

Joint House/Senate Subcommittee on Claims
Subcommittee Minutes

Wednesday, February 27, 2008
Room 400 South, State Office Building
9:00 a.m.

In Attendance

Representative Dennis Ozment
Representative Tom Anzelc
Representative Diane Loeffler
Senator David Hann
Senator Rick Olseen

Excused

Senator Ron Latz

Rep. Ozment began hearing testimony at 9:20 a.m. A quorum was present at 10:15 a.m. at which time the meeting was officially called to order by Chair Ozment.

1. Craig Lindeke presented the *Cornerstone Villa claim against the Department of Labor and Industry*.

Testified on Cornerstone Villa claim:

- Rep. Tom Rukavina, Virginia
- Debra Doughty, Administrator, Cornerstone Villa
- Nancy Leppink, General Counsel, DOLI
- Scott Mclellan, DOLI

Sen. Olseen **MOVED** to turn the information on the Cornerstone Villa claim over to the Attorney General and request the Attorney General to advise the Subcommittee on Claims regarding negligence by the contractor and the responsibilities of the Subcommittee. **MOTION PREVAILED.**

2. Craig Lindeke presented the *Wes Dibley claim against the Department of Human Services*.

Testified on Dibley claim:

- NgoziChukwa MP Akubike, MDHS
- Nacole Lind, DOC

Discussion took place on Minn. Stat. 3.736, Subd. 1 and Minn. Stat. 3.736, Subd. 3 (m) dealing with compensation for loss, damage, or destruction of property of a patient or inmate of a state institution. Rep. Ozment suggested setting the statute question aside until Co-Chair Latz is in attendance for a committee discussion on the issue.

Sen. Olseen **MOVED** to direct the Department of Human Services to replace Mr. Dibley's television at a value up to \$170. **MOTION PREVAILED.**

3. Rep. Ozment **MOVED** to approve the minutes of the January 22, 2008 Subcommittee meeting, as corrected. **MOTION PREVAILED.**

4. Craig Lindeke presented the *David Jannetta and Joe Thornblad claims against the Department of Human Services and recommended denial of both claims.*

Rep. Loeffler **MOVED** to deny the Jannetta and Thornblad claims. **MOTION PREVAILED.**

5. Craig Lindeke presented the *Minogheezig Sandman-Shelifo claim against the Department of Corrections.*

Testified on the Sandman-Shelifo claim:

- Minogheezig Sandman-Shelifo
- Darlene Sandman, mother of Minogheezig

Rep. Ozment informed the Subcommittee that he discussed Mr. Sandman-Shelifo's loss with the Indian Affairs Council and also received assurance from the Department of Corrections that future issues dealing with medicine bags would be handled in an appropriate manner by the Department.

Rep. Ozment **MOVED** that \$1000 compensation be awarded to Mr. Sandman-Shelifo for activities surrounding the loss of Mr. Sandman-Shelifo's medicine bag. **MOTION PREVAILED.**

6. Craig Lindeke presented the *Robert Burton claim against the Department of Corrections.*

Testified on the Burton claim:

- Randy Hartnett, DOC
- Nacole Lind, DOC

Rep. Ozment **MOVED** to approve the Burton claim of \$11,900 as recommended by the DOC. **MOTION PREVAILED.**

7. Craig Lindeke presented the *Department of Corrections claim for reimbursement of \$3731.31 for claims previously paid by the Department.*

Rep. Anzelc **MOVED** to approve payment of the \$3731.31 reimbursement claim for the Department of Corrections. **MOTION PREVAILED.**

9. Craig Lindeke presented the *remaining 13 property claims against the Department of Corrections listed on the February 27, 2008 agenda.*

Craig Lindeke recommended that the Abdislan, Bozich, Burton, A., Duncan, Green, Harper, Johnson, Koepke, Long, Tolefree, Turnquist, Wunderlich and Zocher claims be denied.

Sen. Olseen **MOVED** to deny the 13 property claims against the Department of Corrections. **MOTION PREVAILED.**

Randy Hartnett, DOC, stated that additional injury claims will be transmitted to the Subcommittee staff as soon as possible.

Meeting adjourned at 11:50 a.m.

Respectfully submitted,

Representative Dennis Ozment, Chair
Joint House/Senate Subcommittee on Claims

Marilyn Brick, Legislative Assistant
Joint House/Senate Subcommittee on Claims