the top and bottom of the side of the door. These hinges may be either inside the body of the safe or outside. If the hinges are located outside the body of the safe an interior locking system consisting of permanent or moveable locking pins securing the door from the inside when it is in closed position shall be used. The body of the gun cabinet must be made of hot rolled steel of at least 12 gauge thickness and must be continuously welded to create a single solid structure. A gun cabinet must have either a UL listed Group 2 lock or a UL listed keylock that is encased in a high security drill resistant lock body. The keylock must use a restricted key that can only be duplicated by a factory-authorized source.

The reasons for the suggested changes in Paragraph E are as follows:

We feel that 14 gauge steel is not adequate in that the more heavy 12 gauge should be used. The placement of hinges inside

or outside the cabinet makes no difference if an interior locking system is utilized.

Regulations as presently proposed are too narrow and thus prejudicial to the products of a majority of gun safe manufacturers. They concentrate too heavily on steel thicknesses rather than on more essential security features. Our recommendations will provide access to a broad range of products from which dealers may select products that provide even greater security than the regulations as presently proposed.

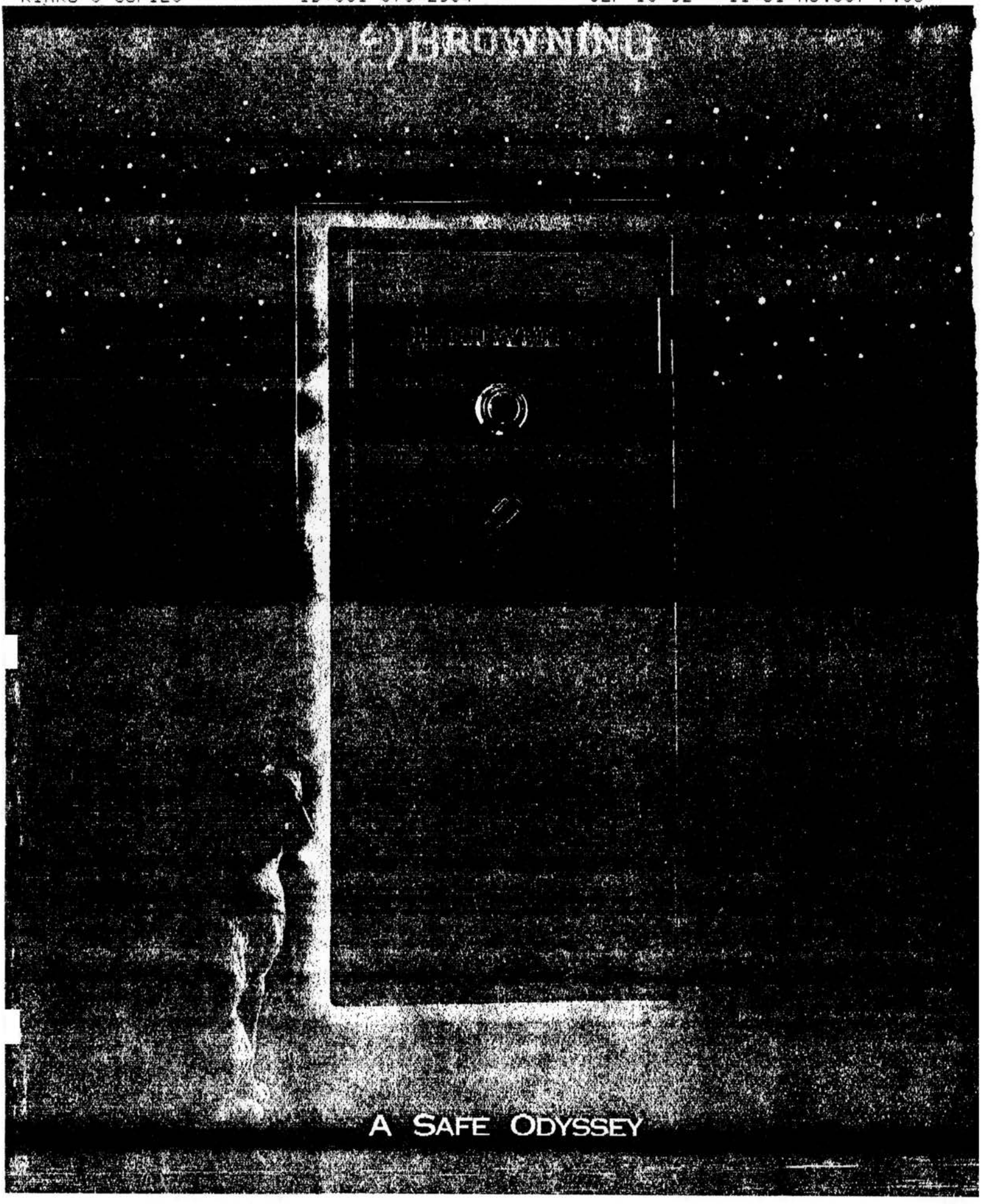
There are additional security features which can be included in the regulations should you desire greater security. These are outlined on the first two pages of our brochure, of which we have enclosed a copy.

If you would like additional information on these features and suggested wording for regulations, we would be happy to correspond with you further in this regard. Please let us hear from you.

Very truly yours,

Stanford E. Shaw
President

SES:kb
Encl.
cc: David Orren


BROWNING
A SAFE ODYSSEY

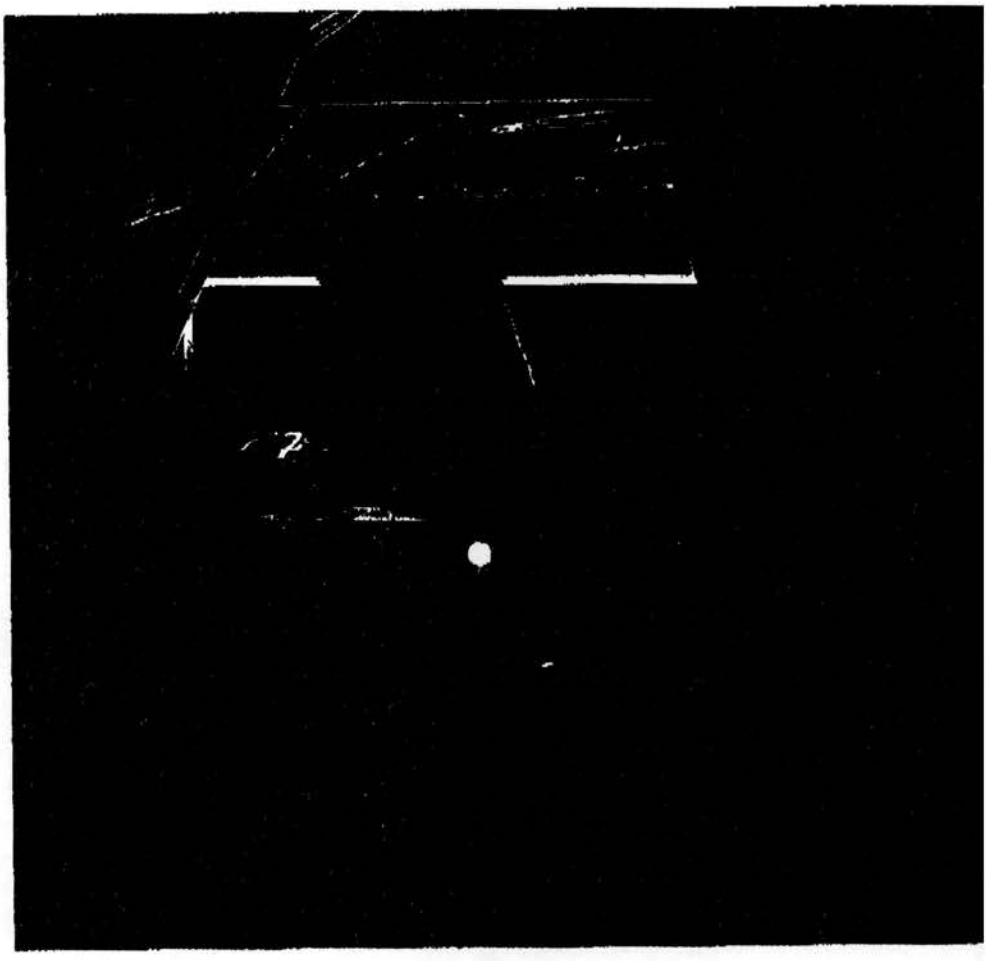
GUN SECURITY

BROWNING SHEDS SOME LIGHT ON GUN SECURITY.

In years gone by the only reason to lock up your guns was to keep them out of reach of children. Guns could be kept in fancy racks and glass faced cabinets with little fear of being broken into. In today's environment of increased crime, the threat of theft is very real. According to FBI statistics, over three million homes are burglarized every year. Over the years your chance of being burglarized is nearly one in three! With the growing risk of firearm theft, hunters, shooters and gun collectors need the best gun protection available — a gun safe. Fancy locking racks and glass cabinets do little to deter professional or even amateur burglars.

Insurance — though important — may cover only a portion of your loss. Often your most valuable possessions carry personal and sentimental value which no compensation satisfies. Combine insurance with the best home theft prevention you can get: a Browning Pro-Steel gun safe.

To get the best protection, get the best safe — a Browning Pro-Steel gun safe.



INCREASE FIREARMS' SAFETY IN YOUR HOME.

Your responsibility as a gun owner is to guarantee your guns will not fall into unwanted, untrained or young hands. When it comes to consideration of your loved ones, accept no shortcuts to firearms' safety. A mistake with a firearm cannot be erased. Don't put off owning a firearms' safe another day. Inspect models and brands carefully. We are totally confident you'll find Browning far superior in security and peace of mind.

DON'T BUY FALSE SECURITY.

To get the best protection, get the best safe. The superior engineering of Browning Pro-Steel Gold Series safes makes them the strongest of any safes in their class.

The heart of your Browning Pro-Steel safe is the independent active locking bolt design. But what good is the best locking system without superior reinforcing to protect it? Don't be fooled by the weight or steel thickness of a safe body alone. Reinforcing steel doubles its resistance to bending. This is where Browning totally out-muscles all competitive safes. Browning uses more reinforcement, more hardplate and more bolt and lock protection.

SHIELDED BOLTS.

Each and every bolt on your Gold Series Safe is shielded by a case hardened deflector plate welded between the bolt head and the safe body. This prevents drilling a hole into the body and using this hole as an access port to attack any locking bolts. Not only is our locking bolt system better, but we also make attacking it next to impossible.

FORTIFIED LOCKING BAR.

Another example of Browning overkill: a special steel block supports the locking bar, when it is engaged into the locking cam. This prevents any pressure on the locking cam's bolt from shearing or disengaging the locking bar. A thief would have to get past the case hardened shield on the correct bolt to exert any pressure on the locking cam. If he does perform this near impossible feat, this steel lock block will stop him cold.

INDEPENDENT, ACTIVE LOCKING BOLTS.

Independent bolt operation is a critical and all important feature of your Browning Gold Series safe. This means that if one bolt is somehow defeated, the other bolts remain locked. To assure you of this crucial feature, a Browning Safe was sent to the largest indepen-



Browning RD6324



Competitor X



Competitor Y

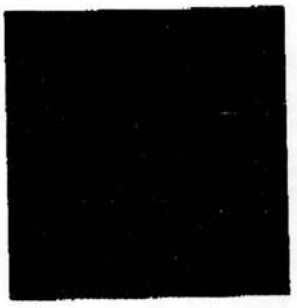
A quick comparison between the Browning safe on the left and two of our competitors' safes reveals the difference between Browning's massive boltworks and their designs.



Shielded bolts



Independent, active locking bolts.



Fully recessed, anti-pry door

Sierra Fire Resistant Safe

This year Browning is proud to offer an entirely new safe series to our line. The Sierra fire resistant safe series – the first affordable burglary and fire resistant safes that are independent laboratory tested and certified.

Color Options

For 1992 Browning introduces two new exterior colors. You can now select a Dark Green metallic finish with a Green carpeted interior or a rich Burgundy metallic finish with a Burgundy carpeted interior in addition to the current Charcoal metallic option.

Electronic Lock Option

A convenient new electronically operated, push button lock allows quick access using a numbered keypad. Combination codes can be comprised of four to six digits providing maximum security by allowing up to one million potential combinations.

Interior Lighting Option

The new recessed interior lighting system lights up every corner of your safe. Automatically activating every time you open your safe door.

Presentation Model Scene Options

In addition to the standard Eagle/Bobcat scene, a Waterfowl or Upland game scene can now be ordered on your Presentation Model Safe.

dent testing laboratory in the United States. The test results conclusively certified independent bolt lockup. As difficult as it is for a home burglar to expose a locking bolt in order to apply force in the first place, you can be totally assured that were any bolt defeated, your safe will remain locked.

All Gold Series safes feature cold-rolled steel locking bolts. Each is chrome-plated full length for smooth quiet bolt travel and for rust protection. All bolts are active; they retract when the safe door is opened so that door tolerances can be made tighter, leaving no pry bar foothold.

TWICE AS MUCH HARDPLATE.

Browning installs twice as much hardplate that not only protects the lock, but also extends across the entire primary locking cam. Plus, Browning bolts additional steel plate behind the lock to prevent the lock from being beaten into the safe. We have yet to find a competitive safe with this additional protective plate behind the lock.

REINFORCED DOORWAY.

Reinforcing steel doubles its resistance to bending. Our heavy steel channeling reinforces the full perimeter of the door frame. This prevents prying the body shell away from the heavily reinforced door. What good is reinforcing the door if you leave the body shell unreinforced as competitive safes often do?

TUBULAR STEEL DOOR REINFORCING.

All four sides of each safe door are reinforced with sturdy square tubular steel. The locking bolts are supported by twin rails of heavy steel at all times—not by one thickness as with most competitors' safes.

SINGLE SHELL, HEAVY STEEL PLATE BODY.

The body on all Premier models is heavy 1/4" steel plate. The door is 3/8" steel plate, reinforced with sturdy 2" square tubing. All other Gold Series safes have reinforced bodies of 12 gauge steel plate with the door of heavier reinforced 3/16" steel plate. All welds forming the body are continuous, not spot welds, for added strength.

FULLY RECESSED, ANTI-PRY DOOR.

Browning's cam system allows much tighter door frame fit. The competition often uses nylon adjustment bushings to simulate tight door fit.

BANK-TYPE LOCKS.

Sargent & Greenleaf Group II heavy duty combination locks have a relocking trigger which protects against punching the lock. Only Browning encases their lock with steel, as required by High Security Standards. All models feature a spy-proof shield.

ROLL PIN PROTECTS HANDLE.

A roll pin on the handle shaft will disengage the handle from the locking mechanism if force is applied to the handle.

CUSTOM, HEAVY DUTY BALL BEARING HINGES.

Unlike the competition, all Browning Gold Series safes feature custom-designed hinges made specially for safes. Our fully adjustable, custom ball bearing hinges bear the weight of a heavy, reinforced door, ensuring years of true fit and easy, finger tip swinging.

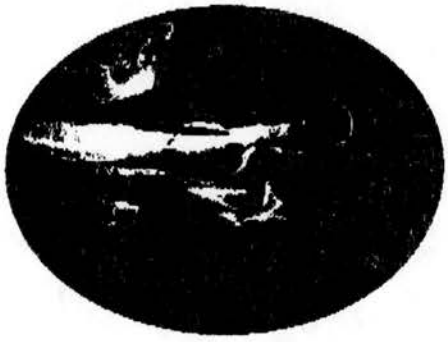
EDITION



Eagle & Bobcat Scene Presentation Model



Upland Scene Presentation Model

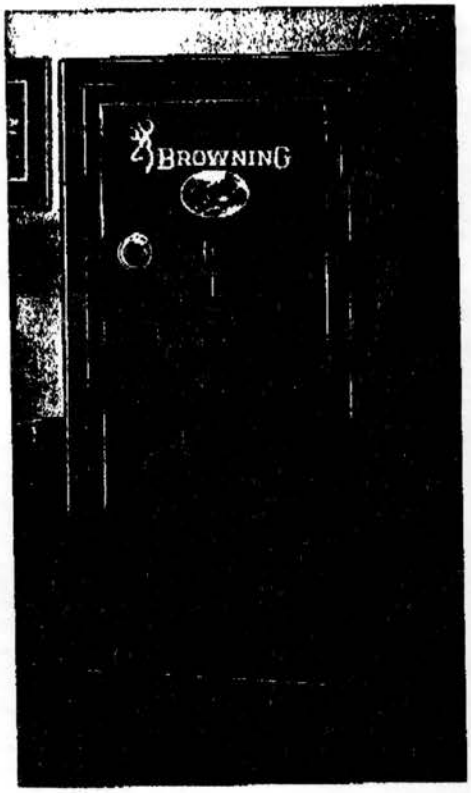


Waterfowl Scene Presentation Model

A distinctive oval scenic emblem is standard on Presentation models. The Eagle and Bobcat is standard while the Upland and Waterfowl are optional scenes available upon request at no extra charge.



24 karat gold plating. The dial, dial ring, hub and handle on all Presentation and Signature models are plated with 24 karat gold for the ultimate in distinctive appearance.



Presentation Model



Signature Model with Burgundy finish option

PRESENTATION MODELS

The ultimate safe for collectors and owners of valuable firearms. With its deep luster, "furniture finish" and wildlife scene, this safe is a beautiful addition to a den, family room or other sportsman's retreat in your home.

The exterior of each Presentation safe is finished in an exceptionally rich, black metallic, gold metal fleck paint that is baked on for durability. A gold Browning signature, along with a full color reproduction of a bald eagle defending its nest from a marauding bobcat, is permanently affixed to the door using a special acrylic transfer process. An optional waterfowl or upland hunting scene is available by special order. 24 karat gold plating on the combination dial and door handle completes the motif. A key locking dial is standard. The interior carpet is deep burgundy.

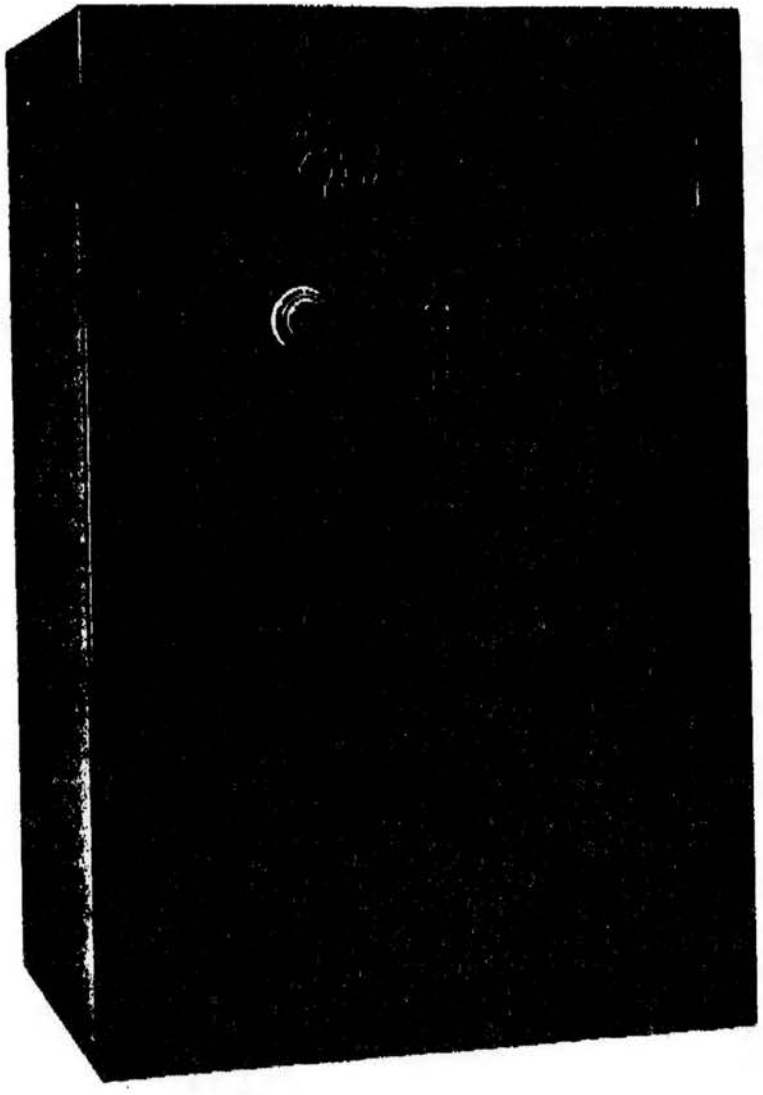
Presentation styling is offered on any Premier Gold Series safe model. This means you receive Browning's most reinforced and strongest construction. You get Browning's heaviest 3/8" door with multiple active bolts that penetrate both the tubular steel reinforcing of the door as well as the heavy steel channelling that reinforces the body doorway. We feel the boltwork design is so impressive, that Presentation safes are fitted with a clear plexiglass panel on the back of the door so you can fully appreciate the outstanding security you have purchased.

All the features from bolt head shields to custom hinge design, described on the preceding pages, are standard on the Presentation safe. You can order your Presentation safe in standard 60" height or tall 72" height in either regular width or maximum wide body size. Interior options provide storage all the way up to 58 long gun capacities.

