

Joint House/Senate Subcommittee on Claims
Subcommittee Minutes

Tuesday, April 12, 2016
State Office Building, Room 10
6:00 p.m.

In Attendance

Rep. Duane Quam, Co-Chair
Rep. Kelly Fenton
Rep. Mary Murphy
Rep. Dave Pinto
Rep. Dennis Smith
Sen. Jim Carlson, Co-Chair
Sen. David Osmek
Sen. Bev Scalze

Chair Quam called the meeting of the Joint House/Senate Subcommittee on Claims to order at 6:02 p.m. A quorum was present.

Michele Timmons, Revisor of Statutes, served as counsel to the subcommittee.

Rep. Fenton **MOVED** approval of the April 15, 2015 meeting minutes. **MOTION PREVAILED.**

Michele Timmons provided a summary of the claims provision modification bills, SF 1857-1 and HF 2371-1, which are identical.

Rep. Pinto **MOVED** approval of the language in the bills for inclusion in the claims appropriation bill. **MOTION PREVAILED.**

Michele Timmons provided a brief summary of the Imprisonment and Exoneration Remedy Act and how it may impact the Joint House/Senate Subcommittee on Claims.

Rep. Fenton **MOVED** approval of the revised rules for the Subcommittee. **MOTION PREVAILED.**

Michele Timmons presented the MMB's submissions under the Imprisonment and Exoneration Remedy Act.

Testified on the Imprisonment and Exoneration Remedy Act

- Eric Hallstrom, Deputy Commissions - MMB
- Kristyn Anderson, Counsel – MMB
- Rep. John Lesch, Author of the Bill
- Julie Jonas, Legal Director – MN Innocence Project

Claims being heard under the Imprisonment and Exoneration Remedy Act:

1. Testified on the Hansen claim:
Court ordered settlement agreement for \$916,828.76
 - Michael Ray Hansen, claimant
2. Testified on the Lee claim:
Court ordered settlement agreement for \$395,148.13

- Koua Fong Lee, claimant
3. Testified on the Olsen claim:
Court ordered settlement agreement for \$475,000.00
 - Roger Lee Olsen, claimant
 - Richard Student, claimant attorney

Rep. Fenton **MOVED** to approve the court ordered settlement agreements for all three Imprisonment and Exoneration Remedy Act Claims. **MOTION PREVAILED.**

Claims being heard against the Department of Natural Resources (DNR) -
Michele Timmons presented the claims being made against the Department of Natural Resources:

1. Testified on the Marc Ruyak claim:
 - Marc Ruyak, claimant
 - Sherry Enzler, DNR General Counsel

Sen. Scalze **MOVED** to deny the Marc Ruyak claim. **MOTION PREVAILED.**

2. Testified on the Richard Savitski claim:
 - Richard Savitski, claimant
 - Fiona Ruthven, DNR Senior Staff Attorney
 - Doug Tillman, DNR Timber Sales

Sen. Osmek **MOVED** to deny the Richard Savitski claim. **MOTION PREVAILED.**

Claims being heard against the Department of Human Services (DHS) – Minnesota Sex Offender Program (MSOP) -

1. Michele Timmons presented the *Mecca Bantu property claim against the Minnesota Department of Human Services.*

Testified on the Bantu claim:

- Jensina Rosen, Minnesota Department of Human Services (MSOP)
- Jessica Geil, DHS (MSOP) Legal Counsel

Sen. Osmek **MOVED** to deny the Mecca Bantu claim. **MOTION PREVAILED.**

2. Michele Timmons presented the *Christopher Krych property claim against the Minnesota Department of Human Services.*

Testified on the Krych claim:

- Jensina Rosen, Minnesota Department of Human Services (MSOP)
- Jessica Geil, DHS (MSOP) Legal Counsel

Sen. Osmek **MOVED** to deny the Christopher Krych claim. **MOTION PREVAILED.**

1. Michele Timmons presented the *Medical Reimbursement for Injury Claims Under \$500* from the Minnesota Department of Corrections memo, in the amount of \$ 608.79

Testified Medical Reimbursement for Injury Claims Under \$500

- Lisa Netzer, Minnesota Department of Corrections

Sen. Osmek **MOVED** to approve the dollar amount of Medical Reimbursement for Injury Claims under \$500. **MOTION PREVAILED.**

Claims being heard against the Department of Corrections – *Injury Claims* -

1a1. Michele Timmons presented the Robert Bolden *injury claim against the Minnesota Department of Corrections:*

Testified on the Robert Bolden claim:

- Lisa Netzer, Minnesota Department of Corrections

Sen. Osmek **MOVED** to deny the Robert Bolden claim. **MOTION PREVAILED.**

1a2. Michele Timmons presented the Laron Brown *injury claim against the Minnesota Department of Corrections:*

Testified on the Laron Brown claim:

- Lisa Netzer, Minnesota Department of Corrections

Rep. Murphy **MOVED** to approve payment of \$2,250.00 for the injury sustained by Laron Brown. **MOTION PREVAILED.**

1a3. Michele Timmons presented the *Antonio Burton claim against the Minnesota Department of Corrections. This claim was laid over from last year.*

Testified on the Burton claim:

- Lisa Netzer, Minnesota Department of Corrections

Rep. Fenton **MOVED** to deny the Antonio Burton claim. **MOTION PREVAILED.**

1a4. Michele Timmons presented the *Alexsander Cedarblade claim against the Minnesota Department of Corrections.*

