

Joint House/Senate Subcommittee on Claims
Subcommittee Minutes

Wednesday, July 16, 2008

Capitol 112

1:00 p.m.

In Attendance

Senator Ron Latz

Representative Dennis Ozment

Senator Rick Olseen

Representative Diane Loeffler

Excused

Senator David Hann

Representative Tom Anzelc

Sen. Latz called the meeting to order and began hearing testimony at 1:10 p.m.

Sen. Latz explained that there was a need to adopt a new agenda. Rep. Ozment **MOVED** to approve a new agenda. **MOTION PREVAILED.**

Rep. Ozment **MOVED** to approve the minutes from the February 27, 2008 meeting of the Joint House/Senate Subcommittee on Claims. **MOTIONED PREVAILED.**

1. Craig Lindeke presented the Nancy Teklenburg claim against the *Department of Employment and Economic Development*.

Testified for the Department of Employment and Economic Development:

- Lee Nelson, *Director of Legal Affairs for the Department of Employment and Economic Development*

Representative Ozment **MOVED** to authorize payment of the \$13,517 reimbursement claim the Department Employment and Economic Development. The department will pay the amount out of their administrative funds and will then await legislative approval in the 2009 claims bill. **MOTION PREVAILED.**

2. Craig Lindeke presented the property claims against the *Department of Corrections*.

Testified for the Department of Corrections:

- Nacole Lind, *Department of Corrections*
- Randolph Hartnett, *Department of Corrections*

Mr. Lindeke suggested that there be discussion around five particular claims and mentioned the department's suggestion to deny the remainder of the claims. Sen. Latz **MOVED** to lay the claims from James Puffer, Andre Patterson, Ronald Meenzie, Frank Mendoza and Anthony Macal on the table for discussion. **MOTION PREVAILED.**

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

Craig Lindeke then presented the above mentioned five property claims against the *Department of Corrections*.

Craig Lindeke presented the *Ronald Menzie* property claim against the Department of Corrections.

There was discussion around the protocol of securing and signing for property within the prison facilities. Sen. Olseen **MOVED** to deny the claim, but suggested that Mr. Lindeke should send a letter to Mr. Menzie suggesting that if a receipt for the item in question was provided that the committee would hear his claim again without Mr. Menzie having to pay the \$5 filing fee. **MOTION PREVAILED.**

Craig Lindeke presented the *James Puffer and the Andre Patterson* property claims against the Department of Corrections.

There was discussion and direction from the committee to Mr. Lindeke to send letters to both James Puffer and Andre Patterson stating an offer of \$21.25 and \$40.00 reimbursement, in that order, to the claimants. Rep. Ozment **MOVED** that if the offers are accepted, the committee will hear the claims again without charging the \$5 filing fee. **MOTIONED PREVAILED.**

Craig Lindeke presented the *Frank Mendoza* property claim against the Department of Corrections.

Sen. Olseen **MOVED** to deny the claim. **MOTIONED PREVAILED.**

Craig Lindeke presented the *Anthony Macal* property claim against the Department of Corrections.

Sen. Olseen **MOVED** to deny the claim. **MOTIONED PREVAILED.**

Rep. Ozment suggested that the full social security number of the claimants should not be included on the claim form pointing out that once the claim is filed, it is public record. It was suggested that the last four numbers could be used instead. Mr. Hartnett said that the Department of Corrections would look into it.

3. Craig Lindeke presented the personal injury claims against the *Department of Corrections*.

Testified for the Department of Corrections:

- Nacole Lind, *Department of Corrections*
- Randolph Hartnett, *Department of Corrections*

Craig Lindeke presented the *Roy Biber* personal injury claim against the Department of Corrections.

Rep. Ozment **MOVED** to approve payment of the \$2,609.62 reimbursement claim to *Roy Biber* from the Department of Corrections. **MOTION PREVAILED.**

Craig Lindeke presented the *Richard Christiansen* personal injury claim against the Department of Corrections.

Rep. Loeffler **MOVED** to approve payment of the \$1,201.50 reimbursement claim to *Richard Christiansen* from the Department of Corrections. **MOTION PREVAILED.**

Craig Lindeke presented the *Harlan Gale* personal injury claim against the Department of Corrections.

Sen. Olseen **MOVED** to approve payment of the \$750.00 reimbursement claim to *Harlan Gale* from the Department of Corrections. **MOTION PREVAILED.**

Craig Lindeke presented the *Elijah Gosling* personal injury claim against the Department of Corrections.

Rep. Ozment **MOVED** to approve payment of the \$2,700.00 reimbursement claim to *Elijah Gosling* from the Department of Corrections. **MOTION PREVAILED.**

Craig Lindeke presented the *Abdihakim Mohamed* personal injury claim against the Department of Corrections.

Rep. Loeffler **MOVED** to approve payment of the \$1,875.00 reimbursement claim to *Abdihakim Mohamed* from the Department of Corrections. **MOTION PREVAILED.**

Craig Lindeke presented the *Curtis Rainey* personal injury claim against the Department of Corrections.

Rep. Loeffler **MOVED** to approve payment of the \$3,750.00 reimbursement claim to *Curtis Rainey* from the Department of Corrections and to pay ongoing medical bills if they are under \$500 each. **MOTION PREVAILED.** Rep. Loeffler also suggested that Mr. Hartnett check and see if the inmate was pressured to back date a safety training information sheet that he was required to sign.

Craig Lindeke presented the *Thomas Spires* personal injury claim against the Department of Corrections.

Sen. Olseen **MOVED** to approve payment of the \$752.27 reimbursement claim to *Thomas Spires* from the Department of Corrections. **MOTION PREVAILED.**

Craig Lindeke presented the *Kerri Wirtz* personal injury claim against the Department of Corrections.

Rep. Ozment **MOVED** to approve payment of the \$1,559.64 reimbursement claim to *Kerri Wirtz* from the Department of Corrections. **MOTION PREVAILED.**

Sen. Latz gave the gavel to Rep. Ozment at this time to step out of the room.

Craig Lindeke presented the *Willie Alonzo Sparkman* personal injury claim against the Department of Corrections.

Sen. Latz returned and Rep. Ozment gave him back the gavel.

Rep. Ozment **MOVED** to defer the *Willie Alonzo Sparkman* claim until 12/11/09 when permanent injuries can be defined and rated. **MOTION PREVAILED.**

Craig Lindeke presented the *Vernon Bryan Olson* personal injury claim against the Department of Corrections.

Rep. Ozment **MOVED** to deny the reimbursement claim of *Vernon Bryan Olson* from the Department of Corrections. **MOTION PREVAILED.**

4. Other Business

Sen. Latz inquired if there was other business before the committee.

There was discussion of previous claims and what may be coming before the claims committee in the future. There was an update on the case of Mr. Sandman and Rep. Ozment suggested that if the claim was accepted, that he would like to present the check in a more ceremonial fashion than is customary.

There was discussion and clarification on how claims would be disbursed and reimbursed and the timing of the payments. It was recommended to approve money for the partial disability payment for the sentence to serve claimant in hopes that claims bill will pass during the 2009 legislative session.

During the February meeting, the committee heard a claim regarding Cornerstone Villa. Mr. Lindeke gave an update on the claim.

Sen. Latz asked if there was any further business before the committee. Rep. Ozment **MOVED** to adjourn the meeting. **MOTION PREVAILED.**

Meeting adjourned at 3:15 p.m.

Respectfully submitted,

Senator Ron Latz, Chair
Joint House/Senate Subcommittee on Claims

Cheryl Youakim, Legislative Assistant
Joint House/Senate Subcommittee on Claims

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

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