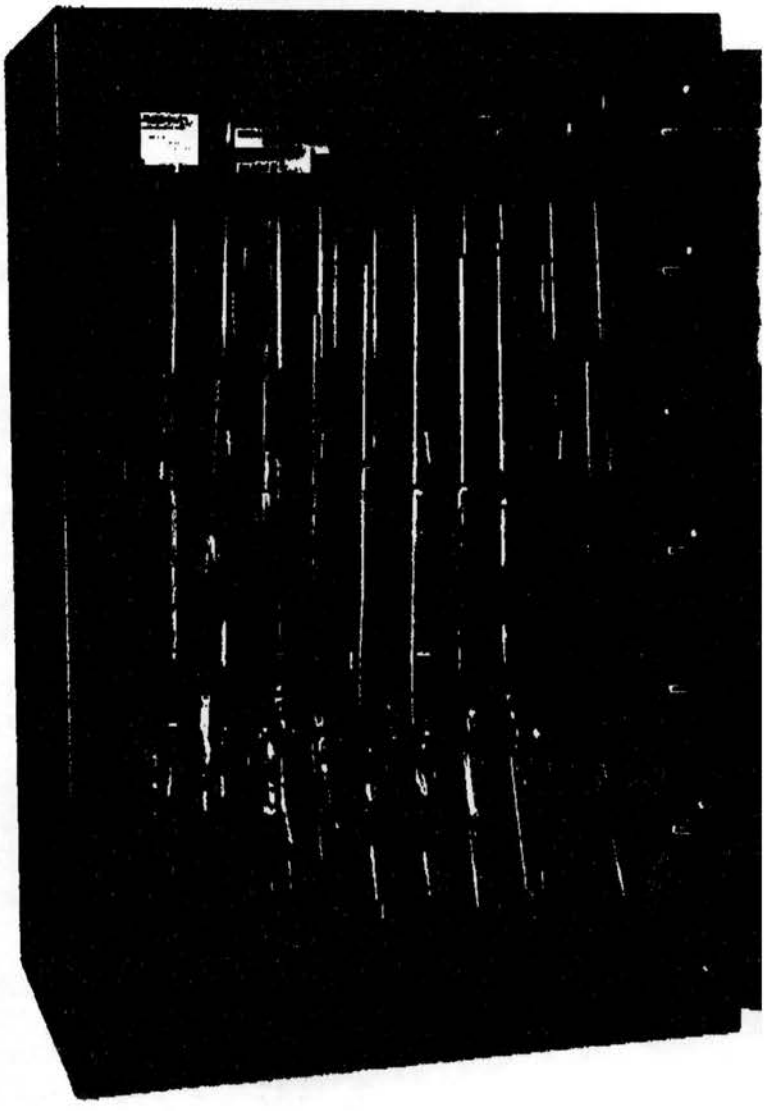
SIGNATURE MODELS

Signature model styling features a gold foil edged Browning signature on a background of exquisite, rich brown, metallic acrylic paint that is baked on. Complementary 24 karat gold plating accents the combination dial components and the opening handle. Signature model styling is available on a broad range of Gold Series safes from the smaller Efficiency model to the Regency and Premier models including wide body configurations.

'WIDE 'BODIES



Premier Signature Wide Body Safe with Dark Green finish option



Presentation Wide Body Safe with 58 gun interior

Wide Body Models

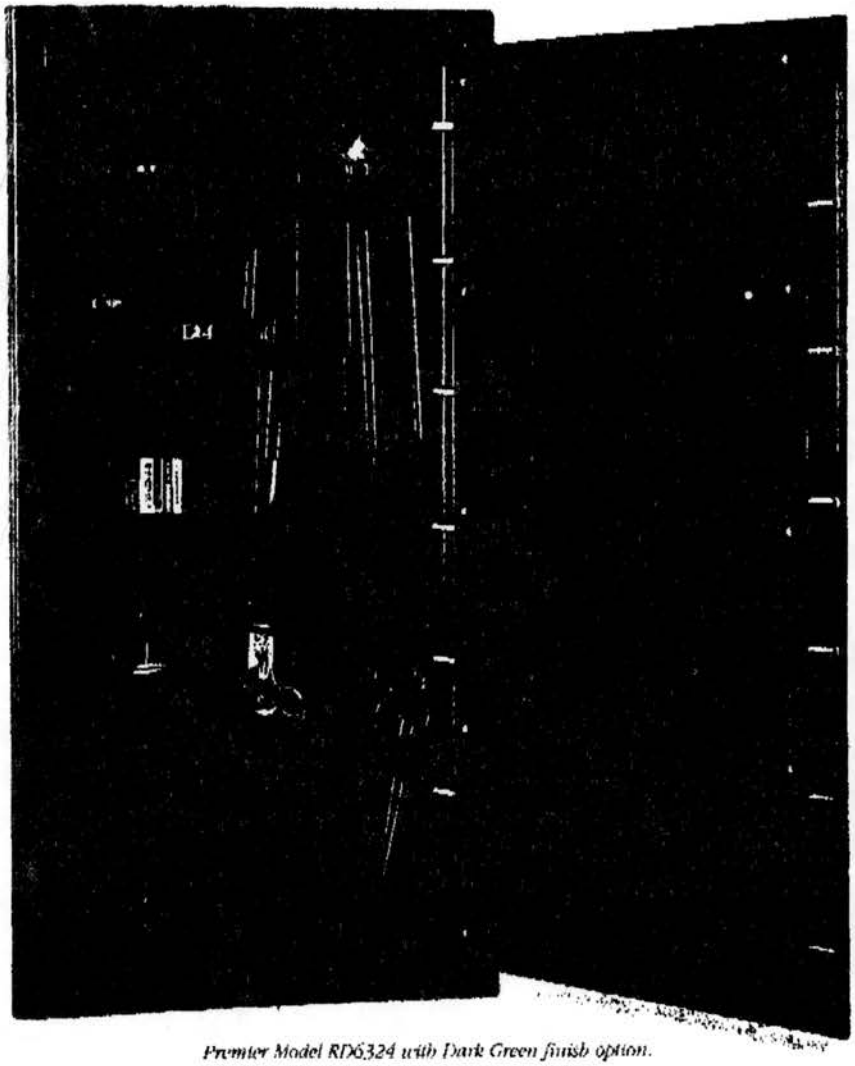
If you like guns—lots of guns—this is your safe. Store up to 58 long guns with the Sportsman wide body interior. There is plenty of shelf space above the long guns for pistol and smaller item storage. The Sportsman Plus wide body interior will secure 15, 30 or 35 long guns and, besides the top shelving, contains a side row of shelves. You have maximum room for cameras, pistols and other valuables with the Sportsman Plus wide body interior.

The new wide body size is available in both the Premier and Regency models of Gold Series safes. The Premier wide body gives you a choice of Presentation, Signature or standard designs as well as regular 60" heights or the tall 72" high model. Or you can choose this maximum capacity size in the Regency wide body with standard finish or the popular Signature style.

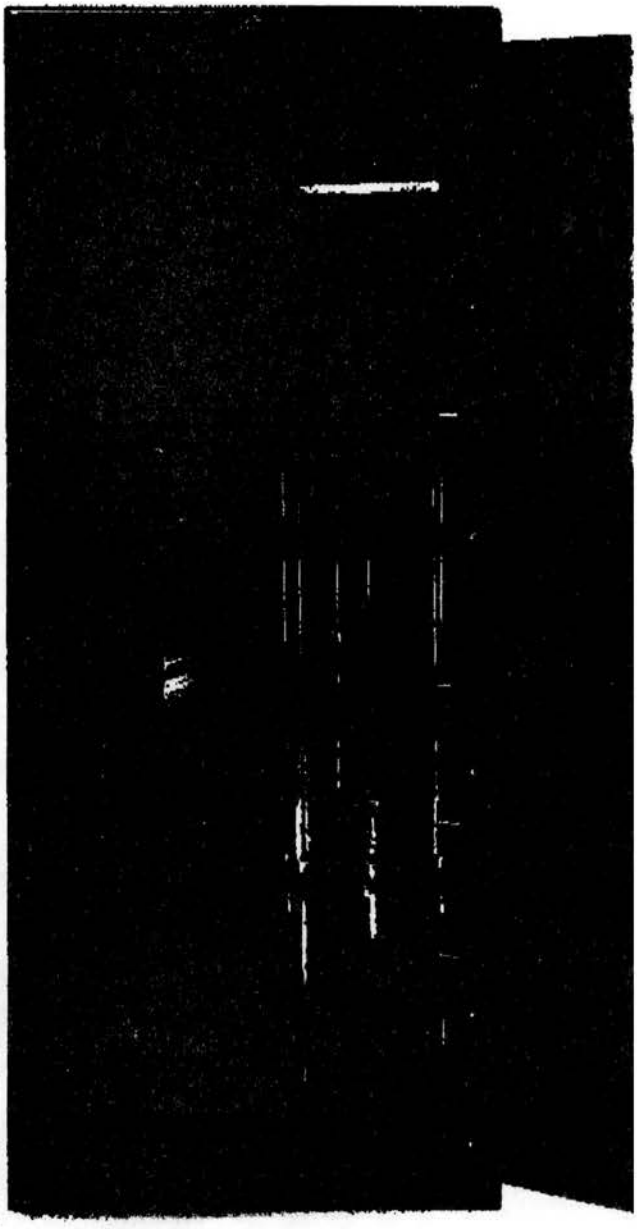
Wide Body Safe Model	Dimensions H W D	Weight Lbs.*	Bolt Count	Sportsman 58 Gun	Sportsman Plus 35 Gun	Sportsman Plus 15 Gun Easy Out	Sportsman Plus 30 Gun Easy Out
Presentation RD6x42"	60"x40"x27"	1125	12				
Presentation RD7x42"	72"x40"x27"	1325	14				
Premier Signature RD6x42"	60"x40"x27"	1125	12				
Premier Signature RD7x42"	72"x40"x27"	1325	14				
Premier RD6x42"	60"x40"x27"	1125	12				
Premier RD7x42"	72"x40"x27"	1325	14				
Regency Signature RL2"46	60"x40"x27"	700	6				
Regency RL2"46	60"x40"x27"	700	6				

** Handle extends 2 1/4" beyond body measurement. ** Approximate weight including interior*

GOLD SERIES



Premier Model RD6324 with Dark Green finish option.



Premier 72" Tall Model RD8324

Gold Series Safes. This complete selection of maximum security safe models is offered to meet your dimension, capacity and price requirements. Premier, Regency, Efficiency and Trimline models. All have critical door frame reinforcing as well as tubular steel reinforcing around the entire door perimeter. Price range options are achieved by varying sizes, varying steel plate thickness and varying bolt requirements. The Trimline and Efficiency models are designed for smaller space requirements, the Regency models offer maximum storage capacities at a popular price point and the Premier models feature total, state of the art security.

Wide Body

The wide body configuration will store up to 58 long guns depending on interior option selected. Available in Premier and Regency models.

Regular and Tall Heights.

Regular 60" height is available on all Gold Series models. A 72" tall option, containing a second storage shelf above the long gun storage area, is available on all Premier models including the Premier wide body configuration.

Exclusive Baked-On Finish.

For extra durability and beautiful gloss, metallic acrylic enamel is baked onto all Gold Series safes. Rich brown enamel with gold pinstriping

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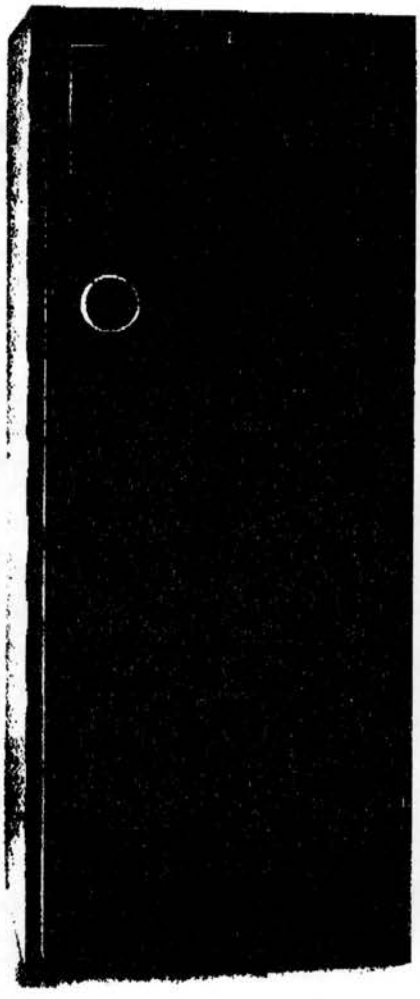
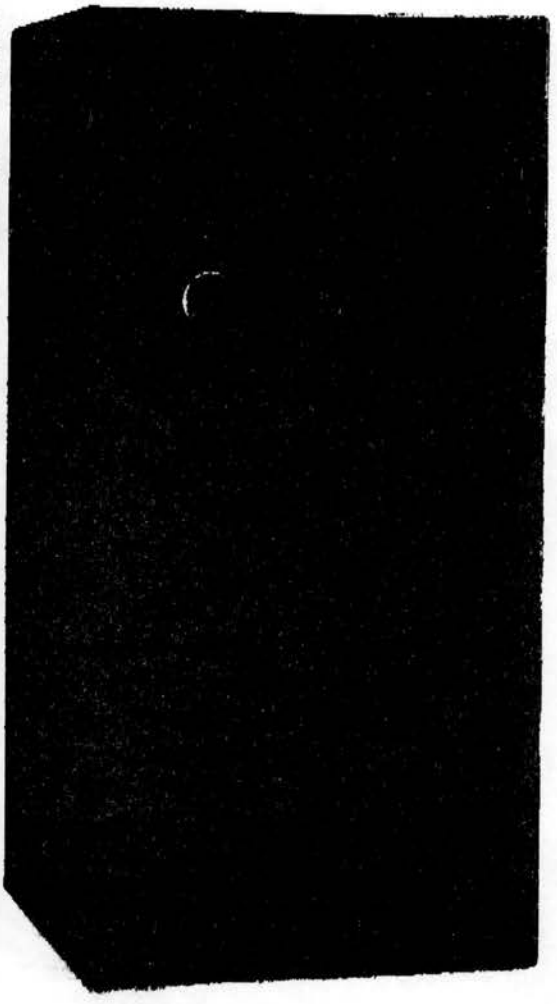
Trimline Model



Efficiency Model E1946



Regency Model RL2436 with metallic charcoal finish option.



main locking cam. Heavy steel plate behind lock and main cam prevents punching these critical components out of engagement. Steel lock block (not visible) further protects lock engagement.

group of heavy duty combination locks.

is standard. Charcoal gray, Burgundy or Dark green are available for a slight extra charge.

Premier "RD" Models.

A main component of their strength is heavy reinforced steel plate construction —3/8" thick on the door with 1/4" body plate. Maximum bolt counts are utilized, twelve on the regular model and fourteen on the tall version. Bolts not only ride through the square tube reinforcing of the door but also pass directly into the extra heavy reinforcing of the door frame. From hardened bolt shields to custom hinges these models offer maximum fortification for your guns and valuables.

Regency "RL" Models.

These versatile, value-packed safes are more economical than Premier models. They have rugged reinforced 12 gauge steel exteriors and reinforced 3/16" plate doors. Six full-length locking bolts lock behind the heavy steel reinforcing along the door frame.

Efficiency "E" Models.

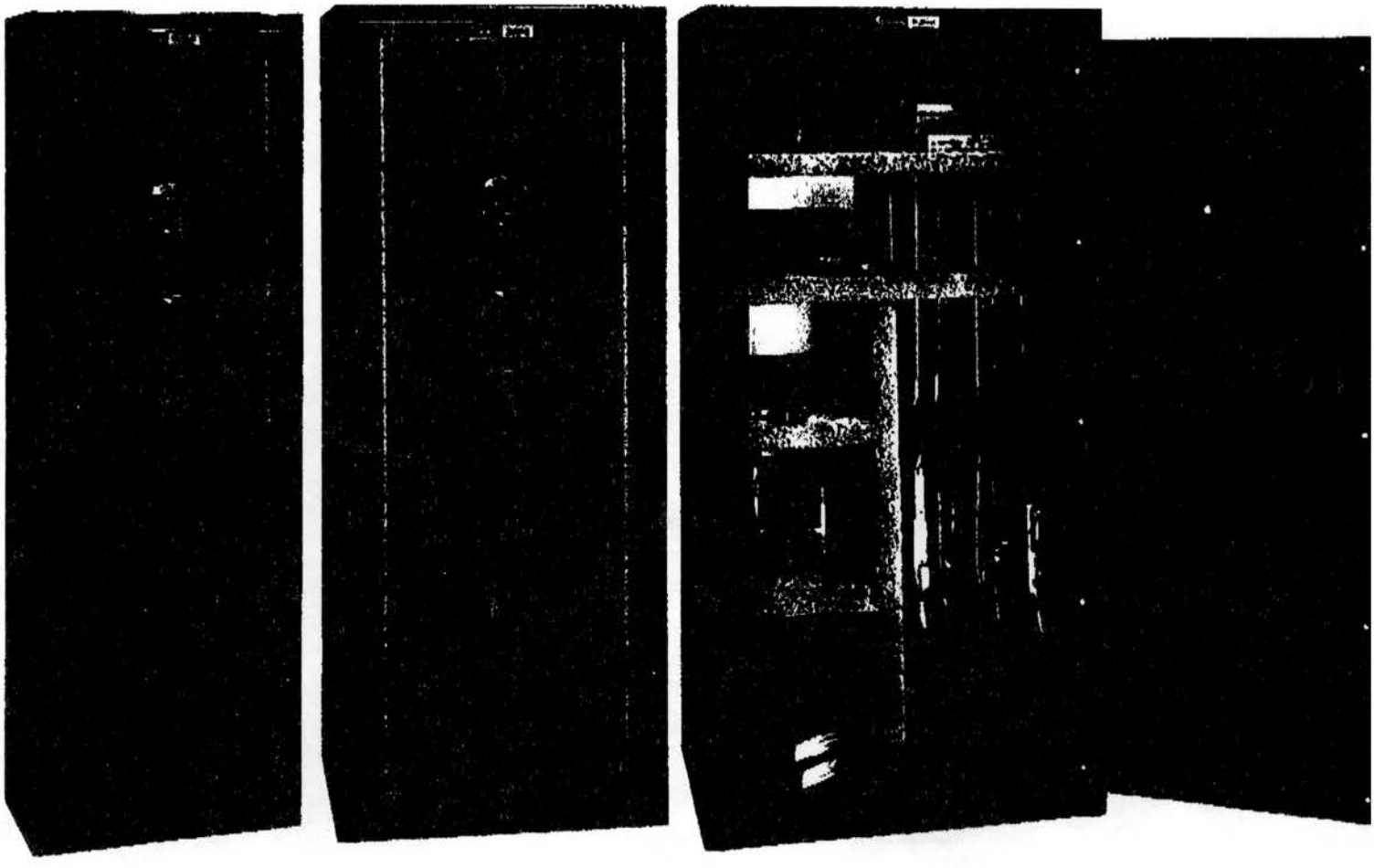
The Efficiency Model offers excellent security, meticulous quality and exceptional affordability. A secure 12 gauge exterior steel plate body and 3/16" thick steel reinforced door and reinforced door frame provide solid protection. With its slim proportions, the Efficiency model fits almost anywhere.

The Space-Saving New Trimline.

There just isn't any house or apartment too small for a Trimline safe—it easily fits into a closet. The 12 gauge steel plate shell offers a sturdy barrier against break-in. The door is recessed and the door and frame is steel reinforced on all sides. Lockup is tight with four 5/8" independent, active locking bolts. Holds up to 16 guns with Easy Out interior.

SILVER SERIES

NEW



S-250 Silver Series *S-300 Silver Series* *S-400 Silver Series*

Silver Series Safes. Silver Series safes provide an economic alternative to our Gold Series safes, yet still offer superior features to other safes in their class. Lockup employs a massive locking system actuating the locking bolts on the opening side of the door. Browning's bolt actuator is 1/4" by 4" wide steel which is welded to the vertical locking bar, which in turn secures the bolts. Extensive hardplate and custom ball bearing hinges are similar to that found on Gold Series safes. Silver Series safes also feature Sargent & Greenleaf Group II bank-type combination locks. The body is 12 gauge steel plate and the recessed door is 3/16" steel, reinforced with heavy angle iron. Strategically placed reinforcing in the doorway resists any prying attempts. Sturdy dead bolts are utilized on the hinge side of the door. The exterior features a handsome yet durable black enamel finish.

NEW S-250 Silver Series.

This versatile safe is designed primarily for use in apartments and small homes where space is at a premium. It easily fits inside a closet. Locks up with four active locking bolts. Holds up to 16 guns with Easy Out interior.

S-300 Silver Series.

Compact on the outside, but big enough on the inside to hold up to 20 rifles and shotguns. Four active bolts and four dead bolts.

S-400 Silver Series.

Spacious with room for up to 30 guns. Six, active locking bolts combine with six dead bolts for tight lockup.

SUPERIOR SECURITY &
CERTIFIED FIRE PROTECTION

SIERRA SERIES



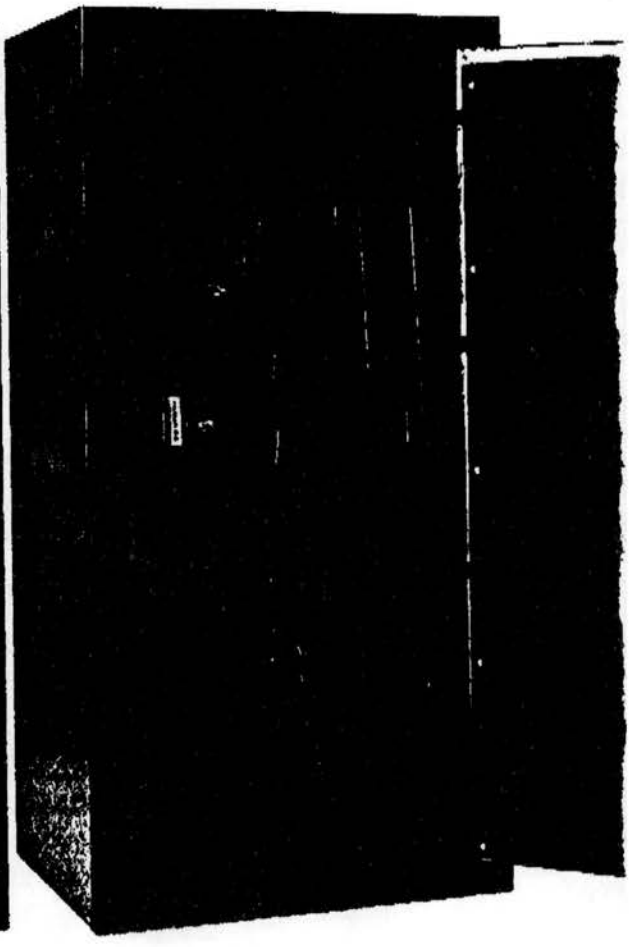
Don't get burned. Many competitors claim their safes are fire resistant—but in reality, they leave your guns and valuables at serious risk.