Testified on the Cedarblade claim:

- Lisa Netzer, Minnesota Department of Corrections

Sen. Scalze **MOVED** to approve \$2,398.28 to be paid to medical providers on the Cedarblade claim. **MOTION PREVAILED.**

1a5. Michele Timmons presented the *Nathan Eckstein claim against the Minnesota Department of Corrections.*

Testified on the Eckstein claim:

- Lisa Netzer, Minnesota Department of Corrections

Sen. Osmek **MOVED** to approve \$1,083.58 to be paid to medical providers on the Eckstein claim. **MOTION PREVAILED.**

1a6. Michele Timmons presented the *Michael Merrill claim against the Minnesota Department of Corrections.*

Testified on the Merrill claim:

- Lisa Netzer, Minnesota Department of Corrections

Sen. Osmek **MOVED** to approve \$4,800.00 on the Merrill claim. **MOTION PREVAILED.**

1a7-10. Michele Timmons presented the remaining *injury claims against the Minnesota Department of Corrections:*

James Inman
Roy Martinez, Jr.
Rory Schmidt
Darryl Walker

Available to testify on the remaining injury claims:

- Lisa Netzer, Minnesota Department of Corrections

Sen. Osmek **MOVED** to deny the remaining injury claims. **MOTION PREVAILED.**

Claims being heard against the Department of Corrections – *Property Claims* -

2b1. Michele Timmons presented the *Joe Brown claim against the Minnesota Department of Corrections.*

Testified on the Brown claim:

- Lisa Netzer, Minnesota Department of Corrections

Rep. Fenton **MOVED** to deny the Brown claim. **MOTION PREVAILED.**

2b2. Michele Timmons presented the *Rafael Bryson claim against the Minnesota Department of Corrections.*

Testified on the Bryson claim:

- Lisa Netzer, Minnesota Department of Corrections

Rep. Osmek **MOVED** to offer to replace the beard trimmer attachment and deny the remainder of the claims. **MOTION PREVAILED.**

2b3. Michele Timmons presented the *Christopher Foix claim against the Minnesota Department of Corrections.*

Testified on the Foix claim:

- Lisa Netzer, Minnesota Department of Corrections

Rep. Osmek **MOVED** to deny the claim. **MOTION PREVAILED.**

2b4-60. Michele Timmons presented the remaining *property claims against the Minnesota Department of Corrections*:

Abdul-Zahir, Nashid 15-PR-003	Kohene, Derrick 16-PR-016
Banks, James 15-PR-228	Lane, William 15-PR-108
Bastain, Dino 15-PR-007	Lewis, Charlie 15-PR-152
Battle-Bey, Darwin 15-PR-108	Mcalister, Xxavier 16-PR-022
Bowman, Richardo 16-PR-029	Moatan, Andre 16-PR-031
Bragg, Charles 15-PR-048	Morales, Reynaldo 15-PR-138
Brooks, Christopher 15-PR-066	Murry, Eric 15-PR-056
Brown, Jamal 15-PR-017	Parks, James 15-PR-002
Brown, Michael 15-PR-155	Patterson, Roosevelt 15-PR-123
Christianson, Shannon 15-PR-097	Pederson, John 15-PR-028
Cindrich, Robert 15-PR-127	Perez, Robert 15-PR-150
Cornejo, Fernando 15-PR-028	Perez, Roberto 15-PR-084
Cuta, Joseph 16-PR-036	Perkins, Spencer 16-PR-012
Davis, Michael 15-PR-097	Ploog, Michael 15-PR-190
DeGrote, Darren 15-PR-035	Powell, Sylvester 16-PR-026
Fleming, John 15-PR-142	Quaderer, Richard 15-PR-075
Gordon, Donald 15-PR-189	Reed, James 15-15-PR-076
Gustafson, Joe 15-PR-094	Reynolds, Raymond 15-PR-005
Hall, Michael 15-PR-195	Roberts, Ishmail 15-PR-081
Henderson, Derrick 16-PR-015	Robertson, Dwight 15-PR-128
Henry, Harvey 15-PR-063	Rotgai, Galuak 16-PR-040
Hersrud, Robert 16-PR-003	Salat, Zacharia 15-PR-029
Holt, Fredrick 15-PR-178	Satar, Salvadore 16-PR-035
Houge, Brandon 15-PR-080	Smith, Joshua 15-PR-225
Jackson, Martin 15-PR-031	Thorpe, Scott 15-PR-161
Jackson, Ronnie 15-PR-144	Torres, Rusty 15-PR-151
Jackson, Tyree 15-PR-132	Toth, James 15-PR-147
Jeffries Marcus 15-PR-067	Whitehead, Vonzell 15-PR-077
Johnson, Kenneth 15-PR-014	Workman, David 14-PR-184
Keith, Leslie 15-PR-206	Yaritz, Harold 15-PR-184

Rep. Fenton **MOVED** to deny the remaining property claims. **MOTION PREVAILED.**

Meeting adjourned at 8:45 p.m.

Respectfully submitted,

Representative Duane Quam, Co-Chair
Joint House/Senate Subcommittee on Claims

Senator Jim Carlson, Co-Chair
Joint House/Senate Subcommittee on Claims