NEW



NEW *Sierra Fire Resistant Model with Dark Green finish option.*

NEW



NEW *Sierra Fire Resistant Model with Burgundy finish option and* ***NEW*** *Interior Lighting option.*

NEW SIERRA SERIES FIRE RESISTANT SAFES

Most so-called fire resistant safes on the market are designed primarily for security — not to protect their contents from fire. Insulating materials used in these competitive safes usually provide only minimal fire protection. Consequently, these so-called fire safes do not give nearly the level of protection of a safe specifically designed for fire and burglary resistance.

The New Sierra Series is designed to provide both a high level of security and Certified fire protection. The Sierra Burglary/Fire Resistant safe is constructed from a 12 gauge reinforced body and a 3/16" steel door which is reinforced with heavy angle iron along the entire door perimeter. A massive locking system actuates four one inch bolts on the opening side of the door. The hinge side of the door is protected with four additional one inch locking bolts. The double wall body of this impressive safe consists of two continuous 1/2" layers of insulation. For added fire protection, the door has an air space between the inner and outer layer of insulation in addition to a high temperature fire seal.

Unlike many competitive fire-resistant safes, the complete Browning Sierra Safe itself, is *independent laboratory tested and certified fire resistant.* Many competitors test only the fire resistant material used inside their safes — not the completed safe itself.

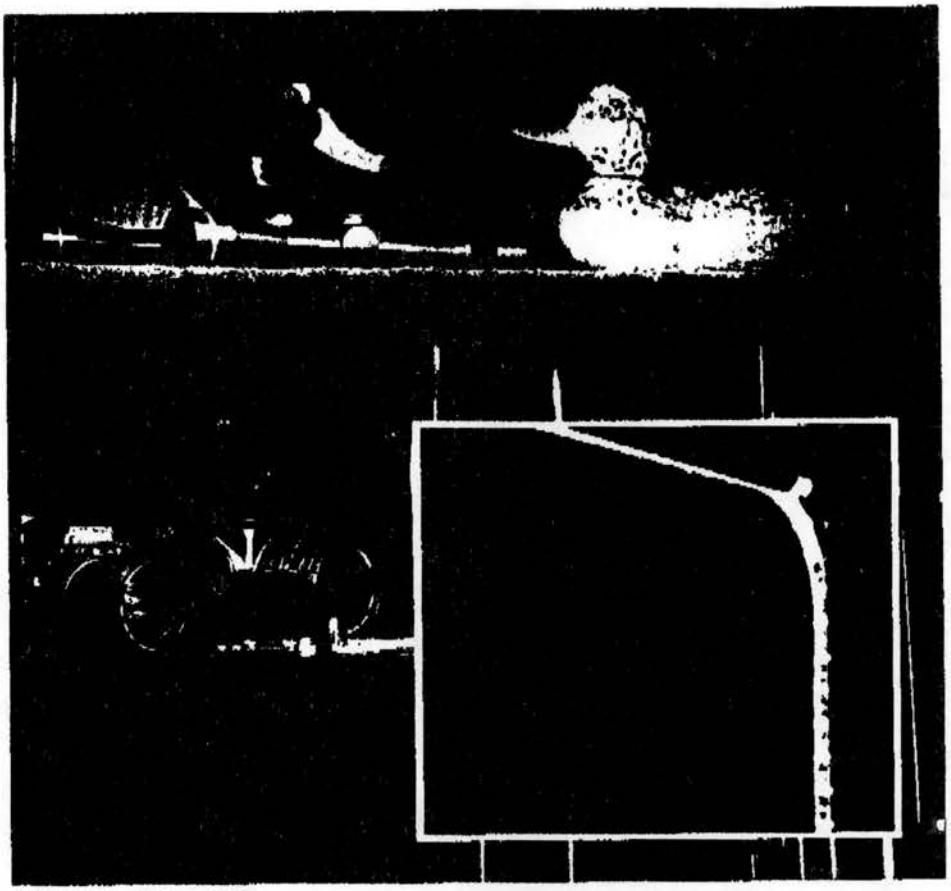
The Sierra fire certification tests were conducted in a furnace where temperatures exceeded 1,200° F; the temperature of an average house fire. Fire exposure consisted of controlled flames so that the entire safe was engulfed. Shelves of the safe were filled with loosely crumpled newspaper. During testing, temperatures were so intense, the dial, handle, knob and paint melted completely off the safe! After exposure to this fire for 32 minutes, Browning's Sierra Fire Safe interior temperatures were substantially below the 350° F temperature at which paper burns, in fact, the average temperature inside the safe was well below 300° F. All paper inside the safe was intact and the carpet was not affected by the heat. This degree of protection ensures that your firearms as well as any irreplaceable documents would withstand an average house fire.

A "Signature" version is available with 24 karat gold plating on the combination dial components and handle in addition to a gold Browning signature. Choose from a 22 gun Easy Out interior or 26 gun interior.

OPTIONS AND EXTRA SECURITY

Browning offers interiors designed for maximum long gun storage with pistol and valuables storage on upper shelving, interiors with only shelves for storing pistols and smaller items, or combination interiors for storing long guns adjacent to side shelves for pistols, cameras, and other valuables. Unlike some competitors models, Browning gun racks are designed for proper clearance of scoped and bolt action rifles.

***Easy Out** interior design features an open front access with a perimeter arrangement of long guns set at 45 degrees along the sides and rear. This design does not require removal of forward guns to access rear guns. There is ample room for scope and buttstock clearance.*



NEW Interior Lighting Option

OPTIONS AVAILABLE ON ALL BROWNING SAFES

24-Karat Gold Plated Accents. Those who prefer may order 24 karat gold plating on the combination dial, dial ring, hub and handle.

Key Locking Dial. Allows you to lock the combination dial with the safe in either the locked or unlocked mode. Locking in the open position is desirable when frequent access is necessary. Some owners prefer the additional security of locking the combination dial with the safe door fully locked. Opening the safe will then require a key to unlock the combination dial before the combination code can be entered.

NEW ELECTRONIC LOCK OPTION.

The electronically operated, push button lock allows you to unlock your safe door faster than you can dial a phone number. Numbered combination codes allow up to one million potential combinations. Automatically deactivates for approximately fifteen minutes when four wrong codes are entered. Can be installed to your existing Browning safe by a certified locksmith. *Available mid 1992*



Electronic Key-Pad Lock



24-Karat Gold Plated Accents



Key Locking Dial

NEW INTERIOR LIGHTING OPTION.

The new recessed interior lighting system conveniently lights up every corner of your safe. Automatically activates every time you open your safe door.

A two plug receptacle is installed in the rear corner of the safe so that you can plug in a dehumidifier or other accessory.

NEW ELECTRICAL OPTION.

The built in two plug receptacle supplied with the lighting package can be ordered as an option to handle the dehumidifier or other electrical needs inside the safe.

INTERIOR OPTIONS

Sportsman. Has long gun storage racks across the entire safe width for maximum capacity. Top shelving has room for pistols and other valuables.

Sportsman Plus. Long gun racks plus side storage shelves as well as upper shelving.

General Purpose (Shelves Only). Carpeted, adjustable shelves for storing personal valuables.

Extra Shelves. Extra carpeted shelves can be ordered for all safe models.

INTERIOR OPTIONS

Safe Model	Dimensions H"x W"x D"	Ship Wt.	Gun Capacity	Sportsman Interiors							Sportsman Plus Interiors										General Purpose	
				Easy Out 16 gun	20 gun	Easy Out 22 gun	26 gun	Easy Out 26 gun	Easy Out 30 gun	58 gun	Easy Out 8 gun	Easy Out 6 gun	11 gun	Easy Out 11 gun	Easy Out 13 gun	14 gun	Easy Out 15 gun	Easy Out 30 Gun	35 Gun	4 shelf	6 shelf
GOLD SERIES																						
Presentation RD6427	60"x40"x27"	1145	12							■							■	■	■		
Presentation RD7427	72"x40"x27"	1325	14							■							■	■	■		
Presentation RD6324	60"x30"x24"	950	12					■	■			■			■	■				■	
Presentation RD8324	72"x30"x24"	1025	14					■	■			■			■	■					■
Premier Signature RD6427	60"x40"x27"	1125	12							■							■	■	■		
Premier Signature RD7427	72"x40"x27"	1325	14							■							■	■	■		
Premier Signature RD6324	60"x30"x24"	950	12					■	■			■			■					■	
Premier Signature RD8324	72"x30"x24"	1025	14					■	■			■			■						■
Premier RD6427	60"x40"x27"	1125	12							■							■	■	■		
Premier RD7427	72"x40"x27"	1325	14							■							■	■	■		
Premier RD6324	60"x30"x24"	950	12					■	■			■			■					■	
Premier RD8324	72"x30"x24"	1025	14					■	■			■			■						■
Regency Signature RL2736	60"x40"x27"	700	6							■							■	■	■		
Regency Signature RL2436	60"x30"x24"	580	6					■	■			■			■					■	
Regency RL2736	60"x40"x27"	700	6							■							■	■	■		
Regency RL2436	60"x30"x24"	580	6					■	■			■			■					■	
Efficiency Signature E2536	60"x24"x20"	390	6		■								■							■	
Efficiency E2536	60"x24"x20"	380	6		■								■							■	
Trimline	60"x22"x24"	510	8	■							■									■	
SILVER SERIES																					
S-402	60"x30"x24"	450	12					■	■			■			■					■	
S-302	60"x24"x20"	325	8		■								■							■	
S-250	60"x22"x14"	300	8	■							■									■	
SIERRA SERIES FIRE SAFES																					
Sierra	60"x30"x24"	700	8			■	■							■		■				■	
Sierra Signature	60"x30"x24"	700	8			■	■							■		■				■	
SPECIALTY SAFE																					
Vault Door & Frame	80"x30" (HD) 80"x27" (OD)	650	18																		

Handle extends 2 3/4" beyond body measurement. Approximate weight in pounds, including interior. Actual door dimensions 5"-11" wall thickness available

BROWNING

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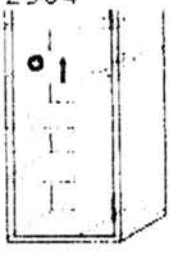
20 Gun Sportsman



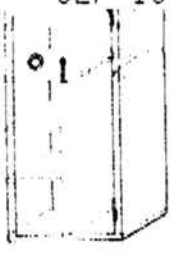
26 Gun Sportsman Easy Out



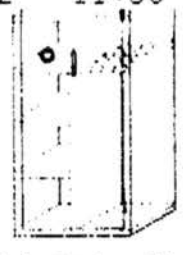
30 Gun Sportsman



6 Gun Sportsman Plus Easy Out



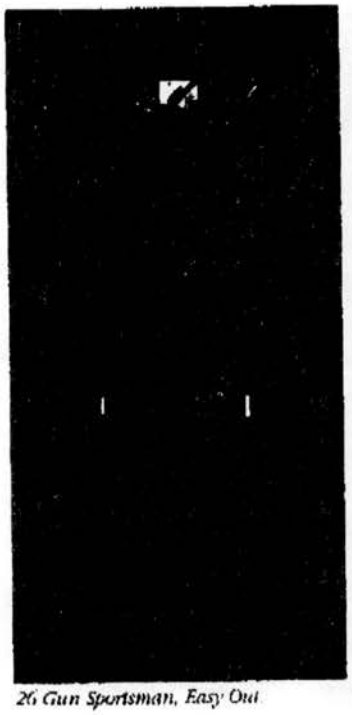
13 Gun Sportsman Plus Easy Out



14 Gun Sportsman Plus



4 Shelf General Purpose



26 Gun Sportsman, Easy Out



13 Gun Sportsman Plus, Easy Out



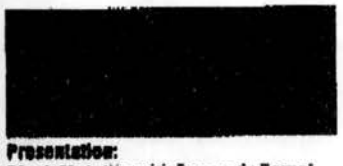
6 Gun Sportsman Plus, Easy Out.



Gold Series (Optional):
Burgundy Metallic with Burgundy Carpet



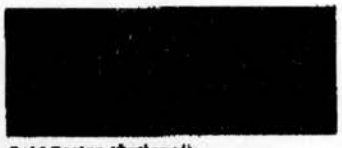
Gold Series (Optional):
Dark Green Metallic with Dark Green Carpet



Presentation:
Black Metallic with Burgundy Carpet



Gold Series:
Brown Metallic with Rust Carpet



Gold Series (Optional):
Charcoal Metallic with Burgundy Carpet



Silver Series:
Black with Silver Gray Carpet

Goldenrod Dehumidifier

The Goldenrod Dehumidifier removes humidity from the interior of your safe and protects against rust. Exclusive ten foot cord and clip-on plug included.

Appointments

Carpeting. Unlike some competitors who use felt, Browning uses thick carpeting for better gun protection. This carpeting is very carefully fit, stapled and hand glued for permanence. The back wall, elevated floor, interior gun racks and shelves are fully carpeted on all Gold Series safes (back not carpeted on Trimline). Silver Series safes have carpeted floor and shelves.

Paint Colors. Gold Series safes are finished with a dark brown metallic acrylic enamel that is baked on for immediate curing (Black metallic enamel on Presentation models). Optional charcoal gray, dark green and burgundy metallic enamels are also available at a slight extra charge. Silver Series safes are finished in black with gold pinstriping.





Goldenrod Dehumidifier

Vault Door and Frame.

This full, 80" by 30" door with frame comes with concrete anchors to install at the entry of your walk-in safe or gun room. It has the same locking mechanism components as Gold Series Premier models. Includes a threshold and 18 locking bolts. Sizes available for 5" through 11" wall thickness.



Pap's SPORT SHOP

At East Broadway
LITTLE FALLS, MINNESOTA 56345

Public Safety
SEP 22 1992
Commissioner's Office

Sept 17, 1992

John Gunderson
Mn. Bureau of Criminal Apprehension
1246 Land Ave
St. Paul, Mn. 55104

Dear Sir:

As a small sporting goods dealer in a rural Little Falls community we would like to express our objections to the Mn. Statutes of Firearm Dealers security Standards. We feel it places another burden on businesses fighting to survive & serving no benefit to society in protection from crime. In fact, as proven by the daytime robbery and murder of two men in our neighboring Mpls. holdup, it endangers further the lives of innocent people by making it easier for criminal actions to endanger store personal.

As a member of a policing bureau you should realize the need for crime control & not anti gun enthusiasts wishes.

This law should not be put into action, we all know that a simple tool will cut a cable, therefore, what is gained?

Thanks;
Paulette & Gene Pappenfus
Pap's Sport Shop
Little Falls, Mn. 56345

"Let Us Help You Have Fun"

The report shall be signed by the transferor and the proposed transferee. The report shall be delivered by the transferor to the chief of police or sheriff no later than three days after the date of the agreement to transfer, excluding weekends and legal holidays.

Sec. 8. Minnesota Statutes 1990, section 624.714, subdivision 3, is amended to read:

Subd. 3. **CONTENTS.** Applications for permits to carry shall set forth ~~the name, residence, date of birth, height, weight, color of eyes and hair, sex and distinguishing physical characteristics, if any, of the applicant~~ in writing the following information:

(1) the name, residence, telephone number, and driver's license number or nonqualification certificate number, if any, of the applicant;

(2) the sex, date of birth, height, weight, and color of eyes and hair, and distinguishing physical characteristics, if any, of the applicant;

(3) a statement by the applicant that the applicant is not prohibited by section 624.713 from possessing a pistol; and

(4) a recent color photograph of the applicant.

The application shall be signed by the applicant.

Sec. 9. Minnesota Statutes 1990, section 624.714, subdivision 7, is amended to read:

Subd. 7. **RENEWAL.** Permits to carry a pistol issued pursuant to this section shall expire after one year and shall thereafter be renewed in the same manner and subject to the same provisions by which the original permit was obtained, except that all renewed permits must comply with the standards adopted by the commissioner of public safety under section 11.

Sec. 10. **[624.7151] STANDARDIZED FORMS.**

By December 1, 1992, the commissioner of public safety shall adopt statewide standards governing the form and contents, as required by sections 624.7131 to 624.714, of every application for a pistol transferee permit, pistol transferee permit, report of transfer of a pistol, application for a permit to carry a pistol, and permit to carry a pistol that is granted or renewed on or after January 1, 1993. The adoption of these standards is not subject to the rulemaking provisions of chapter 14.

Every application for a pistol transferee permit, pistol transferee permit, report of transfer of a pistol, application for a permit to carry a pistol, and permit to carry a pistol that is received, granted, or renewed by a police chief or county sheriff on or after January 1, 1993, must meet the statewide standards adopted by the commissioner of public safety. Notwithstanding the previous sentence, neither failure of the department of public safety to adopt standards nor failure of the police chief or county sheriff to meet them shall delay the timely processing of applications nor invalidate permits issued on other forms meeting the requirements of sections 624.7131 to 624.714.

Sec. 11. **[624.7161] FIREARMS DEALERS; CERTAIN SECURITY MEASURES REQUIRED.**

Subdivision 1. **DEFINITIONS.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Firearms dealer" means a dealer federally licensed to sell pistols who operates a retail business in which pistols are sold from a permanent business location other than the dealer's home.

(c) "Small firearms dealer" means a firearms dealer who operates a retail business at which no more than 50 pistols are displayed for sale at any time.

(d) "Large firearms dealer" means a firearms dealer who operates a retail business at which more than 50 pistols are displayed for sale at any time.

Subd. 2. **SECURITY MEASURES REQUIRED.** After business hours when the dealer's place of business is unattended, a small firearms dealer shall place all pistols that are located in the dealer's place of business in a locked safe or locked steel gun cabinet, or on a locked, hardened steel rod or cable that runs through the pistol's trigger guards. The safe, gun cabinet, rod, or cable must be anchored to prevent its removal from the premises.

Subd. 3. **SECURITY STANDARDS.** The commissioner of public safety shall adopt standards specifying minimum security requirements for small and large firearms dealers. By January 1, 1993, all firearms dealers shall comply with the standards. The standards may provide for:

(1) alarm systems for small and large firearms dealers;

(2) site hardening and other necessary and effective security measures required for large firearms dealers;

(3) a system of inspections, during normal business hours, by local law enforcement officials for compliance with the standards; and

(4) other reasonable requirements necessary and effective to reduce the risk of burglaries at firearms dealers' business establishments.

Sec. 12. Minnesota Statutes 1990, section 626.5531, subdivision 1, is amended to read:

Subdivision 1. **REPORTS REQUIRED.** A peace officer must report to the head of the officer's department every violation of chapter 609 or a local criminal ordinance if the officer has reason to believe, or if the victim alleges, that the offender was motivated to commit the act by the victim's race, religion, national origin, sex, age, disability, or characteristics identified as sexual orientation. The superintendent of the bureau of criminal apprehension shall adopt a reporting form to be used by law enforcement agencies in making the reports required under this section. The reports must include for each incident all of the following:

(1) the date of the offense;

(2) the location of the offense;

(3) whether the target of the incident is a person, private property, or public property;

(4) the crime committed;

(5) the type of bias and information about the offender and the victim that is relevant to that bias;

(6) any organized group involved in the incident;

(7) the disposition of the case; ~~and~~

(8) whether the determination that the offense was motivated by bias was based on the officer's reasonable belief or on the victim's allegation; and

(9) any additional information the superintendent deems necessary for the acquisition of accurate and relevant data.

Sec. 13. Minnesota Statutes 1990, section 626.843, subdivision 1, is amended to read:

Subdivision 1. **RULES REQUIRED.** The board shall adopt rules with respect to:

(a) The certification of peace officer training schools, programs, or courses including training schools for the Minnesota state patrol. Such schools, programs and courses shall include those administered by the state, county, school district, municipality, or joint or contractual combinations thereof, and shall include preparatory instruction in law enforcement and minimum basic training courses;

(b) Minimum courses of study, attendance requirements, and equipment and facilities to be required at each certified peace officers training school located within the state;

(c) Minimum qualifications for instructors at certified peace officer training schools located within this state;

(d) Minimum standards of physical, mental, and educational fitness which shall govern the recruitment and licensing of peace officers within the state, by any state, county, municipality, or joint or contractual combination thereof, including members of the Minnesota state patrol;

(e) Minimum standards of conduct which would affect the individual's performance of duties as a peace officer;

These standards shall be established and published on or before July 1, 1979.

(f) Minimum basic training which peace officers appointed to temporary or probationary terms shall complete before being eligible for permanent appointment, and the time within which such basic training must be completed following any such appointment to a temporary or probationary term;

(g) Minimum specialized training which part-time peace officers shall complete in order to be eligible for continued employment as a part-time peace officer or permanent employment as a peace officer, and the time within which the specialized training must be completed;

(h) Content of minimum basic training courses required of graduates of certified law enforcement training schools or programs. Such courses shall not duplicate the content of certified academic or general background courses completed by a student but shall concentrate on practical skills deemed essential for a peace officer. Successful completion of such a course shall be deemed satisfaction of the minimum basic training requirement;

(i) Grading, reporting, attendance and other records, and certificates of attendance or accomplishment;

(j) The procedures to be followed by a part-time peace officer for notifying the board of intent to pursue the specialized training for part-time peace officers who desire to become peace officers pursuant to clause (g), and section 626.845, subdivision 1, clause (g);

(k) The establishment and use by any political subdivision or state law enforcement agency which employs persons licensed by the board of procedures for investigation and resolution of allegations of misconduct by persons licensed by the board. The procedures shall be in writing and shall be established on or before October 1, 1984;

(l) The issues that must be considered by each political subdivision and state law enforcement agency that employs persons licensed by the board in establishing procedures under section 626.5532 to govern the conduct of peace officers who are in pursuit of a vehicle being operated in violation of section 609.487, and requirements for the training of peace officers in conducting pursuits. The adoption of specific procedures and requirements is within the authority of the political subdivision or agency; ~~and~~

(m) Supervision of part-time peace officers and requirements for documentation of hours worked by a part-time peace officer who is on active duty. These rules shall be adopted by December 31, 1993; and

(n) Such other matters as may be necessary consistent with sections 626.84 to 626.855. Rules promulgated by the attorney general with respect to these matters may be continued in force by resolution of the board if the board finds the rules to be consistent with sections 626.84 to 626.855.

Sec. 14. Minnesota Statutes 1990, section 626.8451, is amended to read:

626.8451 **TRAINING IN IDENTIFYING AND RESPONDING TO CERTAIN CRIMES ~~MOTIVATED BY BIAS~~.**

Subdivision 1. **TRAINING COURSE; CRIMES MOTIVATED BY BIAS.** The board must prepare a training course to assist peace officers in identifying and responding to crimes motivated by the victim's race, religion, national origin, sex, age, disability, or characteristics identified as sexual orientation. The course must include material to help officers distinguish bias crimes from other crimes, to help officers in understanding and assisting victims of these crimes, and to ensure that bias crimes will be accurately reported as required under section 626.5531. The course must be updated periodically as the board considers appropriate.

Subd. 1a. **TRAINING COURSE; CRIMES OF VIOLENCE.** In consultation with the crime victim and witness advisory council and the school of law enforcement, the board shall prepare a training course to assist peace officers in responding to crimes of violence and to enhance peace officer sensitivity in interacting with and assisting crime victims. The course must include information about:

(1) the needs of victims of these crimes and the most effective and sensitive way to meet those needs or arrange for them to be met;

(2) the extent and causes of crimes of violence, including physical and sexual abuse, physical violence, and neglect;

(3) the identification of crimes of violence and patterns of violent behavior; and

(4) culturally responsive approaches to dealing with victims and perpetrators of violence.

Subd. 2. **PRESERVICE TRAINING REQUIREMENT.** An individual may not be licensed as a peace officer ~~after August 1, 1990,~~ unless the individual has received the training described in subdivision 1. An individual is not eligible to take the peace officer licensing examination after August 1, 1994, unless the individual has received the training described in subdivision 1a.

Subd. 3. **IN-SERVICE TRAINING; BOARD REQUIREMENTS.** The board must provide to chief law enforcement officers instructional materials patterned after the materials developed by the board under ~~subdivision~~ subdivisions 1 and 1a. These materials must meet board requirements for continuing education credit and be updated periodically as the board considers appropriate. The board must also seek funding for an educational conference to inform and sensitize chief law enforcement officers and other interested persons to the law enforcement issues associated with bias crimes and crimes of violence. If funding is obtained, the board may sponsor the educational conference on its own or with other public or private entities.

Subd. 4. **IN-SERVICE TRAINING; CHIEF LAW ENFORCEMENT OFFICER REQUIREMENTS.** A chief law enforcement officer must inform all peace officers within the officer's agency of (1) the requirements of section 626.5531, (2) the availability of the instructional materials provided by the board under subdivision 3, and (3) the availability of continuing education credit for the completion of these materials. The chief law enforcement officer must also encourage these peace officers to review or complete the materials.

Sec. 15. Minnesota Statutes 1990, section 626.8465, subdivision 1, is amended to read:

Subdivision 1. **SUPERVISION OF POWERS AND DUTIES.** No law enforcement agency shall utilize the services of a part-time peace officer unless the part-time peace officer exercises the part-time peace officer's powers and duties under the supervision~~, directly or indirectly~~ of a licensed peace officer designated by the chief law enforcement officer. Supervision also may be via radio communications. With the consent of the county sheriff, the designated supervising officer may be a member of the county sheriff's department.

Sec. 16. **ADVISORY TASK FORCE.**

The commissioner of public safety shall appoint a task force to recommend firearms dealers' security standards as required by section 11. The task force shall consist of appropriate interested persons, including firearms dealers and crime prevention officers. The task force shall recommend standards by September 1, 1992, and the commissioner shall adopt standards by October 1, 1992.

Sec. 17. **EFFECTIVE DATE.**

Section 16 is effective the day following final enactment. Sections 1 and 2 are effective August 1, 1992, and apply to crimes committed on or after that date.

Presented

ARTICLE 16

CAMPUS SAFETY AND SECURITY

Section 1. **VIOLENCE AND SEXUAL HARASSMENT.**

Subdivision 1. **PLANS.** Each public and private post-secondary institution, as defined in Minnesota Statutes, section 136A.101, subdivision 4, shall prepare and begin to implement plans to avoid problems of violence and sexual harassment on campus. The plans shall indicate the current status of the components in subdivision 2, the means to improve that status, a timeline for implementation of the improvements, and an estimated cost of implementing each improvement.

Any of the funds in this section awarded to school districts but not expended in fiscal year 1993 shall be available to the award recipient in fiscal year 1994 for the same purposes and activities.

Sec. 5. PUBLIC SAFETY
Total General Fund Appropriation 1,352,000

Of this appropriation, $60,000 is available immediately after enactment of this act and is available for violence prevention efforts until July 1, 1993. The state complement of the department is increased by one position for the purposes of this act.

Of this appropriation, $900,000 is to be distributed by the commissioner according to the recommendations of the chemical abuse prevention resource council for the programs described in article 10, sections 8, 9, 13, 14, 24, 26, and Minnesota Statutes, section 144.401.

Of this appropriation, $50,000 is to award a child abuse prevention grant under article 10, section 27.

Sec. 6. HIGHER EDUCATION COORDINATING BOARD
Total General Fund Appropriation 150,000

Sec. 7. HEALTH
Total General Fund Appropriation 315,000

The complement of the department is increased by one position until July 1, 1993, for the home health visit program.

Sec. 8. SUPREME COURT
Total General Fund Appropriation 225,000

Sec. 9. DISTRICT COURTS
Total General Fund Appropriation 500,000

Sec. 10. ATTORNEY GENERAL
Total General Fund Appropriation 75,000

This appropriation is for the costs of managing psychopathic personality commitments. These funds shall not be used for cases in Hennepin and Ramsey counties.

Sec. 11. BOARD OF PUBLIC DEFENSE
Total General Fund Appropriation 800,000

The appropriation for appellate services shall be annualized for the 1994-1995 biennium. The board's approved complement for appellate services is increased by six positions.

Sec. 12. DEPARTMENT OF JOBS AND TRAINING
Total General Fund Appropriation 1,475,000

$1,000,000 of this appropriation is for head start programs.

$200,000 of this appropriation is to supplement youth employment, training, service, or leadership development programs currently funded under the federal Job Training Partnership Act.

$275,000 of this appropriation is to supplement youth intervention programs under Minnesota Statutes, section 268.30.

Sec. 13. **EFFECTIVE DATE.**

Section 4 is effective the day following final enactment.

Presented to the governor April 17, 1992

Signed by the governor April 29, 1992, 4:09 p.m.

October 6, 1992
Re: Proposed Emergency Rules governing firearms dealers security standards.

RECEIVED
OCT 13 1992
Office of the Attorney General
Government Services Section
Capitol Office Bldg., Suite 500
525 Park Street
St. Paul, MN 55103

The Office of Attorney General
Public Finance Division
525 Park Street, Suite 500
Saint Paul, MN 55103

Dear Attorney General:

We urge you to DISAPPROVE the proposed emergency regulations on firearms dealers security standards, for these obvious reasons:

1) There is NO EMERGENCY to require such action, nor warrant the use of such emergency powers. It is wrong to mis-use emergency powers.

2) The technology mandated in this law, today, will be obsolete tomorrow!

3) A committee of legislators should never pre-empt the judgement of a business owner or manager. Who is most qualified?

4) This law incorrectly defines "Pistol" in subpart 5, line 28. It fails to exempt popular muzzle-loading flintlock and percussion pistols and kits, widely available, for the enjoyment of hobbyists. These replica antiques do not use cartridges, and are exempt under Federal Law. Antiques are NOT the focus of violent criminals. Why include antiques and replicas?

5) A quietly presented "emergency proposal" is seen as a back-door effort to enact laws that are not supported by a majority, and could not be enacted through normal legislation. True or not, this perception damages confidence in our representation. Only a clearly defined emergency can justify this.

6) The letter from Commissioner Thomas H. Frost advises that many letters were received, stating that these rules would impose a huge burden, cause businesses to fail, and not achieve the intended result. We agree.

Our family business will celebrate 21 years in business, next March. We now have nine employees. Our own business has been our life's dream.

This law will end it.

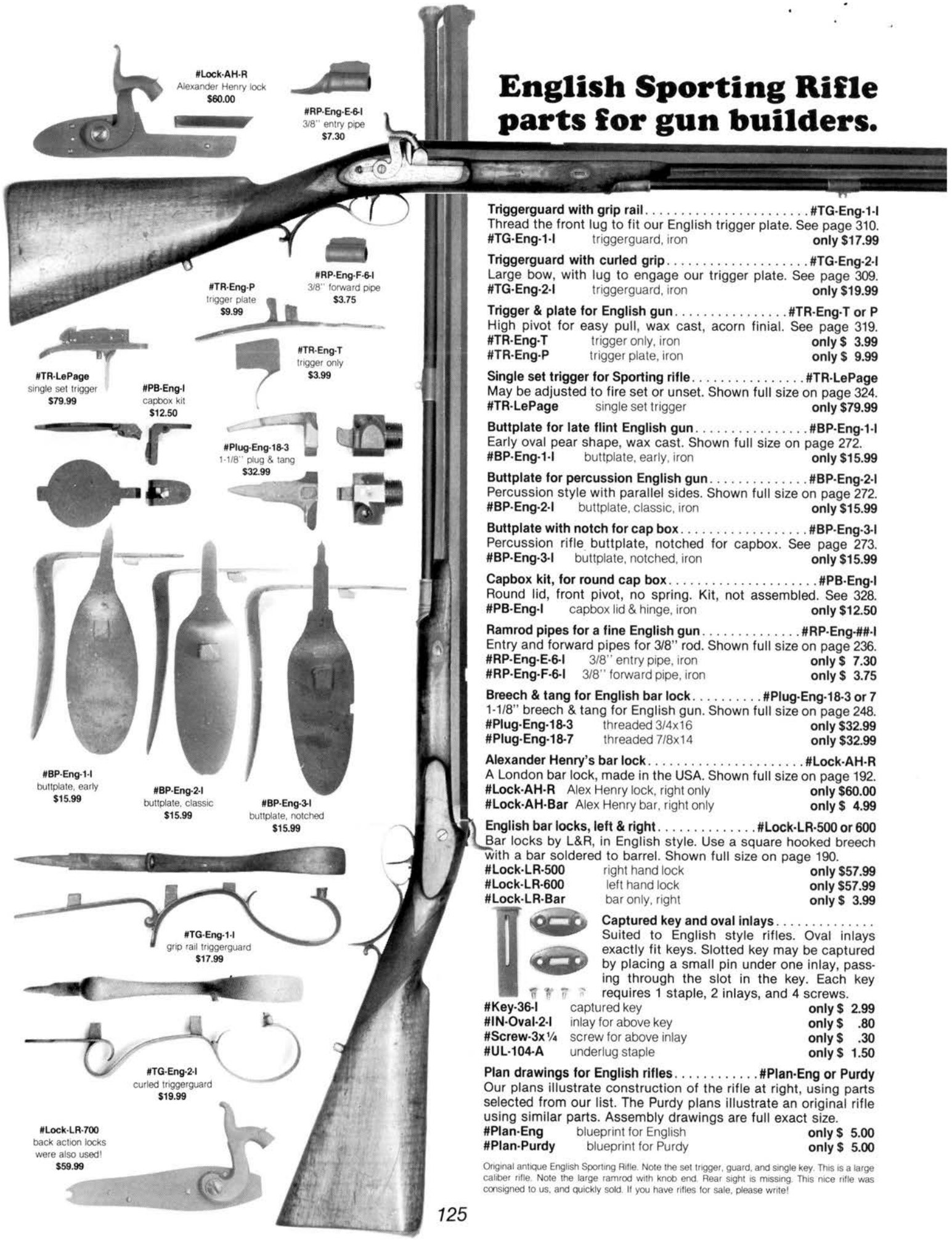
David S. Ripplinger
President

Track of the Wolf, Inc.
Post Office Box 6
Osseo, MN 55369-0006

Tex: 612-424-2500
Fax: 612-424-9860

cc: Thomas H. Frost - Commissioner of Public Safety
Dave Oren - Rules Coordinator

English Sporting Rifle parts for gun builders.



Triggerguard with grip rail . . . . . **#TG-Eng-1-I**
Thread the front lug to fit our English trigger plate. See page 310.

#TG-Eng-1-I	triggerguard, iron	**only $17.99**

Triggerguard with curled grip . . . . . **#TG-Eng-2-I**
Large bow, with lug to engage our trigger plate. See page 309.

#TG-Eng-2-I	triggerguard, iron	**only $19.99**

Trigger & plate for English gun . . . . . **#TR-Eng-T or P**
High pivot for easy pull, wax cast, acorn finial. See page 319.

#TR-Eng-T	trigger only, iron	**only $ 3.99**
#TR-Eng-P	trigger plate, iron	**only $ 9.99**

Single set trigger for Sporting rifle . . . . . **#TR-LePage**
May be adjusted to fire set or unset. Shown full size on page 324.

#TR-LePage	single set trigger	**only $79.99**

Buttplate for late flint English gun . . . . . **#BP-Eng-1-I**
Early oval pear shape, wax cast. Shown full size on page 272.

#BP-Eng-1-I	buttplate, early, iron	**only $15.99**

Buttplate for percussion English gun . . . . . **#BP-Eng-2-I**
Percussion style with parallel sides. Shown full size on page 272.

#BP-Eng-2-I	buttplate, classic, iron	**only $15.99**

Buttplate with notch for cap box . . . . . **#BP-Eng-3-I**
Percussion rifle buttplate, notched for capbox. See page 273.

#BP-Eng-3-I	buttplate, notched, iron	**only $15.99**

Capbox kit, for round cap box . . . . . **#PB-Eng-I**
Round lid, front pivot, no spring. Kit, not assembled. See 328.

#PB-Eng-I	capbox lid & hinge, iron	**only $12.50**

Ramrod pipes for a fine English gun . . . . . **#RP-Eng-##-I**
Entry and forward pipes for 3/8" rod. Shown full size on page 236.

#RP-Eng-E-6-I	3/8" entry pipe, iron	**only $ 7.30**
#RP-Eng-F-6-I	3/8" forward pipe, iron	**only $ 3.75**

Breech & tang for English bar lock . . . . . **#Plug-Eng-18-3 or 7**
1-1/8" breech & tang for English gun. Shown full size on page 248.

#Plug-Eng-18-3	threaded 3/4x16	**only $32.99**
#Plug-Eng-18-7	threaded 7/8x14	**only $32.99**

Alexander Henry's bar lock . . . . . **#Lock-AH-R**
A London bar lock, made in the USA. Shown full size on page 192.

#Lock-AH-R	Alex Henry lock, right only	**only $60.00**
#Lock-AH-Bar	Alex Henry bar, right only	**only $ 4.99**

English bar locks, left & right . . . . . **#Lock-LR-500 or 600**
Bar locks by L&R, in English style. Use a square hooked breech with a bar soldered to barrel. Shown full size on page 190.

#Lock-LR-500	right hand lock	**only $57.99**
#Lock-LR-600	left hand lock	**only $57.99**
#Lock-LR-Bar	bar only, right	**only $ 3.99**

Captured key and oval inlays . . . . . .
Suited to English style rifles. Oval inlays exactly fit keys. Slotted key may be captured by placing a small pin under one inlay, passing through the slot in the key. Each key requires 1 staple, 2 inlays, and 4 screws.

#Key-36-I	captured key	**only $ 2.99**
#IN-Oval-2-I	inlay for above key	**only $ .80**
#Screw-3x¼	screw for above inlay	**only $ .30**
#UL-104-A	underlug staple	**only $ 1.50**

Plan drawings for English rifles . . . . . **#Plan-Eng or Purdy**
Our plans illustrate construction of the rifle at right, using parts selected from our list. The Purdy plans illustrate an original rifle using similar parts. Assembly drawings are full exact size.

#Plan-Eng	blueprint for English	**only $ 5.00**
#Plan-Purdy	blueprint for Purdy	**only $ 5.00**

Original antique English Sporting Rifle. Note the set trigger, guard, and single key. This is a large caliber rifle. Note the large ramrod with knob end. Rear sight is missing. This nice rifle was consigned to us, and quickly sold. If you have rifles for sale, please write!

Build your own
J&S Hawken Pistol

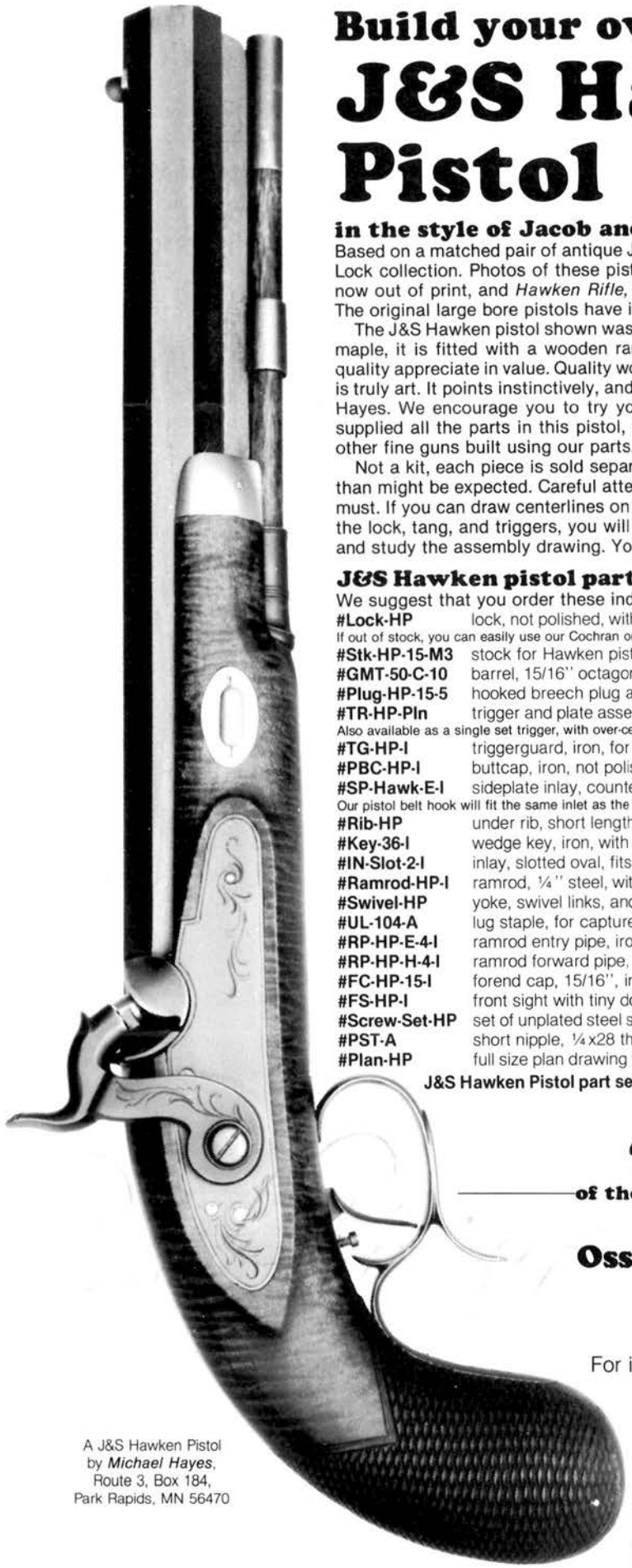
in the style of Jacob and Samuel Hawken, St. Louis.

Based on a matched pair of antique J&S Hawken pistols from the famous William Lock collection. Photos of these pistols appear in *The William Locke Collection* now out of print, and *Hawken Rifle, the Mountain Man's Choice*, by John Baird. The original large bore pistols have iron ramrods, and are stocked in walnut.

The J&S Hawken pistol shown was built by Michael Hayes. Stocked in fine curly maple, it is fitted with a wooden ramrod through English pipes. Pistols of this quality appreciate in value. Quality worksmanship is always in demand. This pistol is truly art. It points instinctively, and works like a watch. Our compliments to Mr. Hayes. We encourage you to try your hand. Build a pistol from our parts. We supplied all the parts in this pistol, and we are anxious to see and photograph other fine guns built using our parts.

Not a kit, each piece is sold separately. Pistols require more skill to assemble than might be expected. Careful attention to detail is required, and neatness is a must. If you can draw centerlines on the stock, drill and tap holes, and hand inlet the lock, tang, and triggers, you will do well. Not sure? Order our full size plans, and study the assembly drawing. You can do it!

J&S Hawken pistol parts		**Price**
We suggest that you order these individual components for your pistol:		
#Lock-HP	lock, not polished, with fly, cut for breech	**$59.99**
If out of stock, you can easily use our Cochran or LePage percussion lock, instead.		
#Stk-HP-15-M3	stock for Hawken pistol, 15/16" barrel inlet	**$32.99**
#GMT-50-C-10	barrel, 15/16" octagon, .50 cal., fast twist, 10" length	**$30.00**
#Plug-HP-15-5	hooked breech plug and tang, direct drilled	**$29.99**
#TR-HP-Pln	trigger and plate assembly, with acorn finial	**$17.99**
Also available as a single set trigger, with over-center cam spring action.		
#TG-HP-I	triggerguard, iron, for above trigger plate	**$10.99**
#PBC-HP-I	buttcap, iron, not polished. Mount with 3/32" pin	**$ 5.99**
#SP-Hawk-E-I	sideplate inlay, counterbored for 3/8" bolt head	**$ 1.50**
Our pistol belt hook will fit the same inlet as the above teardrop sideplate inlay.		
#Rib-HP	under rib, short length, for 15/16" pistol barrel	**$ 2.99**
#Key-36-I	wedge key, iron, with capture slot for pin	**$ 2.99**
#IN-Slot-2-I	inlay, slotted oval, fits key above. Use two	**$ .80**
#Ramrod-HP-I	ramrod, ¼" steel, with button tip. Fits swivel yoke	**$ 4.99**
#Swivel-HP	yoke, swivel links, and screws for captured rod	**$ 4.99**
#UL-104-A	lug staple, for captured key above. Stake in place	**$ 1.50**
#RP-HP-E-4-I	ramrod entry pipe, iron, for ¼" rod	**$ 5.99**
#RP-HP-H-4-I	ramrod forward pipe, iron, for ¼" rod	**$ 1.99**
#FC-HP-15-I	forend cap, 15/16", iron. Mount with Screw-5x40-F	**$ 7.99**
#FS-HP-I	front sight with tiny dovetail, wax cast steel	**$ 3.25**
#Screw-Set-HP	set of unplated steel screws and pins	**$ 4.60**
#PST-A	short nipple, ¼x28 thread, for No. 11 cap	**$ 2.50**
#Plan-HP	full size plan drawing for a Hawken pistol	**$ 3.00**
	J&S Hawken Pistol part set	**only $237.82**



A J&S Hawken Pistol
by *Michael Hayes*,
Route 3, Box 184,
Park Rapids, MN 56470



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Track of the Wolf enters the "French & Indian War" on the side of American shooters, with this English style "Queen Anne" .50 caliber flint pistol, by Davide Pedersoli, of Italy!

$175.99

.50 caliber smoothbore cannon barreled flint pistol

Available engraved with silver plated trim at extra cost



Kits now available unfinished

$149.99

Our "Queen Anne" .50 flint pistol is made for the French & Indian War re-enactor!
We stock two versions of this elegant piece. Both are stocked in walnut, with a "cannon" shaped 8" barrel, smooth bored in .50 caliber. A grotesque mask adorns the buttcap. The triggerguard has a coat of arms crest finial. Our Officer's pistol is brass trimmed, with polished barrel and lock. Our elegant Gentleman's pistol has engraving on the lock plate, sideplate, breech, tang, a band around the barrel, and the buttcap, sideplate and triggerguard are silver plated.

This pistol features a snappy flintlock, with good geometry. It sparks well, and is no tiny lock. Order standard 5/8" flints, as the jaws will grip full size flints with ease. The stock will fill a man sized hand comfortably. The bore is .505" diameter. Order .490" balls and .015" patching. We can send FFFFg priming powder and FFFg black powder by UPS, too.

#Pistol-QA-K	.50 flint "Queen Anne" pistol kit, unfinished	**only $149.99**
#Pistol-QA	.50 flint "Queen Anne" pistol, brass trim	**only $175.99**
#Pistol-QA-S	.50 flint "Queen Anne" pistol, engraved silver	**only $209.99**

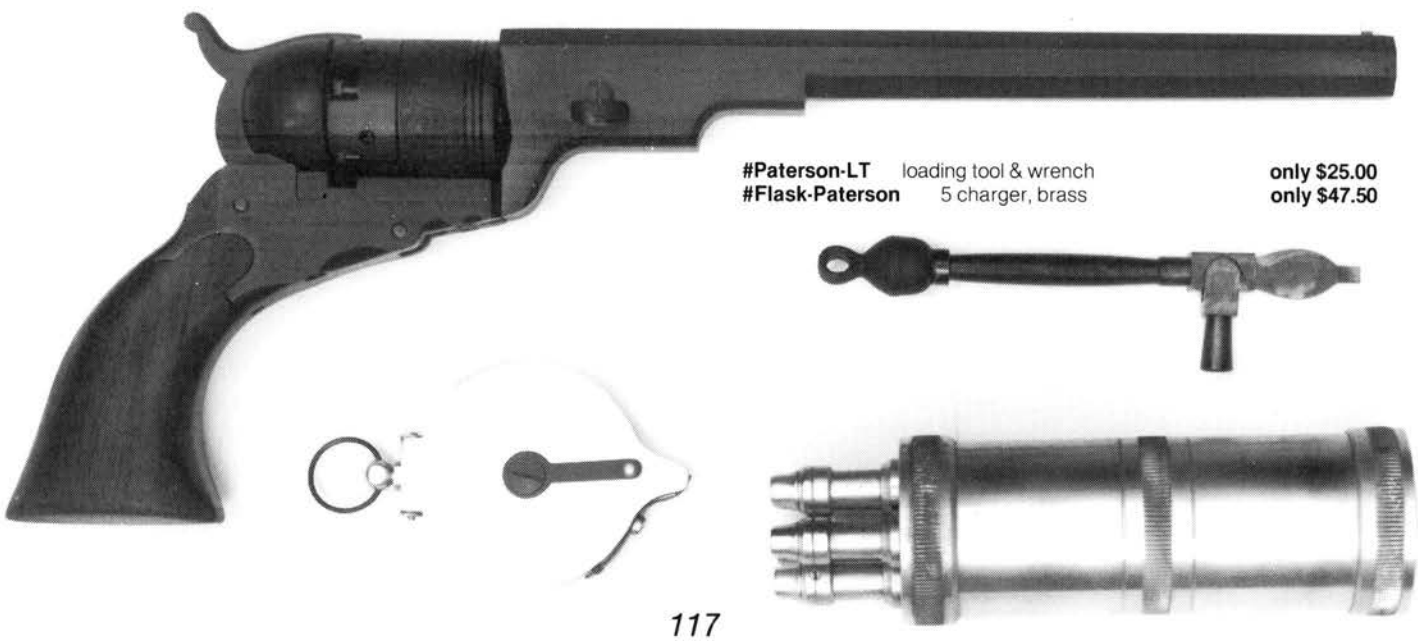
Colt's 1836 Paterson "holster" pistol is the only revolver appropriate for use at pre-1840 fur trade rendezvous events!

Our 1836 Paterson revolver is sometimes called the "Texas" model or "holster" model. Odd features include a spur trigger that is concealed until the hammer is cocked, and a five shot cylinder.

#Paterson .36 revolver, 5 shot **$325.00**

We offer correct early style accessories for your Paterson:

#Capper-Spiral	brass cap magazine	**only $35.00**
#Mold-Paterson	.36 ball, wood handle	**only $25.00**
#Paterson-Cy	spare cylinder, by Pieta	**only $39.00**



#Paterson-LT	loading tool & wrench	**only $25.00**
#Flask-Paterson	5 charger, brass	**only $47.50**

Hawken left hand fullstock parts



Left hand Hawken fullstock parts

		Price
#Lock-LR-1000	L&R's Hawken flint lock, left hand	**$79.99**
Use Lock-LR-400 for percussion ignition, with a ½" drum.		
#Stk-HFl-16L-M1	machine inlet fullstock, left hand	**119.99**
Walnut, cherry, or fancy maple available. Accepts any 1" barrel.		
#GMT-54-D-36	barrel, .54 cal, 1" octagon, 36"	**$82.50**
Or select any 1" barrel up to 42". Shorten to 38" or less.		
#Plug-FHG-16-3	plug & tang, hooked 1" flint	**$39.99**
Percussion guns use this plug with a ½" drum and nipple.		
#TR-LR-1300	trigger, Hawken double-set, by L&R	**$32.50**
#TG-Hawk-N-I	triggerguard, early straight grip, iron	**$12.99**
#BP-Hawk-E-I	buttplate, early wide Hawken, iron	**$15.99**
#TP-TC-H-I	toeplate, beaver-tail finial, iron	**$ 1.50**
#SP-Hawk-E-I	lock bolt inlay, early 'teardrop', iron	**$ 1.50**
#Ramrod-7	ramrod, 7/16" x 48", unfinished	**$ 1.25**
#RT-7-8-I	ramrod tip, 7/16" iron	**$ 1.50**
#UL-104-B	lug staple for tiny key, use three	**$ 1.50**
#RP-TC-RE-7-I	rod entry pipe, for 7/16" rod, iron	**$ 2.50**
#RP-TC-RF-7-I	rod forward pipe, iron, use two	**$ 2.25**
#MC-SC-16-I	muzzle cap, iron, for 1" octagon	**$ 4.55**
#FS-TC-CB	front sight, copper base, silver blade	**$ 3.99**
#RS-PA-14	rear sight, early Hawken style	**$ 4.99**
#Screw-Set-HF	set of unplated screws and pins	**$ 9.45**
#THL-S4S	flash hole liner, stainless steel	**$ 1.99**
#Plan-Hawken	Hawken plans, fullstock, full size	**$ 5.00**
Left Hawken fullstock parts		**only $431.17**

Scratch build your own Hawken fullstock rifle, using our machine inlet stock. This is an *early* Hawken stock shape, with early square cheek, not a beavertail cheekpiece. When building a rifle with interchangeable flint and percussion locks, fit the percussion lock to the drum first. Unlike later Hawken rifles, this percussion rifle requires a drum and nipple, not a snail bolster. We judge this project to be of moderate complexity, requiring more work than a flint longrifle (due to the long Hawken tang and triggers), but less difficult than a late Hawken halfstock. Skilled use of a drill press for drilling and tapping is required. Final fit of the parts depends on your inletting. Carefully check centerlines and engagement with other parts, as you scrape each mortise until its part enters snugly. Machine inlets are made undersize for good fit. No instructions. Refer to our Hawken plans, and a copy of *The Art of Building the Pennsylvania Longrifle* for guidance.

Early Hawken rifles often had iron patchboxes shaped as an oval, or a pineapple.

A fine Hawken fullstock flint rifle
by **Ralph W. Marcum**, P.O. Box 7, Sand Gap, KY 40481
A frequent contributor to ***Muzzle Blasts*** magazine,
Mr. Marcum's gunsmithing is both clever and neat. We
would like to see additional examples of his work.

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October 10, 1992

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Office of the Attorney General
Government Services Section
Capitol Office Bldg. - Suite 500
525 Park Street
St. Paul MN 55101

The Office of the Attorney General
Public Finance Division
525 Park Street, Suite 500
St. Paul, Minnesota 55103

RE: Emergency Legislation #7504.01

I applaud the proposed legislation, but I do question the legality of three sections:

1) The proposal exempts Federal Firearms Licensed dealers who operate out of their home, and not a commercial establishment. This discriminates against legitimate dealers putting an unfair financial burden on them and exempting the illegal dealer operating a commercial business in a residential area. Further, federal law prohibits a dealer working out of a residence which is not a business premise open to the public. Enclosed is a copy of the law describing a "business premise" and the application of "business premise". If the state condones this illegal act in it's legislation, how will the federal government be able to enforce their laws?

2) The ability for local law enforcement to search my business premise without just cause breaches my right to privacy. A provision for compliance inspection with a legally issued warrant is the only acceptable alternative.

3) Why is this emergency legislation? Firearms dealers have been in existence since the mid 1800's. Banks and drug stores are far more often the target of robberies and burgurleries yet this is aimed at firearms dealers. Obviously, an anti-firearms person or group is attempting to legilate agains guns. Is this special interest law legal?

Thank you for reading this and hopefully, some of it will be used to modify the proposed legislation.

Signed,

Steven Jenniges

Steven Jenniges
President

enclosures 2
c. Dave Orren

178.116 Conditional importation.
178.117 Function outside a customs territory.
178.118 Importation of certain firearms classified as curios and relics.

Subpart H — Records

178.121 General.
178.122 Records maintained by importers.
178.123 Records maintained by manufacturers.
178.124 Firearms transaction record.
178.124a Firearms transaction record in lieu of record of receipt and disposition.
178.125 Record of receipt and disposition.
178.125a Personal firearms collection.
178.126 Furnishing transaction information.
178.126a Reporting multiple sales or other disposition of pistols and revolvers.
178.127 Discontinuance of business.
178.128 False statement or representation.
178.129 Record retention.

Subpart I — Exemptions, Seizures, and Forfeitures

178.141 General.
178.142 Effect of pardons and expunctions of convictions.
178.143 Relief from disabilities incurred by indictment.
178.144 Relief from disabilities under the Act.
178.145 Research organizations.
178.146 Deliveries by mail to certain persons.
178.147 Return of firearm.
178.148 Armor piercing ammunition intended for sporting or industrial purposes.
178.149 Armor piercing ammunition manufactured or imported for the purpose of testing or experimentation.
178.150 Seizure and forfeiture.

Subpart J — (Reserved)

Subpart K — Exportation

178.171 Exportation.

AUTHORITY: 18 U.S.C. 921 - 929, unless otherwise noted.

SOURCE: The provisions of this part appeared at 33 FR 18555, Dec. 14, 1968, or at 33 FR 18669, Dec. 18, 1968, unless otherwise noted, and was redesignated "27 CFR Part 178" from "26 CFR Part 178" at 40 FR 16635, Apr. 16, 1975.

Subpart A—Introduction

§ 178.1 Scope of regulations.

(a) General. The regulations contained in this part relate to commerce in firearms and ammunition and are promulgated to implement Title I, State Firearms Control Assistance (18 U.S.C. Chapter 44), of the Gun Control Act of 1968 (82 Stat. 1213) as amended by Public Law 99-308 (100 Stat. 449), Public Law 99-360 (100 Stat. 766), and Public Law 99-408 (100 Stat. 920).

(b) Procedural and substantive requirements. This part contains the procedural and substantive requirements relative to:

(1) The interstate or foreign commerce in firearms and ammunition;

(2) The licensing of manufacturers and importers of firearms and ammunition, collectors of firearms, and dealers in firearms;

(3) The conduct of business or activity by licensees;

(4) The importation of firearms and ammunition;

(5) The records and reports required of licensees;

(6) Relief from disabilities under this part;

(7) Exempt interstate and foreign commerce in firearms and ammunition; and

(8) Restrictions on armor piercing ammunition.

[T.D. ATF-241, 51 FR 39614, Oct. 27, 1986;

§ 178.2 Relation to other provisions of law.

The provisions in this part are in addition to, and are not in lieu of, any other provision of law, or regulations, respecting commerce in firearms or ammunition. For regulations applicable to traffic in machineguns, destructive devices, and certain other firearms, see Part 179 of this chapter. For statutes applicable to the registration and licensing of persons engaged in the business of manufacturing, importing or exporting arms, ammunition, or implements of war, see section 38 of the Arms Export Control Act (22 U.S.C. 2778) and regulations thereunder and Part 47 of this chapter. For statutes applicable to nonmailable firearms, see 18 U.S.C. 1715 and regulations thereunder.

[T.D. ATF-241, 51 FR 39614, Oct. 29, 1986]

Subpart B—Definitions

§ 178.11 Meaning of terms.

When used in this part and in forms prescribed under this part, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof, terms shall have the meanings ascribed in this section. Words in the plural form shall include the singular, and vice versa, and words importing the masculine gender shall include the feminine. The terms "**includes**" and "**including**" do not exclude other things not enumerated which are in the same general class or are otherwise within the scope thereof.

Act. 18 U.S.C. Chapter 44.

Ammunition. Ammunition or cartridge cases, primers, bullets, or propellent powder designed for use in any firearm other than an antique firearm. The term shall not include:

(a) Any shotgun shot or pellet not designed for use as the single, complete projectile load for one shotgun hull or casing; nor

(b) Any unloaded, non-metallic shotgun hull or casing not having a primer.

Antique firearm.

(a) Any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; and

(b) Any replica of any firearm described in paragraph (a) of this definition if such replica:

(1) Is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; or

(2) Uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.

Armor piercing ammunition. Projectiles or projectile cores which may be used in a handgun and which are constructed entirely (excluding the presence of traces of other substances) from one or a combination of tungsten alloys, steel, iron, brass, bronze, beryllium copper, or depleted uranium.

The term does not include shotgun shot required by Federal or State environmental or game regulations for hunting purposes, frangible projectiles designed for target shooting, projectiles which the Director finds are primarily intended to be used for sporting purposes, or any other projectiles or projectile cores which the Director finds are intended to be used for industrial urposes, including charges used in oil and gas well perforating devices. **[Cross references: § 178.99(e) and Industry Circular 86-15]**

ATF officer. An officer or employee of the Bureau of Alcohol, Tobacco and Firearms (ATF) authorized to perform any function relating to the administration or enforcement of this part.

Business premises. The property on which the manufacturing or importing of firearms or ammunition or the dealing in firearms is or will be conducted. A private dwelling, no part of which is open to the public, shall not be recognized as coming within the meaning of the term. **[See, also, ATFR 73-13, Consultant or expert, operations of, and ATFR 73-19, Gunsmith, operations of]**

Collection premises. The premises described on the license of a collector as the location at which he maintains his collection of curios and relics.

Collector. Any person who acquires, holds, or disposes of firearms as curios or relics.

Commerce. Travel, trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia and any State, or between any foreign country or any territory or possession and any State or the District of Columbia, or between points in the same State but through any other State or the District of Columbia or a foreign country.

Crime punishable by imprisonment for a term exceeding 1 year. Any Federal, State or foreign offense for which the maximum penalty, whether or not imposed, is capital punishment or imprisonment in excess of 1 year. The term shall not include:

(a) Any Federal or State offenses pertaining to antitrust violations, unfair trade prac-

- Procedures to return firearms J2
- Redemption of a pawned firearm is a "disposition" J1

PROHIBITED PERSONS:

- Cannot obtain Federal firearms license A2
- Cannot legally receive, possess, or transport guns B4
- May apply for relief from firearms disabilities B5
- Should not pawn firearm J3

RECORDKEEPING:

- Armor piercing ammunition and A5,E6
- Gunsmith activities I1
- Multiple handgun sale report F5
- No records are required for small arms ammunition A5,E6
- On-premises firearms use exemption E7
- Sale of firearms from personal collection E8
- Stolen firearms; How to handle F16

RESIDENCY:

- Dual residency B13
- Member of the Armed Forces B12

SHIPPING:

- By common or contract carrier B7
- Certain [18 U.S.C. 1715] persons; Receipt of handguns through the mail F13
- Handguns only by common carrier B8
- Through the U.S. mail B8

STATE LAWS AND LOCAL ORDINANCES:

- ATF P 5300.5, State Laws and Published Ordinances - Firearms: For licensees.
- References to: B1,9,11,C7,F1,2,6,12, L2,15,19

STOLEN FIREARMS:

- Records pertaining to F16
- Report Title I firearms to local police F15
- Report Title II (NFA) weapons to ATF: (202) 566-7371 F15

STORAGE FACILITIES:

- Licensee's C2
- NFA weapons L22

VARIATIONS FROM REGULATIONS:

- Maintaining available copies E4

VERIFICATION:

- By licensee of another licensee F8
- By licensee: Multi-licensed business entities F9
- Pendency of another licensee's renewal application F10

A. GENERAL QUESTIONS

(A1) Does the law regulate who can be in the business?

Yes, The Gun Control Act (GCA), administered by the Bureau of Alcohol, Tobacco and Firearms (ATF) of the Department of the Treasury, contains Federal licensing standards for various firearms related businesses (manufacturers, importers, and dealers). Two examples of these standards are: The applicant must have a business premises and must be open to the public. [18 U.S.C. 923] [178.47]

(A2) Who can get a license?

ATF will approve the application if the applicant:

- Is 21 years of more of age;
- Is not prohibited from shipping, transporting, receiving or possessing firearms or ammunition in, or affecting interstate commerce;
- Has not willfully violated the GCA or its regulations;
- Has not willfully failed to disclose required material information or willfully made false statements concerning material facts in connection with his application; and,
- Has premises for conducting business or collecting. [178.47(b)]

(A3) Does ATF issue a license or permit to carry a concealed weapon?

No. The GCA of 1968 contains no provision for issuing a license or permit to carry concealed weapons. Carrying permits may be issued by a State and/or its political subdivisions.

(A4) Do antique firearms come within the purview of the GCA?

No. As defined in Title I and Title II, antique firearms are excluded. [178.141 (d)]

(A5) Are all kinds of ammunition covered by the GCA?

Yes, all ammunition, including components such as cartridge cases, primers, bullets and propellant powder for use in modern firearms, is covered by small arms ammunition. [Items NOT covered include blank ammunition, tear gas ammunition, pellets, nonmetallic shotgun hulls and casings without primers.]

Generally, no records are required for ammunition transactions. However, information about the disposition of armor piercing ammunition is required to be entered into a record by importers, manufacturers, and collectors. As of November 15, 1986, a license is no longer required for dealers in ammunition, only.

(A6) Does the GCA control the sale of firearms parts?

No, except frames or receivers of firearms are "firearms" as defined in the law and subject to the same controls as complete firearms, [178.11]. It should be noted that certain machinegun and silencer parts are defined as firearms and are subject to all controls under the National Firearms Act.

(A7) Does the GCA prohibit anyone from making a handgun, shotgun or rifle?

A Title I (sporting-type) firearm can be made by a nonlicensee provided it is not for sale or distribution, and the maker is not prohibited from possessing firearms. The making of an NFA type firearm requires a formal application (Form 1), fingerprint card, payment of the making tax ($200) and approval by ATF. After May 19, 1986, an application to make a machinegun will not be approved unless documentation is submitted in compliance with the regulations to establish that the weapon is being made for or on behalf of the United States or any Department or Agency thereof or a State, or a department, agency or political subdivision thereof.

(A8) Are suppliers who deal in black powder required to be licensed as an ammunition dealer under the GCA?

No. However, black powder dealers are subject to the provisions of 27 CFR Part 55, Commerce in Explosives, which provides, among other things, that a dealer in any quantity of black powder must have a license as a dealer in low explosives.

(A9) An unlicensed individual wishes to manufacture a prototype firearm. Does he need a license?

A prototype firearm may be manufactured without its maker being licensed under the Gun Control Act of 1968, provided the firearm is not for sale or distribution. The making of a "firearm" as defined by the National Firearms Act is subject to ATF approval, and to the tax and registration requirements of the Act. (See Question A7)

B. UNLICENSED PERSONS

(B1) How is an unlicensed person affected by the Gun Control Act?

He can only buy or sell a firearm within his own State, with the following exceptions:

(1) He may sell a firearm to a licensee in any State; and

(2) He may buy a rifle or shotgun from a licensee, in person, at the licensee's premises in any State, provided the sale complies with State and local laws applicable in the State of sale and in the State of the purchaser's place of residence. In addition, when an unlicensed person purchases a firearm from a licensed dealer, he will be required to furnish sufficient identification to the dealer to establish his name, address, and age, and he must complete Section A of Form 4473 and sign the form certifying that he is not prohibited by Federal law from purchasing and/or possessing a firearm. (Also see D5) [178.124(c)]

(B2) May an unlicensed person obtain a firearm from an out-of-State source if he arranges to obtain the firearm through a licensed dealer in his own State?

A person not licensed under the Act and not prohibited by the Act from acquiring firearms may order a firearm from an out-of-State source and obtain the firearm if an arrangement is made between the out-of-State source, a licensed dealer in the purchaser's home State, and the purchaser, for delivery of the firearm to the purchaser by the licensed dealer in his home State. [178.29]

(B3) May an unlicensed person obtain ammunition from an out-of-State source?

Yes, provided the person is not prohibited by the Act from receiving firearms and ammunition [18 U.S.C. 922(g), (n)].

(B4) Are there certain persons who can't legally receive or possess guns?

Yes, a person who...

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION

In The Matter Of The Proposed Adoption Of Emergency Rules Of The State Department Of Public Safety Relating To Firearms Dealers Security Standards

SUPPLEMENTAL FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING EMERGENCY RULES

On October 1, 1992, the Department of Public Safety submitted the above-entitled emergency rules to the Attorney General for review and approval pursuant to Minnesota Statutes, section 14.32. The Attorney General's Office expressed concerns about the clarity and understandability of two provisions in the rules. These Supplemental Findings Of Fact, Conclusions, And Order Adopting Emergency Rules address the concerns of the Attorney General's Office. This document supplements and does not replace the Findings of Fact, Conclusions, And Order Adopting Emergency Rules signed on September 30, 1992.

Based on the comments and evidence in the record before the Department, I find the following:

1. The first paragraph of part 7504.0300 is amended as follows:

> A large firearms dealer shall ~~either~~ comply with the requirements of items A to H or the requirements of part 7504.0200 [Emergency], items A to D, ~~or the requirements of items A to H~~ except that a large firearms dealer shall not use a gun cabinet.

This provision is intended to require a large firearms dealer to meet the security standards set out in items A to H. As an alternative to meeting these standards, a large firearms dealer may instead meet the standards for small firearms dealers set out in part 7504.0200, with the exception that a large firearms dealer may not use a gun cabinet to meet security standards.

The first paragraph of part 7504.0300 used a reference to part 7504.0200, items A to D, but intentionally left out any reference to item E, to convey the intent that a large firearms dealer could use the security measures of a locking pistols in a safe or securing them with a rod or cable through the trigger guards, but could not use the security measure of locking pistols in a gun cabinet. Items A to D set out specifications for safes, rods, and cables. Item E sets out specifications for gun cabinets. Upon careful reflection, the reference to part 7504.0200, items A to D, does not carry out its intended purpose. It is necessary to be more clear in stating that a large firearms dealer may not use a gun cabinet to meet security standards. This is not a substantial change because it does not change the obvious intent of part 7504.0300. This change is merely a clarification.

2. Part 7504.0600, item C, is amended as follows:

C. the requirement is not ~~mandated by~~ specifically set out in statute; and

The emergency rules adopt security standards for firearms dealers. For the most part, the rules set out the security standards or set out specifications for statutory requirements. Occasionally, the rules repeat statutory requirements to put rule requirements in proper context.

Part 7504.0600 permits the commissioner of public safety to grant exemptions from compliance with requirements of the rules, if certain conditions are met. Minnesota Statutes, section 14.05, subdivision 4, allows agencies to grant variances to rules, but does not allow variances to statutory requirements. Item C was included under part 7504.0600 to make clear that an exemption to the firearms dealers security standards could not be granted if the requirement was statutory. The change to item C makes this more clear. This change is not substantial.

3. The above-changes are not substantial in that the changes do not affect classes of persons who could not reasonably have been expected to comment on the proposed rules as originally noticed.

4. The above-changes are not substantial in that the changes do not introduce significant new subject matter which a reasonable person, on the basis of the proposed rules as originally noticed, would not have anticipated would occur during the rulemaking proceeding.

5. The above-changes are not substantial in that the changes do not make a major substantive change that was not raised by the proposed rules as originally noticed in such a way as to invite reaction.

NOW, THEREFORE, IT IS ORDERED that the rules identified as the Rules of the State Department of Public Safety Relating To Firearms Dealers Security Standards, in the form set out in the State Register on August 24, 1992, with the modifications as indicated in the Revisor's draft, file number AR2077, dated 10/06/92, are adopted this 7th day of October, 1992, pursuant to authority vested in me by Minnesota Statutes, section 626.7161, subdivision 3.

Thomas H. Frost, Commissioner
Department of Public Safety

OFFICE OF THE COMMISSIONER

211 Transportation Building

Telephone: _____

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

SAINT PAUL 55155

October 7, 1992

Ms. Amy Kvalseth
Public Finance Division
Office of the Attorney General
404 Capital Office Building
525 Park Street
St. Paul, Minnesota 55103

Re: In The Matter Of The Adopted Emergency Rules Of The State Department Of Public Safety Relating To Firearms Dealers Security Standards

Dear Ms. Kvalseth:

Enclosed is a copy of Supplemental Findings Of Fact, Conclusions, And Order Adopting Emergency Rules in this matter. The changes made in the Supplemental Findings address your concerns about the rules.

Also enclosed are four copies of the rules as adopted. The changes to the proposed rules are reflected in the rules as adopted and are approved as to form by the Revisor of Statutes. The Revisor has also approved the rules for filing with the Secretary of State.

If you have any questions about the enclosed documents or if you wish to discuss anything about the rules with me, please contact me at 296-2631. After you complete your review, please send any correspondence regarding the rules to me, Dave Orren, at 208 Transportation Building.

Yours very truly,

Dave Orren

Dave Orren
Rules Coordinator

enclosures

(H)

Department of Public Safety

Adopted Emergency Rules Relating to Firearms Dealers Security Standards

Rules as Adopted

7504.0100 [Emergency] DEFINITIONS.

Subpart 1. **Scope.** For purposes of this chapter, the terms in subparts 2 to 6 have the meanings given them.

Subp. 2. **Firearms dealer.** "Firearms dealer" means a dealer federally licensed to sell pistols who operates a retail business in which pistols are sold from a permanent business location other than the dealer's home. For the purposes of this chapter, a dealer's home does not include the following:

A. a building located on property that is zoned commercial;

B. a business location where the square footage used for the business of selling firearms exceeds the square footage used for the dealer's residence; or

C. a building located on the same property as the dealer's home that is not attached to the dealer's home.

Subp. 3. **Small firearms dealer.** "Small firearms dealer" means a firearms dealer who operates a retail business at which no more than 50 pistols are displayed for sale at any time.

Subp. 4. **Large firearms dealer.** "Large firearms dealer" means a firearms dealer who operates a retail business at which more than 50 pistols are displayed for sale at any time.

Subp. 5. **Pistol.** "Pistol" includes a weapon designed to be fired by the use of a single hand and with an overall length less than 26 inches, or having a barrel or barrels of a length less than 18 inches in the case of a shotgun or having a barrel of a length less than 16 inches in the case of a rifle (1) from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances; or (2) for

Approved by Revisor MM

which the propelling force is a spring, elastic band, carbon dioxide, air or other gas, or vapor. Pistol does not include a device firing or ejecting a shot measuring .18 of an inch or less in diameter and commonly known as a BB gun, a scuba gun, a stud gun or nail gun used in the construction industry, or children's pop guns or toys.

Subp. 6. **Displayed for sale.** "Displayed for sale" means a pistol available for sale to customers that is either displayed or stored at the dealer's place of business. This does not include pistols temporarily stored at the place of business for repair or servicing.

7504.0200 [Emergency] SECURITY MEASURES FOR SMALL FIREARMS DEALERS.

After business hours when the dealer's place of business is unattended, a small firearms dealer shall place all pistols that are located in the dealer's place of business in a locked safe or locked steel gun cabinet, or on a locked, hardened steel rod or cable that runs through the pistols' trigger guards.

A. The door to a safe must be recessed or flush and made of at least ~~3/16-inch-thick~~ seven gauge steel. The body of a safe must be made of hot rolled steel of at least ~~one-eighth inch-thick~~ 12 gauge thickness. A safe must have an Underwriters Laboratory (UL) listed Group 2 combination lock.

B. A rod or cable used to secure a pistol must be hardened steel. The rod or cable must be at least one-fourth inch in diameter. The rod or cable must be secured with a hardened steel lock which has a shackle that is protected or shielded from attack by a bolt cutter.

C. No more than five pistols may be affixed to any one rod or cable.

D. The safe, gun cabinet, rod, or cable must be anchored to prevent its removal from the premises.

E. The door to a gun cabinet must be ~~recessed and~~ made of at least 14 gauge steel. The door may be recessed, flush, or overlapping. If the door is flush or overlapping, it

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must be designed to conceal the location of the locking bolts and hinges from the outside of the cabinet. The door must be reinforced and must be attached to the body by one continuous hinge or at least two hinges that are located either inside or outside the body. If the hinges are located outside the body of the safe, the safe must have an interior locking system consisting of permanent or moveable locking pins securing the door from the inside when it is in the closed position. The body of a gun cabinet must be made of hot rolled steel of at least 14 gauge thickness, and must be continuously welded to create a single, solid structure. A gun cabinet must have either a UL-listed group two combination lock or a UL-listed key lock that is encased in a high security, drill-resistant lock body. A key lock must use a restricted key that can only be duplicated by a factory-authorized source.

7504.0300 [Emergency] SECURITY MEASURES FOR LARGE FIREARMS DEALERS.

A large firearms dealer shall either comply with the requirements of part 7504.0200 [Emergency], items A to D, or the requirements of items A to H.

A. The dealer shall install vehicle-resistant barriers to prevent the penetration of the dealer's place of business by a motor vehicle. The barriers must protect any areas that are accessible to vehicles and that have a free run distance of 50 feet or more.

B. The dealer shall secure each perimeter doorway according to subitem (1), (2), or (3).

(1) The dealer may use a windowless steel security door equipped with both a dead bolt and a doorknob lock.

(2) The dealer may use a windowed metal door that is equipped with both a dead bolt and a doorknob lock. The window must be made of one-half inch polycarbonate or glass reinforced with metal mesh. If the window has an opening of five inches or more measured in any direction, then the window must be covered with steel bars or metal grating affixed to the

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interior of the door.

(3) The dealer may use a metal grate that is padlocked and affixed to the premises independent of the door and door frame.

C. A dealer shall cover all windows with steel bars that are anchored internally to the wall joists.

D. A dealer shall secure a room where pistols are stored after hours with a locked steel door or metal grating.

E. A dealer shall not display pistols within four feet of a window unless the window is covered by metal screen that is anchored internally to the wall joists.

F. A dealer shall secure heating, ventilating, air conditioning, and service openings with steel bars, metal grating, or an alarm system as described in part 7504.0400 [Emergency].

G. A dealer shall illuminate each perimeter doorway so that the doorway is clearly visible after dark from a distance of 100 feet.

H. Metal grates and grating must have spaces no larger than six inches ~~on-center~~ wide along any diagonal. Metal screen must have spaces no larger than three inches wide along any diagonal. Steel bars must be no more than six inches apart on center.

7504.0400 [Emergency] ELECTRONIC SECURITY FOR ALL FIREARMS DEALERS.

A firearms dealer shall install and maintain an electronic security system that meets the requirements of items A to I.

A. The system must emit an audible alarm at the dealer's place of business when triggered.

B. The system must transmit a silent alarm when triggered. The silent alarm must be transmitted directly to a public safety answering point where this service is available. If no local public safety answering point provides an alarm-monitoring service, the silent alarm must automatically transmit a violation signal to a UL-approved monitoring station

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that must notify an appropriate law enforcement agency within two minutes of receiving the violation signal.

C. A large firearms dealer's system must include a backup silent alarm that transmits the alarm as provided in item B if the primary transmission system fails.

D. The system must include a line cut alarm unless the incoming phone lines are hardened by routing them through underground conduit or similar protective barrier. The line cut alarm must be triggered when the phone line is cut, and must emit an audible alarm.

E. The system must monitor all exterior doors, windows, and other entry points, including but not limited to heating, ventilating, air conditioning, and customer and service entry points.

F. The system must use motion and heat sensors to monitor pistol storage areas and alarm control boards.

G. The system must monitor all interior doors that provide access to pistol storage areas.

H. All components of the system must be UL-approved.

I. All components of the system must be independently tested and certified to comply with this part at least once per year. The test must be conducted by an alarm system installation or monitoring firm or a person approved by the alarm system manufacturer or distributor. Written certification must be available for inspection by a local law enforcement authority.

7504.0500 [Emergency] INSPECTION BY LAW ENFORCEMENT.

A firearms dealer shall make its place of business available to local law enforcement officials during normal business hours for the purpose of verifying compliance with this chapter. A local law enforcement official is not required to give advance notice of an inspection.

7504.0600 [Emergency] EXEMPTIONS.

Upon written request from a firearms dealer, the commissioner of public safety shall grant an exemption from

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compliance with a requirement of this chapter if the following conditions are met:

A. the request shows that the firearms dealer is unable to comply with the requirement because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the firearms dealer;

B. the request identifies security measures used in lieu of complying with the requirement;

C. the requirement is not mandated by statute; and

D. the commissioner determines that the security measures will provide a degree of security similar to the degree of security provided by the requirement or will cause a delay in the unauthorized entry into the dealer's business premises equivalent to the delay provided by complying with the requirement.

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Office of the Revisor of Statutes

Administrative Rules

TITLE: Adopted Emergency Rules Relating to Firearms Dealers Security Standards

AGENCY: Department of Public Safety

MINNESOTA RULES: Chapter 7504

The attached rules are approved for filing with the Secretary of State

Ron Ray
Senior Assistant Revisor

(J)

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION

In The Matter Of The Proposed Adoption Of Emergency Rules Of The State Department Of Public Safety Relating To Firearms Dealers Security Standards

FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING EMERGENCY RULES

(1) Notice of the Commissioner's intent to adopt the above-entitled emergency rules was published in the State Register on August 24, 1992, and was sent by United States mail to all persons on the list maintained by the Department pursuant to Minnesota Statutes, section 14.30, on August 19, 1992.

(2) All persons were given the opportunity to submit written comment on the rules for at least 25 days after the notice Of proposed rulemaking.

(4) The Department received 27 comments and submissions on the rules. The Department received 2 requests for notice of submission to the Attorney General.

The statutory authority to adopt these rules is contained in Minnesota Statutes, section 624.7161, subdivision 3, as enacted by Minnesota Laws 1992, chapter 571, article 15, section 11, which states: "The commissioner of public safety shall adopt standards specifying minimum security requirements for small and large firearms dealers." Minnesota Laws 1992, chapter 571, article 15, section 16, required the commissioner to appoint a task force to recommend standards. September 1, 1992, was the deadline set for the task force recommendation and October 1, 1992, was the deadline set for the commissioner to adopt the rules.

The Department is relying on Minnesota Statutes, section 14.29, subdivision 1, for the authority to adopt these rules using emergency rulemaking procedures. Section 14.29, subdivision 1, states in pertinent part: "When an agency is directed by statute, federal law or court order to adopt, amend, suspend or repeal a rule in a manner that does not allow for compliance with sections 14.14 to 14.28 . . . , the agency shall adopt emergency rules in accordance with sections 14.29 to 14.36." The enabling legislation for these rules was signed by the Governor on April 29, 1992, and became effective July 1, 1992. Clearly there was not enough time to adopt these rules by October 1, 1992, while complying with the rulemaking procedures of sections 14.14 to 14.28.

Based on the comments and evidence in the record before the Department, I find the following:

(3) 1. Part 7504.0200, item A, is amended as follows:

> A. The door to a safe must be recessed or flush and made of at least ~~3/16 inch thick~~ seven gauge steel. The body of a safe must be made of hot rolled steel of at least ~~one eight inch thick~~ 12 gauge thickness. A safe must have an Underwriters Laboratory (UL) listed Group 2 combination lock.

These changes are made based upon comments received from a manufacturer of gun safes. The changes will allow a larger number of gun safes to meet the

specifications of the rules, thus allowing firearms dealers a wider variety of gun safes to choose from.

Seven gauge steel is .1793 inches thick which is slightly less thick than 3/16 inch steel, which in decimal notation is .1875 inches. Twelve gauge steel is .1046 inches thick, which is slightly less thick than 1/8 inch steel, which in decimal notation is .1250 inches. A slight decrease in thickness will not materially affect the security provided by these gun safes. This change is not substantial.

2. Part 7504.0200, item E, is amended as follows:

> E. The door to a gun cabinet must be ~~recessed and~~ made of at least 14 gauge steel. The door may be recessed, flush, or overlapping. If the door is flush or overlapping, it must be designed to conceal the location of the locking bolts and hinges from the outside of the cabinet. The door must be reinforced and must be attached to the body by one continuous hinge or at least two hinges that are located either inside or outside the body. If the hinges are located outside the body of the safe, the safe must have an interior locking system consisting of permanent or moveable locking pins securing the door from the inside when it is in the closed position. The body of a gun cabinet must be made of hot rolled steel of at least 14 gauge thickness, and must be continuously welded to create a single, solid structure. A gun cabinet must have either a UL-listed group two combination lock or a UL-listed key lock that is encased in a high security, drill-resistant lock body. A key lock must use a restricted key that can only be duplicated by a factory-authorized source.

These changes are made based upon comments received from a manufacturer of gun cabinets. The changes will allow a larger number of gun cabinets to meet the specifications of the rules, thus allowing firearms dealers a wider variety of gun cabinets to choose from.

These changes use different means to provide a similar degree of security as gun cabinets meeting the specifications in the proposed rules. The purpose of the specifications in the proposed rules was to have a gun cabinet that would delay burglars in gaining access to pistols stored by a firearms dealer. The amended specifications coincide with this purpose. These changes are not substantial.

3. Part 7504.0300, item H, is amended as follows:

> H. Metal grates and grating must have spaces no larger than six inches ~~on center~~ wide along any diagonal. Metal screen must have spaces no larger than three inches wide along any diagonal. Steel bars must be no more than six inches apart on center.

These changes are made to clarify a potential ambiguity. The task force recommended that the spaces in metal grating be no more than six inches wide at the widest point of any square of grating. A member of the task force recommended the change because he felt the proposed language could have an alternate interpretation to allow the six inches to be measured from the corner of a square of grating to the middle of the square, which would mean the square of grating could be as much as twelve inches wide. This clarification eliminates any potential ambiguity.

4. The above-changes are not substantial in that the changes do not affect classes of persons who could not reasonably have been expected to comment on the proposed rules as originally noticed.

5. The above-changes are not substantial in that the changes do not introduce significant new subject matter which a reasonable person, on the basis of the proposed rules as originally noticed, would not have anticipated would occur during the rulemaking proceeding.

6. The above-changes are not substantial in that the changes do not make a major substantive change that was not raised by the proposed rules as originally noticed in such a way as to invite reaction.

(5)

NOW, THEREFORE, IT IS ORDERED that the rules identified as the Rules of the State Department of Public Safety Relating To Firearms Dealers Security Standards, in the form set out in the State Register on August 24, 1992, with the modifications as indicated in the Revisor's draft, file number AR2077, dated 09/30/92, are adopted this 30th day of SEPTEMBER, 1992, pursuant to authority vested in me by Minnesota Statutes, section 626.7161, subdivision 3.

Thomas H. Frost, Commissioner
Department of Public Safety

Department of Public Safety

Proposed Emergency Rules Relating to Firearms Dealers Security Standards

Notice of Intent to Adopt Emergency Rules

NOTICE IS HEREBY GIVEN that the State Department of Public Safety intends to adopt the above-entitled emergency rules. The statutory authority to adopt the emergency rules is contained in *Minnesota Statutes*, section 624.7161, as enacted by *Minnesota Laws 1992*, article 15, chapter 571, section 11. The Department is using emergency rulemaking procedures because *Minnesota Laws 1992*, article 15, chapter 571, section 16, requires that the rules be adopted by October 1, 1992. *Minnesota Statutes*, section 14.29, subdivision 1, permits the use of emergency rulemaking procedures in this situation because the statutory deadline of October 1, 1992, does not allow for compliance with regular rulemaking procedures. The Department, in adopting the rules, is following the procedures set forth in the Administrative Procedure Act for adopting emergency rules in *Minnesota Statutes*, sections 14.29 to 14.36.

All persons have 25 days, until 4:30 p.m., September 18, 1992, in which to submit data and views on the proposed emergency rules or any part or subpart of the rules in writing. The comments must be received by the Department no later than 4:30 p.m. on the final day of the comment period. Any comments must be submitted to: John Gundersen, Minnesota Bureau of Criminal Apprehension, 1246 University Avenue, St. Paul, MN 55104, (612) 642-0610.

The rules require small and large firearms dealers to take security measures that protect against burglaries. The enabling legislation requires small firearms dealers to secure all pistols after business hours in safes or gun cabinets or with steel rods or cables. The rules set standards for these items. The rules also require large firearms dealers to secure all pistols using safes, steel rods, or steel cables or to site harden their buildings to prevent or delay unauthorized entry. All firearms dealers will be required to have electronic security systems and to permit the inspection of the security measures during normal business hours by local law enforcement authorities. The enabling legislation requires all firearms dealers to comply with the rules by January 1, 1993.

A free copy of the proposed emergency rules is available upon request from John Gundersen at the address and telephone number listed above.

The proposed emergency rules may be modified if the modifications are supported by data and views submitted to the Department and do not result in a substantial change in the proposed emergency rules as noticed.

Minnesota Statutes, section 14.11, subdivision 1, does not apply because adoption of these rules will not result in additional spending by local public bodies in excess of $100,000 per year for the first two years following adoption of the rules. *Minnesota Statutes*, section 14.11, subdivision 2, does not apply because adoption of these rules will not have an impact on agricultural land. *Minnesota Statutes*, section 16A.128, subdivisions 1a and 2a, do not apply because the rules do not fix fees.

Upon adoption of the emergency rules by the Department, the emergency rules as adopted and the supporting documents will be delivered to the Attorney General for review as to legality and form to the extent form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rules, must submit the written request to John Gundersen at the address and telephone number listed above.

The emergency rules will take effect five working days after approval by the Attorney General and be effective for 180 days. The emergency rules will be continued in effect for an additional 180 days if the Department gives notice of continuation in accordance with *Minnesota Statutes*, section 14.35.

Dated: 17 August 1992

Thomas H. Frost, Commissioner
Department of Public Safety

Rules as Proposed (all new material)

7504.0100 [Emergency] DEFINITIONS.

Subpart 1. **Scope.** For purposes of this chapter, the terms in subparts 2 to 6 have the meanings given them.

Subp. 2. **Firearms dealer.** "Firearms dealer" means a dealer federally licensed to sell pistols who operates a retail business in which pistols are sold from a permanent business location other than the dealer's home. For the purposes of this chapter, a dealer's home does not include the following:

A. a building located on property that is zoned commercial;

B. a business location where the square footage used for the business of selling firearms exceeds the square footage used for the dealer's residence; or

C. a building located on the same property as the dealer's home that is not attached to the dealer's home.

Subp. 3. **Small firearms dealer.** "Small firearms dealer" means a firearms dealer who operates a retail business at which no more than 50 pistols are displayed for sale at any time.

Subp. 4. **Large firearms dealer.** "Large firearms dealer" means a firearms dealer who operates a retail business at which more than 50 pistols are displayed for sale at any time.

Subp. 5. **Pistol.** "Pistol" includes a weapon designed to be fired by the use of a single hand and with an overall length less than 26 inches, or having a barrel or barrels of a length less than 18 inches in the case of a shotgun or having a barrel of a length less than 16 inches in the case of a rifle (1) from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances; or (2) for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas, or vapor. Pistol does not include a device firing or ejecting a shot measuring .18 of an inch or less in diameter and commonly known as a BB gun, a scuba gun, a stud gun or nail gun used in the construction industry, or children's pop guns or toys.

Subp. 6. **Displayed for sale.** "Displayed for sale" means a pistol available for sale to customers that is either displayed or stored at the dealer's place of business. This does not include pistols temporarily stored at the place of business for repair or servicing.

7504.0200 [Emergency] SECURITY MEASURES FOR SMALL FIREARMS DEALERS.

After business hours when the dealer's place of business is unattended, a small firearms dealer shall place all pistols that are located in the dealer's place of business in a locked safe or locked steel gun cabinet, or on a locked, hardened steel rod or cable that runs through the pistols' trigger guards.

A. The door to a safe must be recessed or flush and at least 3/16-inch thick. The body of a safe must be made of hot rolled steel at least one-eighth inch thick. A safe must have an Underwriters Laboratory (UL) listed Group 2 combination lock.

B. A rod or cable used to secure a pistol must be hardened steel. The rod or cable must be at least one-fourth inch in diameter. The rod or cable must be secured with a hardened steel lock which has a shackle that is protected or shielded from attack by a bolt cutter.

C. No more than five pistols may be affixed to any one rod or cable.

D. The safe, gun cabinet, rod, or cable must be anchored to prevent its removal from the premises.

E. The door to a gun cabinet must be recessed and at least 14 gauge steel. The door must be reinforced and must be attached to the body by at least two hinges that are located inside the body. The body of a gun cabinet must be made of hot rolled steel at least 14 gauge, and must be continuously welded to create a single, solid structure. A gun cabinet must have either a UL-listed group two combination lock or a UL-listed key lock that is encased in a high security, drill-resistant lock body. A key lock must use a restricted key that can only be duplicated by a factory-authorized source.

7504.0300 [Emergency] SECURITY MEASURES FOR LARGE FIREARMS DEALERS.

A large firearms dealer shall either comply with the requirements of part 7504.0200 [Emergency], items A to D, or the requirements of items A to H.

A. The dealer shall install vehicle-resistant barriers to prevent the penetration of the dealer's place of business by a motor vehicle. The barriers must protect any areas that are accessible to vehicles and that have a free run distance of 50 feet or more.

B. The dealer shall secure each perimeter doorway according to subitem (1), (2), or (3).

(1) The dealer may use a windowless steel security door equipped with both a dead bolt and a doorknob lock.

(2) The dealer may use a windowed metal door that is equipped with both a dead bolt and a doorknob lock. The window must be made of one-half inch polycarbonate or glass reinforced with metal mesh. If the window has an opening of five inches or more measured in any direction, then the window must be covered with steel bars or metal grating affixed to the interior of the door.

(3) The dealer may use a metal grate that is padlocked and affixed to the premises independent of the door and door frame.

C. A dealer shall cover all windows with steel bars that are anchored internally to the wall joists.

D. A dealer shall secure a room where pistols are stored after hours with a locked steel door or metal grating.

E. A dealer shall not display pistols within four feet of a window unless the window is covered by metal screen that is anchored internally to the wall joists.

F. A dealer shall secure heating, ventilating, air conditioning, and service openings with steel bars, metal grating, or an alarm system as described in part 7504.0400 [Emergency].

G. A dealer shall illuminate each perimeter doorway so that the doorway is clearly visible after dark from a distance of 100 feet.

H. Metal grates and grating must have spaces no larger than six inches on center along any diagonal. Metal screen must have spaces no larger than three inches along any diagonal. Steel bars must be no more than six inches apart on center.

7504.0400 [Emergency] ELECTRONIC SECURITY FOR ALL FIREARMS DEALERS.

A firearms dealer shall install and maintain an electronic security system that meets the requirements of items A to I.

A. The system must emit an audible alarm at the dealer's place of business when triggered.

B. The system must transmit a silent alarm when triggered. The silent alarm must be transmitted directly to a public safety answering point where this service is available. If no local public safety answering point provides an alarm-monitoring service, the silent alarm must automatically transmit a violation signal to a UL-approved monitoring station that must notify an appropriate law enforcement agency within two minutes of receiving the violation signal.

C. A large firearms dealer's system must include a backup silent alarm that transmits the alarm as provided in item B if the primary transmission system fails.

D. The system must include a line cut alarm unless the incoming phone lines are hardened by routing them through underground conduit or similar protective barrier. The line cut alarm must be triggered when the phone line is cut, and must emit an audible alarm.

E. The system must monitor all exterior doors, windows, and other entry points, including but not limited to heating, ventilating, air conditioning, and customer and service entry points.

F. The system must use motion and heat sensors to monitor pistol storage areas and alarm control boards.

G. The system must monitor all interior doors that provide access to pistol storage areas.

H. All components of the system must be UL-approved.

I. All components of the system must be independently tested and certified to comply with this part at least once per year. The test must be conducted by an alarm system installation or monitoring firm or a person approved by the alarm system manufacturer or distributor. Written certification must be available for inspection by a local law enforcement authority.

7504.0500 [Emergency] INSPECTION BY LAW ENFORCEMENT.

A firearms dealer shall make its place of business available to local law enforcement officials during normal business hours for the purpose of verifying compliance with this chapter. A local law enforcement official is not required to give advance notice of an inspection.

7504.0600 [Emergency] EXEMPTIONS.

Upon written request from a firearms dealer, the commissioner of public safety shall grant an exemption from compliance with a requirement of this chapter if the following conditions are met:

A. the request shows that the firearms dealer is unable to comply with the requirement because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the firearms dealer;

B. the request identifies security measures used in lieu of complying with the requirement;

C. the requirement is not mandated by statute; and

D. the commissioner determines that the security measures will provide a degree of security similar to the degree of security provided by the requirement or will cause a delay in the unauthorized entry into the dealer's business premises equivalent to the delay provided by complying with the requirement.

Official Notices

Pursuant to the provisions of Minnesota Statutes § 14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Department of Commerce

Maximum Lawful Rate of Interest for Mortgages and Contracts for Deed for the Month of September 1992

NOTICE IS HEREBY GIVEN that pursuant to *Minnesota Statutes*, Section 47.20, Subdivision 4a, the maximum lawful rate of

1.3 hr.

(1) NOT emergency rule-lang in 1992 Minn Laws ch 571 art 15 sec. 11

O.K.

says: "shall adopt standards"

* [check RM with. & emerg. RM with]

O.K. (1) see MN Admin Procedure, by Beck, Bakken, Muck at sec. 19.2.1 pp. 345-47.
once some auth to promulgate a rule exists, issue now of legis. intent.

O.K. (2) Check emergency RM under 14.29 to 14.36

14.29, subd. 1 – ER when stat. directive to amend doesn't allow time for reg. RM.

(3) Hasn't given stat. auth. to adopt emerg. rules.
Only gave auth. that agcy had to "adopt standards" by certain date

See #2; see also 299A.01, subd. 6

* (4) Check if need to consid. sm. bus for emergency rules.
no, don't need to.

(5) Is SONAR necess? NO

✓ (6) 7504.0300 –

- why don't reg. firearms dealers have to follow stands for door/body of gun cabinet
  i.e. "E" & 7504.0200?
- why should small firearms dealers have > stands?
- clarify ~~terms~~ "A to H" of this part.

643-0620

(7) 7504.0600 – C. –
what reg. aren't mandated by stat?
aren't all these stands mandated by 1992 Minn Laws?

– David Orrin –

(8) ff – enabling legis. – signed on Ap. 29, 92
∴ 1992 Minn. Laws ch. 571, art. 15, sec 16 was effective by its own terms on day following enactment.

(9) Was a task force formed?

Statutory Authority 1992 MN Laws Chapter 571, Article 15, Section 11 Attached

end of comment period September 18, 1992

Signed by Gov April 29, 1992
Rev 2 Findings of Fact stated didn't make it

Rules 7504.0300 - why A to D or A to H can I pick either of them

Department of Public Safety

Proposed Emergency Rules Relating to Firearms Dealers Security Standards

Rules as Proposed (all new material)

7504.0100 [Emergency] DEFINITIONS.

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A. a building located on property that is zoned commercial;

B. a business location where the square footage used for the business of selling firearms exceeds the square footage used for the dealer's residence; or

C. a building located on the same property as the dealer's home that is not attached to the dealer's home.

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Subp. 5. **Pistol.** "Pistol" includes a weapon designed to be fired by the use of a single hand and with an overall length less than 26 inches, or having a barrel or barrels of a length less than 18 inches in the case of a shotgun or having a barrel of a length less than 16 inches in the case of a rifle (1) from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances; or (2) for

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which the propelling force is a spring, elastic band, carbon dioxide, air or other gas, or vapor. Pistol does not include a device firing or ejecting a shot measuring .18 of an inch or less in diameter and commonly known as a BB gun, a scuba gun, a stud gun or nail gun used in the construction industry, or children's pop guns or toys.

Subp. 6. **Displayed for sale.** "Displayed for sale" means a pistol available for sale to customers that is either displayed or stored at the dealer's place of business. This does not include pistols temporarily stored at the place of business for repair or servicing.

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A. The door to a safe must be recessed or flush and at least 3/16-inch thick. The body of a safe must be made of hot rolled steel at least one-eighth inch thick. A safe must have an Underwriters Laboratory (UL) listed Group 2 combination lock.

B. A rod or cable used to secure a pistol must be hardened steel. The rod or cable must be at least one-fourth inch in diameter. The rod or cable must be secured with a hardened steel lock which has a shackle that is protected or shielded from attack by a bolt cutter.

C. No more than five pistols may be affixed to any one rod or cable.

D. The safe, gun cabinet, rod, or cable must be anchored to prevent its removal from the premises.

E. The door to a gun cabinet must be recessed and at least 14 gauge steel. The door must be reinforced and must be attached to the body by at least two hinges that are located

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inside the body. The body of a gun cabinet must be made of hot rolled steel at least 14 gauge, and must be continuously welded to create a single, solid structure. A gun cabinet must have either a UL-listed group two combination lock or a UL-listed key lock that is encased in a high security, drill-resistant lock body. A key lock must use a restricted key that can only be duplicated by a factory-authorized source.

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A large firearms dealer shall either comply with the requirements of part 7504.0200 [Emergency], items A to D, or the requirements of items A to H.

A. The dealer shall install vehicle-resistant barriers to prevent the penetration of the dealer's place of business by a motor vehicle. The barriers must protect any areas that are accessible to vehicles and that have a free run distance of 50 feet or more.

B. The dealer shall secure each perimeter doorway according to subitem (1), (2), or (3).

(1) The dealer may use a windowless steel security door equipped with both a dead bolt and a doorknob lock.

(2) The dealer may use a windowed metal door that is equipped with both a dead bolt and a doorknob lock. The window must be made of one-half inch polycarbonate or glass reinforced with metal mesh. If the window has an opening of five inches or more measured in any direction, then the window must be covered with steel bars or metal grating affixed to the interior of the door.

(3) The dealer may use a metal grate that is padlocked and affixed to the premises independent of the door and door frame.

C. A dealer shall cover all windows with steel bars that are anchored internally to the wall joists.

D. A dealer shall secure a room where pistols are stored after hours with a locked steel door or metal grating.

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by Revisor _____

E. A dealer shall not display pistols within four feet of a window unless the window is covered by metal screen that is anchored internally to the wall joists.

F. A dealer shall secure heating, ventilating, air conditioning, and service openings with steel bars, metal grating, or an alarm system as described in part 7504.0400 [Emergency].

G. A dealer shall illuminate each perimeter doorway so that the doorway is clearly visible after dark from a distance of 100 feet.

H. Metal grates and grating must have spaces no larger than six inches on center along any diagonal. Metal screen must have spaces no larger than three inches along any diagonal. Steel bars must be no more than six inches apart on center.

7504.0400 [Emergency] ELECTRONIC SECURITY FOR ALL FIREARMS DEALERS.

A firearms dealer shall install and maintain an electronic security system that meets the requirements of items A to I.

A. The system must emit an audible alarm at the dealer's place of business when triggered.

B. The system must transmit a silent alarm when triggered. The silent alarm must be transmitted directly to a public safety answering point where this service is available. If no local public safety answering point provides an alarm-monitoring service, the silent alarm must automatically transmit a violation signal to a UL-approved monitoring station that must notify an appropriate law enforcement agency within two minutes of receiving the violation signal.

C. A large firearms dealer's system must include a backup silent alarm that transmits the alarm as provided in item B if the primary transmission system fails.

D. The system must include a line cut alarm unless the incoming phone lines are hardened by routing them through underground conduit or similar protective barrier. The line cut

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by Revisor _____

alarm must be triggered when the phone line is cut, and must emit an audible alarm.

E. The system must monitor all exterior doors, windows, and other entry points, including but not limited to heating, ventilating, air conditioning, and customer and service entry points.

F. The system must use motion and heat sensors to monitor pistol storage areas and alarm control boards.

G. The system must monitor all interior doors that provide access to pistol storage areas.

H. All components of the system must be UL-approved.

I. All components of the system must be independently tested and certified to comply with this part at least once per year. The test must be conducted by an alarm system installation or monitoring firm or a person approved by the alarm system manufacturer or distributor. Written certification must be available for inspection by a local law enforcement authority.

7504.0500 [Emergency] INSPECTION BY LAW ENFORCEMENT.

A firearms dealer shall make its place of business available to local law enforcement officials during normal business hours for the purpose of verifying compliance with this chapter. A local law enforcement official is not required to give advance notice of an inspection.

7504.0600 [Emergency] EXEMPTIONS.

Upon written request from a firearms dealer, the commissioner of public safety shall grant an exemption from compliance with a requirement of this chapter if the following conditions are met:

A. the request shows that the firearms dealer is unable to comply with the requirement because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the firearms dealer;

B. the request identifies security measures used in lieu of complying with the requirement;

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by Revisor _____

C. the requirement is not mandated by statute; and

D. the commissioner determines that the security measures will provide a degree of security similar to the degree of security provided by the requirement or will cause a delay in the unauthorized entry into the dealer's business premises equivalent to the delay provided by complying with the requirement.

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Emergency Rules Relating to Firearms Dealers Security Standards

AGENCY: Department of Public Safety

MINNESOTA RULES: Chapter 7504

The attached rules are approved for publication in the State Register

Ron Ray

Ron Ray
Senior Assistant Revisor

OFFICE OF THE COMMISSIONER

211 Transportation Building

Telephone: _____

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

SAINT PAUL 55155

October 1, 1992

Rec 10-1-92

Ms. Patty Nolte
Legal Assistant
Public Finance Division
Office of the Attorney General
404 Capital Office Building
525 Park Street
St. Paul, Minnesota 55103

Re: In The Matter Of The Adopted Emergency Rules Of The State Department Of Public Safety Relating To Firearms Dealers Security Standards

Dear Ms. Nolte:

On September 30, 1992, the Minnesota Department of Public Safety adopted the above-captioned emergency rules relating to firearms dealers security standards. Enclosed for your review are the documents required by Attorney General Rules, part 2010.0400. Note that the documents listed in paragraphs A through N of this letter are keyed to items A through N of part 2010.0400. Paragraph O lists a document which shows compliance with certain statutory rulemaking mandates.

A. A photocopy of the Notice Of Solicitation Of Outside Information Or Opinions as published in the State Register.

B. No copy of a rulemaking petition is enclosed because no such petition was filed regarding these rules.

C. No certificate of an authorizing resolution or copy of a delegation of authority is enclosed because the Department of Public Safety is not a multi-member agency.

D. A copy of the proposed emergency rules with a certificate of approval as to form by the Revisor of Statutes attached.

E. A copy of the Notice Of Intent To Adopt Emergency Rules, as mailed.

F. A copy of the Affidavit Of Mailing The Notice Of Intent To Adopt Emergency Rules. Also enclosed are copies of the Affidavit Of Certificate Of Mailing List and the Affidavit Of Mailing Discretionary Notice Of Intent To Adopt Emergency Rules.

G. A photocopy of the Notice Of Intent To Adopt Emergency Rules, as published in the State Register.

H. Four copies of the emergency rules as adopted. The modifications to the proposed rules are reflected on the rules as adopted and are approved as to form by the Revisor of Statutes.

I. No certificate of a resolution adopting the rules is enclosed because the Department of Public Safety is not a multi-member agency.

J. A copy of the Findings Of Fact, Conclusions Of Law, And Order Adopting Rules.

K. Copies of all written requests, submissions, and comments on the rules received by the Department except for requests solely for copies of the rules.

L. A copy of the Declaration Of Counsel signed by Special Assistant Attorney General Jeffrey S. Bilcik.

M. A copy of the Notice Of Submission Of Emergency Rules To The Attorney General is enclosed.

N. A copy of the Affidavit Of Mailing The Notice Of Submission Of Emergency Rules To The Attorney General is enclosed.

O. No notice to the Chairs of the House Appropriations and Senate Finance Committees is enclosed because the rules do not establish or adjust fees.

If you have any questions about the enclosed documents or if you wish to discuss anything about the rules with me, please contact me at 296-2631. After you complete your review, please send any correspondence regarding the rules to me, Dave Orren, at 208 Transportation Building.

Yours very truly,

Dave Orren

Dave Orren
Rules Coordinator

enclosures

Department of Labor and Industry
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6529

Oral statements will be received during regular business hours over the telephone at (612) 296-6529 and in person at the above address; such oral statements will not become part of the rulemaking record to be submitted to the attorney general or the administrative law judge in the event that the rule is adopted.

All statements of information and opinions will be accepted until proposed rules are published and thereafter as prescribed by law. Any written material received by State Department of Labor and Industry shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 27 April 1992

John B. Lennes, Jr.
Commissioner

Department of Public Safety

Notice of Solicitation of Outside Information or Opinions Regarding Development of Rules Specifying Minimum Security Requirements for Firearms Dealers

NOTICE IS HEREBY GIVEN that the State Department of Public Safety is seeking information or opinions from sources outside the Department in preparing to propose the adoption of rules specifying minimum security requirements for firearms dealers. The commissioner has authority to adopt rules that set minimum security requirements for firearms dealers under *Minnesota Statutes*, section 624.7161, as enacted in *Laws of Minnesota* 1992, chapter 571, article 15, section 11. Section 624.7161 states in pertinent part: "The commissioner of public safety shall adopt standards specifying minimum security requirements for small and large firearms dealers."

The State Department of Public Safety requests information and opinions concerning the subject matter of the rules. Interested persons or groups may submit data or views in writing or orally. Written statements should be addressed to:

John Gundersen
Minnesota Bureau of Criminal Apprehension
1246 University Avenue
St. Paul, Minnesota 55104

Oral statements will be received during regular business hours over the telephone at (612) 642-0610 and in person at the above address.

All statements of information and opinions will be accepted until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. Any written material received by the State Department of Public Safety will become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rules are adopted.

Dated: 4 May 1992

Thomas H. Frost, Commissioner
Department of Public Safety

Minnesota State Retirement System

Meeting of Board of Directors

The regular meeting of the Board of Directors, Minnesota State Retirement System, will be held on Friday, May 15, 1992 at 8:30 a.m. in the office of the System, 175 W. Lafayette Frontage Rd., St. Paul, Minnesota.

Office of the Secretary of State

Notice of Vacancies in Multi-Member Agencies

NOTICE IS HEREBY GIVEN to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained from the Office of the Secretary of State, Open Appointments, 180 State Office Building, St. Paul, MN 55155-1299; (612) 297-5845, or in person at Room 174 of the State Office Building. More

(E)

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION

In The Matter Of The Proposed Emergency Rules Of The State Department Of Public Safety Relating To Firearms Dealers Security Standards

NOTICE OF INTENT TO ADOPT EMERGENCY RULES

(1) **NOTICE IS HEREBY GIVEN** that the State Department of Public Safety intends to adopt the above-entitled emergency rules. The statutory authority to adopt the emergency rules is contained in Minnesota Statutes, section 624.7161, as enacted by Minnesota Laws 1992, article 15, chapter 571, section 11. The Department is using emergency rulemaking procedures because Minnesota Laws 1992, article 15, chapter 571, section 16, requires that the rules be adopted by October 1, 1992. Minnesota Statutes, section 14.29, subdivision 1, permits the use of emergency rulemaking procedures in this situation because the statutory deadline of October 1, 1992, does not allow for compliance with regular rulemaking procedures. The Department, in adopting the rules, is following the procedures set forth in the Administrative Procedure Act for adopting emergency rules in Minnesota Statutes, sections 14.29 to 14.36.

(2) All persons have 25 days, until 4:30 p.m., September 18, 1992, in which to submit data and views on the proposed emergency rules or any part or subpart of the rules in writing. The comments must be received by the Department no later than 4:30 p.m. on the final day of the comment period. (3) Any comments must be submitted to: John Gundersen, Minnesota Bureau of Criminal Apprehension, 1246 University Avenue, St. Paul, Minnesota 55104, (612) 642-0610.

(4) The rules require small and large firearms dealers to take security measures that protect against burglaries. The enabling legislation requires small firearms dealers to secure all pistols after business hours in safes or gun cabinets or with steel rods or cables. The rules set standards for these items . The rules also require large firearms dealers to secure all pistols using safes, steel rods, or steel cables or to site harden their buildings to prevent or delay unauthorized entry. All firearms dealers will be required to have electronic security systems and to permit the inspection of the security measures during normal business hours by local law enforcement authorities. The enabling legislation requires all firearms dealers to comply with the rules by January 1, 1993.

(5) A free copy of the proposed emergency rules is available upon request from John Gundersen at the address and telephone number listed above.

(6) The proposed emergency rules may be modified if the modifications are supported by data and views submitted to the Department and do not result in a substantial change in the proposed emergency rules as noticed.

(9) Minnesota Statutes, section 14.11, subdivision 1, does not apply because adoption of these rules will not result in additional spending by local public bodies in excess of $100,000 per year for the first two years following adoption of the rules. Minnesota Statutes, section 14.11, subdivision 2, does not apply because adoption of these rules will not have an impact on agricultural land. Minnesota Statutes, section 16A.128, subdivisions 1a and 2a, do not apply because the rules do not fix fees.

(7) Upon adoption of the emergency rules by the Department, the emergency rules as adopted and the supporting documents will be delivered to the Attorney General for review as to legality and form to the extent form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rules, must submit the written request to John Gundersen at the address and telephone number listed above.

(8) The emergency rules will take effect five working days after approval by the Attorney General and be effective for 180 days. The emergency rules will be continued in effect for an additional 180 days if the Department gives notice of continuation in accordance with Minnesota Statutes, section 14.35.

Aug 17, 1992
Date

Thomas H. Frost, Commissioner
Department of Public Safety

(F)

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION

In The Matter Of The Proposed Emergency Rules Of The State Department Of Public Safety Relating to Firearms Dealers Security Standards

AFFIDAVIT OF MAILING THE NOTICE OF INTENT TO ADOPT RULES

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

David E. Orren, being sworn says:

That on the 19th day of August, 1992, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice Of Intent To Adopt Rules by depositing in the State of Minnesota Central Mail System for United States mailing, a copy thereof, with postage prepaid, to all persons and associations on the Department of Public Safety rulemaking mailing list. The mailing list is attached.

David E Orren
David E. Orren

Subscribed and sworn
to before me this 21 day
of August, 1992.
Laura Nehl-Trueman
Notary Public

Laura Nehl-Trueman
NOTARY PUBLIC - MINNESOTA
RAMSEY COUNTY
My commission expires 4-4-96

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION

In The Matter Of The Proposed Emergency Rules Of The State Department Of Public Safety Relating To Firearms Dealers Security Standards

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Aug 17, 1992
Date

Thomas H. Frost, Commissioner
Department of Public Safety

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Thomas Gmeinder
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STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION

In The Matter Of The Proposed Emergency Rules Of The State Department Of Public Safety Relating To Firearms Dealers Security Standards

AFFIDAVIT OF CERTIFICATE OF MAILING LIST

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

Joan Lundberg, being sworn says:

I hereby certify that the attached list is of persons and associations who have requested that their names be placed on the Department of Public Safety rulemaking mailing list, pursuant to Minnesota Statutes, sections 14.14, subdivision 1a, 14.22, or 14.30. I certify that this list is accurate, complete, and current as of the 19th day of August, 1992.

Joan M. Lundberg
Joan Lundberg

Subscribed and sworn
to before me this 21 day
of August, 1992.
Laura Nehl-Trueman
Notary Public

Laura Nehl-Trueman
NOTARY PUBLIC - MINNESOTA
RAMSEY COUNTY
My commission expires 4-4-96

Akin, Gump, Hauer & Feld, L.L.P.
Attorneys At Law
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Board of Directors
Hiawatha Manor, Inc.
107 Fifth Ave. NE
Pipestone, MN 56164

Board of Directors
Home for Creative Living
108 Ninth St.
Windom, MN 56101

Hope Residence, Inc.
Box 63
Waterville, MN 56096

Homeward Bound, Inc.
4741 Zealand Ave.
New Hope, MN 55428

President
Interstate Power Co.
1000 Main St.
Dubuque, IA 52001

Lakeview Home
Lincoln & W. Second Sts.
Sauk Centre, MN 56378

Maryanne V. Hruby
Executive Director
Leg. Comm./Review Admin. Rules
Room 55 State Office Bldg.
St. Paul, MN 55155

M.B.W. Company
513 Center Street
New Ulm, MN 56073-3101

Jean Dawson
Editor
MN Government Report
B-12 Capitol, Press Room
State Paul, MN 55155

John G. Horner
MN Multi-Housing Assoc.
4740 Park Glen Road
Mpls, MN 55416

Moore's Haven, Inc.
3490 N. Victoria
St. Paul, MN 55126

Mt. Olivet Rolling Acres
7200 Rolling Acres Rd.
Excelsior, MN 55331

Abe Rosenthal
President
MN Transport Service Association
1821 University Ave. (N310)
St. Paul, MN 55104

Board of Directors
New Dawn, Inc.
Route 1, Box 14
Fulda, MN 56131-9402

Board of Directors
NorHavan Homes, Inc.
1394 Jackson St.
St. Paul, MN 55117

Board of Directors
Northeast House, Inc.
2821 S. Inglewood Ave.
Mpls, MN 55416

Board of Directors
Northeast Residence, Inc.
4680 Bald Eagle Ave.
White Bear Lake, MN 55110

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Mgr./Regulatory Compl. & Svc
Northern States Power Co.
414 Nicollet Mall
Mpls, MN 55401

Board of Directors
Orvilla, Inc.
3430 Westcott Hills Dr.
Eagan, MN 55123

Phillips Leg. Serv. Inc.
459 Rice St.
St. Paul, MN 55103

Board of Directors
Phoenix Residence, Inc.
135 Colorado St. E.
St. Paul, MN 55107

Pine Ridge Homes, Inc.
915 18th St.
Cloquet, MN 55720

Pine River Group Home
Box 96
Pine River, MN 56474

Presbyterian Family Foundation
901 Service Drive
Willmar, MN 56201

Charles A. Kroeger
Executive Director
QSS, Inc.
P.O. Box 838
Faribault, MN 55021

Ramsey Cnty. Commissioners
Courthouse
St. Paul, MN 55101

Board of Directors
Range Center, Inc.
1001 Eighth Ave. NW
Chisholm, MN 55719

Resa, Inc.
38 Seventh Ave. N.
Hopkins, MN 55343

Board of Directors
Residence, Inc.
945 Amble Road
Roseville, MN 55113

Residential Alternatives, Inc.
5449 Lyndale Ave. N
Mpls, MN 55430

Residential Svcs. of NE MN
2048 E. Eighth St.
Duluth, MN 55812

Board of Directors
Riverview Manor, Inc.
Box 215
Wanamingo, MN 55983

Juanita B. Luis
Corporate Law Dept.
St. Paul Companies, Inc.
385 Washington St.
St. Paul, MN 55101

Board of Directors
Salmi Board & Lodging Home
Route 1, Box 235
Aurora, MN 55705

South Center Manor, Inc.
Park Island
Center City, MN 55012

Dev. Disabilities Pl. Office
State Planning Agency
3rd Floor Centennial Bldg.
658 Cedar Street
St. Paul, MN 55155

Sur La Rue, Inc.
1386 Jackson St.
St. Paul, MN 55117

Bob Franklin
City Editor
Minneapolis Tribune
425 Portland Ave.
Mpls, MN 55488

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Twin Town Treatment Center
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St. Paul, MN 55104

Robert A. Silvagni
University of Minnesota
319 15th Av SE, 200 Shops Bldg.
Mpls, MN 55455

Board of Directors
Valley Group Home
1332 Second Ave. No.
Moorhead, MN 56560

Board of Directors
Warner Care Homes
450 E. Third St.
Cokato, MN 55321

Willmar Nursing Home
P.O. Box 4990
Atwater, MN 56209

Windom CRF, Inc.
P.O. Box 123
Windom, MN 56101

Robert Carstenbrock
Police Chief
Winona City Hall
4th & Lafayette St.
Winona, MN 55987

Woodvale Homes, Inc.
Box 1047
Austin, MN 55912

Woodvale Management Svcs.
Box 1047
Austin, MN 55912

Mark Scheidel
Region Nine Dev. Commission
410 S. 5th St., PO Box 3367
Mankato, MN 56002-3367

H. LeRoy DeBoom
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Mpls, MN 55416

Kathie Davis
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Mankato, MN 56002-3367

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105 University Road
Cloquet, MN 55720

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Motorcycle Industry Council
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Arlington VA 22202

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Director, POST Board
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Plymouth, MN 55447

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Nichols, Stark, Kaster
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Mpls., MN 55402

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St. Paul, MN 55106

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Larson, Fenlon & Vogt, P.A.
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444 Cedar Street
St. Paul, MN 55101

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10 South 5th St. #880
Minneapolis, MN 55402-1002

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St. Louis Park, MN 55426

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Maple Grove, MN 55369

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Minneapolis, MN 55402-1004

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Minneapolis, MN 55416-1256

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Olivia, MN 56277

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Minneapolis, MN 55401

Nord and Unger Law Office
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Montevideo, MN 56265

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Bloomington, MN 55437

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Stillwater, MN 55082

Nelson and Nelson
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Frontage Road, Suite 244
Roseville, MN 55113-3817

Nelson, Casey, Tripp and Dow
P.O. Box 545
Owatonna, MN 55060

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Lanesboro, MN 55949

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Minneapolis, MN 55426

Barry M. Robinson
Burke and Hawkins
299 Coon Rapids Blvd, Suite 101
Coon Rapids, MN 55433

Tom Johnson
Johnson, McClay and Nelson
951 Grand Avenue
St. Paul, MN 55105

Teresa Joppa
City of Moorhead
P.O. Box 779
Moorhead, MN 56560

Steve Borud
Probation Office
Court House
Grand Marais, MN 55604

David Borchardt
330 South Oak Avenue
P.O. Box 676
Owatonna, MN 55060

Robert Eelkema
Legal Counsel
Minnesota Medical Association
2221 Univ. Ave. S.E., Suite 400
Minneapolis, MN 55414

Gordon Patterson
Attorney at Law
P.O. Box 124
Marshall, MN 56258

Ronald J. Johnson
33 10th Avenue South
Suite 200
Hopkins, MN 55343

Scott Suter
24 Dell Place
Minneapolis, MN 55403

Loran Magsan
33 4th Street N.W.
Osseo, MN 55369

Association of MN Counties
125 Charles Avenue
St. Paul, MN 55103

Kurt Dedeter
700 Norwest Center
St. Cloud, MN 56301

Suzanne Brandon
108 Farmdale Road E.
Hopkins, MN 55343

William Pribbla
13100 Wayzato Boulevard
Suite 120
Minnetonka, MN 55343

William Harper
Harper & Anderson Chartered
7200 80th Street South
Cottage Grove, MN 55016

Timothy Brausen
247 3rd Avenue South
Minneapolis, MN 55415

Herbert C. Kroon
P.O. Box 818
Mankato, MN 56002

Thomas Gmeinder
801 Selby Avenue
St. Paul, MN 55104

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION

In The Matter Of The Proposed Emergency Rules Of The State Department Of Public Safety Relating To Firearms Dealers Security Standards

AFFIDAVIT OF MAILING DISCRETIONARY NOTICE OF INTENT TO ADOPT RULES

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

David E. Orren, being sworn says:

That on the 19th day of August, 1992, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice Of Intent To Adopt Rules by depositing in the State of Minnesota Central Mail System for United States mailing, a copy thereof, with postage prepaid, to all persons and associations on the attached discretionary mailing list. This list is of persons and associations that have expressed, to the agency, interest in this rulemaking proceeding, and persons and associations as practical to improve the notification of all parties that might be interested in this rulemaking proceeding.

David E. Orren

Subscribed and sworn to before me this 21 day of August, 1992.

Laura Nehl-Trueman
Notary Public

Laura Nehl-Trueman
NOTARY PUBLIC - MINNESOTA
RAMSEY COUNTY
My commission expires 4-4-96

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION

In The Matter Of The Proposed Emergency Rules Of The State Department Of Public Safety Relating To Firearms Dealers Security Standards

NOTICE OF INTENT TO ADOPT EMERGENCY RULES

NOTICE IS HEREBY GIVEN that the State Department of Public Safety intends to adopt the above-entitled emergency rules. The statutory authority to adopt the emergency rules is contained in Minnesota Statutes, section 624.7161, as enacted by Minnesota Laws 1992, article 15, chapter 571, section 11. The Department is using emergency rulemaking procedures because Minnesota Laws 1992, article 15, chapter 571, section 16, requires that the rules be adopted by October 1, 1992. Minnesota Statutes, section 14.29, subdivision 1, permits the use of emergency rulemaking procedures in this situation because the statutory deadline of October 1, 1992, does not allow for compliance with regular rulemaking procedures. The Department, in adopting the rules, is following the procedures set forth in the Administrative Procedure Act for adopting emergency rules in Minnesota Statutes, sections 14.29 to 14.36.

All persons have 25 days, until 4:30 p.m., September 18, 1992, in which to submit data and views on the proposed emergency rules or any part or subpart of the rules in writing. The comments must be received by the Department no later than 4:30 p.m. on the final day of the comment period. Any comments must be submitted to: John Gundersen, Minnesota Bureau of Criminal Apprehension, 1246 University Avenue, St. Paul, Minnesota 55104, (612) 642-0610.

The rules require small and large firearms dealers to take security measures that protect against burglaries. The enabling legislation requires small firearms dealers to secure all pistols after business hours in safes or gun cabinets or with steel rods or cables. The rules set standards for these items . The rules also require large firearms dealers to secure all pistols using safes, steel rods, or steel cables or to site harden their buildings to prevent or delay unauthorized entry. All firearms dealers will be required to have electronic security systems and to permit the inspection of the security measures during normal business hours by local law enforcement authorities. The enabling legislation requires all firearms dealers to comply with the rules by January 1, 1993.

A free copy of the proposed emergency rules is available upon request from John Gundersen at the address and telephone number listed above.

The proposed emergency rules may be modified if the modifications are supported by data and views submitted to the Department and do not result in a substantial change in the proposed emergency rules as noticed.

Minnesota Statutes, section 14.11, subdivision 1, does not apply because adoption of these rules will not result in additional spending by local public bodies in excess of $100,000 per year for the first two years following adoption of the rules. Minnesota Statutes, section 14.11, subdivision 2, does not apply because adoption of these rules will not have an impact on agricultural land. Minnesota Statutes, section 16A.128, subdivisions 1a and 2a, do not apply because the rules do not fix fees.

Upon adoption of the emergency rules by the Department, the emergency rules as adopted and the supporting documents will be delivered to the Attorney General for review as to legality and form to the extent form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rules, must submit the written request to John Gundersen at the address and telephone number listed above.

The emergency rules will take effect five working days after approval by the Attorney General and be effective for 180 days. The emergency rules will be continued in effect for an additional 180 days if the Department gives notice of continuation in accordance with Minnesota Statutes, section 14.35.

Aug 17, 1992
Date

Thomas H. Frost, Commissioner
Department of Public Safety

Lt. Dick Dugan
St. Paul Police Dept.
100 East 11th Street
St. Paul, MN 55101

John Gangl
279 Timberline Trail
Vadnais Heights, MN 55127

John D. Gunderson
Bureau of Criminal Apprehension
1246 University Avenue
St. Paul, MN 55104

Aaron Herzog
Blaine Police Department
9150 Central Avenue
Blaine, MN 55434

Jim Kostreba, Sheriff
Stearns County Sheriff's Office
807 Courthouse Square
P. O. Box 217
St. Cloud, MN 56302

Todd Miller, Chief
Willmar Police Department
415 West Sixth Street
Willmar, MN 56201

Professor Richard Oakes
Hamline University School of Law
1536 Hewitt Avenue
St. Paul, MN 55104

Bill Penney
Bill's Gun Shop/Range
4080 West Broadway
Suite 109
Robbinsdale, MN 55422

Tom Radde
255 Ash Avenue, Box 14
Mayer, MN 55360

Carmen D. Piccirillo
Executive Director
Minnesota Crime Prevention
Officers Association
c/o MN Crime Watch
1246 University Avenue
St. Paul, MN 55104

Tim Schlehr
12926 Morgan Avenue South
Burnsville, MN 55337

Denise Sjoberg
Bureau of Criminal Apprehension
1246 University Avenue
St. Paul, MN 55104

(L)

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION

In The Matter Of The Adoption Of Emergency Rules Of The State Department Of Public Safety Relating To Firearms Dealers Security Standards

DECLARATION OF COUNSEL

I, Jeffrey S. Bilcik, Special Assistant Attorney General, do hereby declare that I have examined the above-captioned rules, and the supporting rulemaking record, and that, based on my examination, the Administrative Procedure Act and Minnesota Rules, chapter 2010, have been followed. Any exceptions are listed below. For Attorney General Billing purposes, the four-digit docket client code is

0720

Jeffrey S. Bilcik
Special Assistant Attorney General

Dated: 10-1-92

(M)

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION

In The Matter Of The Proposed Adoption Of Emergency Rules Of The State Department Of Public Safety Relating To Firearms Dealers Security Standards

NOTICE OF SUBMISSION OF EMERGENCY RULES TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 14.32:

PLEASE TAKE NOTICE that the above-captioned emergency rules as adopted have been submitted to the Office of the Attorney General on the date of this Notice, October 1, 1992, for review as to legality and form to the extent form relates to legality. The proposed emergency rules, the rules as adopted, all the Notices, all written comments received, and other required documents also have been submitted to the Attorney General.

The proposed emergency rules which were published in the State Register and made available to the public on August 24, 1992, have been modified. A copy of the rules as modified is enclosed with this notice. A free copy of the Findings Of Fact, Conclusions, And Order explaining the modifications and adopting the rules is available upon request from: Dave Orren, 208 Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota 55155, Phone: 612-296-2631.

The rules must be approved or disapproved by the Attorney General on the tenth working day following date of receipt of the rules. You may submit written comments to the Attorney General. Any written comments must be received by the Attorney General no later than 4:30 p.m. on October 12, 1992, (which is seven working days from the date of this Notice). Your comments must address only the issue of legality of the rules or the legality of the specific parts or subparts of the rules. The Attorney General standards for review are set forth in Minnesota Rules, part 2010.1000. You may receive a copy of the Attorney General decision upon written request to the Attorney General. Your comments or requests for the decision must be directed to:

The Office of the Attorney General
Public Finance Division
525 Park Street, Suite 500
St. Paul, Minnesota 55103
Telephone (612) 297-2040

Any written comments submitted to the Attorney General must be submitted simultaneously to: Dave Orren at the address and telephone number listed above.

October 1, 1992
Date

Dave Orren
Dave Orren, Rules Coordinator
Department of Public Safety

(N)

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION

In The Matter Of The Proposed Adoption Of Emergency Rules Of The State Department Of Public Safety Relating To Firearms Dealers Security Standards

AFFIDAVIT OF MAILING THE NOTICE OF SUBMISSION OF EMERGENCY RULES TO THE ATTORNEY GENERAL

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

David E. Orren, being sworn says:

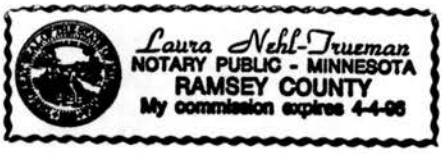
That on the first day of October, 1992, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice Of Submission To The Attorney General by depositing in the State of Minnesota Central Mail System for United States mailing, a copy thereof, with postage prepaid, to all persons and associations who requested notice that the rules in the above-entitled matter has been submitted to the Attorney General. The following persons received a copy of the Notice:

Michael T. Larson
11045 Stanley Curve
Bloomington, MN 55437

Daryl Holley
Riverview Guns & Pawn
73 Washington Street
Winona, MN 55987

David E Orren
David E. Orren

Subscribed and sworn
to before me this 1 day
of October, 1992.
Laura Nehl-Trueman
Notary Public



STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION

In The Matter Of The Proposed Adoption Of Emergency Rules Of The State Department Of Public Safety Relating To Firearms Dealers Security Standards

NOTICE OF SUBMISSION OF EMERGENCY RULES TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 14.32:

PLEASE TAKE NOTICE that the above-captioned emergency rules as adopted have been submitted to the Office of the Attorney General on the date of this Notice, October 1, 1992, for review as to legality and form to the extent form relates to legality. The proposed emergency rules, the rules as adopted, all the Notices, all written comments received, and other required documents also have been submitted to the Attorney General.

The proposed emergency rules which were published in the State Register and made available to the public on August 24, 1992, have been modified. A copy of the rules as modified is enclosed with this notice. A free copy of the Findings Of Fact, Conclusions, And Order explaining the modifications and adopting the rules is available upon request from: Dave Orren, 208 Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota 55155, Phone: 612-296-2631.

The rules must be approved or disapproved by the Attorney General on the tenth working day following date of receipt of the rules. You may submit written comments to the Attorney General. Any written comments must be received by the Attorney General no later than 4:30 p.m. on October 12, 1992, (which is seven working days from the date of this Notice). Your comments must address only the issue of legality of the rules or the legality of the specific parts or subparts of the rules. The Attorney General standards for review are set forth in Minnesota Rules, part 2010.1000. You may receive a copy of the Attorney General decision upon written request to the Attorney General. Your comments or requests for the decision must be directed to:

The Office of the Attorney General
Public Finance Division
525 Park Street, Suite 500
St. Paul, Minnesota 55103
Telephone (612) 297-2040

Any written comments submitted to the Attorney General must be submitted simultaneously to: Dave Orren at the address and telephone number listed above.

October 1, 1992
Date

Dave Orren
Dave Orren, Rules Coordinator
Department of Public Safety