

**Joint House/Senate Subcommittee on Claims**  
Subcommittee Minutes

Monday, December 29, 2008  
Room 300 North, State Office Building  
1:00 p.m.

In Attendance

Representative Dennis Ozment, Chair  
Representative Diane Loeffler  
Senator Ron Latz, Chair  
Senator David Hann  
Senator Rick Olseen

Not Present

Representative Tom Anzelc

Call to Order by Chair Ozment: 1:11 p.m.  
A quorum is present.

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

Senator Olseen **MOVED** to approve the minutes for the July 16, 2008 Subcommittee meeting. **MOTION PREVAILED**

1. Michele Timmons presented the *Yuri Farber claim against the Department of Revenue*.

Testified on Farber claim:

- Yuri Farber
- Rick Walzer, Attorney, Department of Revenue

Senator Olseen **MOVED** to approve the Faber claim based on an audit of the claim by the Department of Revenue. **MOTION FAILED.**

Representative Loeffler **MOVED** to deny the Farber claim. **MOTION PREVAILED.**

2. Michele Timmons presented the *Louis Serna claim against the Department of Human Services*.

Testified on Serna claim:

- NgoziChukwu Akubuike, Human Services Department

Senator Olseen **MOVED** that the Department repair or replace the TV at their discretion. **MOTION PREVAILED.**

Rep. Ozment suggests review of current statute regarding state's liability. Michele Timmons will follow up.

3. Michele Timmons presented the *Dale Lindsey claim against the Department of Human Services*.

Testified on Lindsey claim:

NgoziChukwu Akubuike, Human Services Department

Senator Olseen **MOVED** that the Department repair or replace the damaged TV stand with same or similar TV stand notwithstanding statute language.

**MOTION PREVAILED.**

4. Michele Timmons presented the *Steven Rousseau and Chris Sime claims against the Department of Human Services with a recommendation to deny the claims*.

Rep. Loeffler **MOVED** to deny the Rousseau and Sime claims against the Department of Human Services. **MOTION PREVAILED.**

5. Michele Timmons presented the *Bruce Wollan claim against the Department of Human Services*.

Testified on the Wollan claim:

NgoziChukwu Akubuike, Human Services Department

Senator Latz **MOVED** to deny the Wollan claim. **MOTION PREVAILED.**

6. Michele Timmons presented the *Aaron Cross claim* against the Department of Administration/Iron Range Resources.

Testified on the Cross claim:

- Aaron Cross, St. Cloud, MN
- Steve Cross, Uncle to Aaron

Rep. Ozment laid the Cross claim over until a future meeting when the Department of Administration Risk Management can be present to testify on the claim.

7. Michele Timmons presented the *Vernon Olson claim against the Department of Corrections*.

Senator Latz **MOVED** to reopen the Olson claim. **MOTION PREVAILED.**

Testified on the Olson claim:

- Randy Hartnett, DOC
- Vernon Olson, via phone from Pine River, MN

Rep. Ozment laid over the Olson claim until a future meeting.

Senator Latz inquired about an independent medical exam (IME) to determine an award amount. Mr. Olson will cooperate with DOC to obtain an IME.

8. Michele Timmons presented *property claims against the Department of Corrections, numbered 1 thru 40 on the agenda.*

Senator Olseen **MOVED** to deny the property claims against the Department of Corrections except the Frohn, Villebrun, Lachowitzer claim #08-PR-119, Culpepper, and Grauberger claims. **MOTION PREVAILED.**

9. Michele Timmons presented the *Dylan Frohn claim against the Department of Corrections*

Testified on the Frohn claim:

- Nacole Lind, DOC

Senator Olseen **MOVED** approval of the Frohn claim of \$17.25. **MOTION FAILED.**

Senator Hann **MOVED** to deny the Frohn claim. **MOTION FAILED.**

Rep. Loeffler **MOVED** to deny the Frohn claim but refund the filing fee of \$5. **MOTION PREVAILED.**

10. Michele Timmons presented the *Anthony Villebrun claim against the Department of Corrections.*

Testified on the Villebrun claim:

- Randy Hartnett, DOC
- Nacole Lind, DOC

Senator Latz laid over the Villebrun claim for consideration at a future meeting.

11. Michele Timmons presented the *Howard Lachowitzer claim 08-PR-119 against the Department of Corrections.*

Testified on the Lachowitzer claim:

- Randy Hartnett, DOC

Senator Olseen **MOVED** to deny the 08-PR-119 Lachowitzer claim except for the payment for shower shoes of \$3.50. **MOTION PREVAILED.**

12. Michele Timmons presented the *Roberta Culpepper claim against the Department of Corrections.*

Testified on the Roberta Culpepper claim:

- Randy Hartnett, DOC
- Nacole Lind, DOC

Senator Olseen **MOVED** to approve the Culpepper claim of \$94.95. **MOTION FAILED.**

Senator Latz **MOVED** to deny the Culpepper claim. **MOTION PREVAILED.**

13. Michele Timmons presented the *Chester Grauberger claim against the Department of Corrections.*

Senator Olseen **MOVED** to deny the Grauberger claim. **MOTION PREVAILED.**

14. Michele Timmons presented the *2008 DOC reimbursement request for \$3,765.58 for Sentence to Serve and Community Work Service payments.*

Senator Olseen **MOVED** to approve the \$3,765.58 claim. **MOTION PREVAILED.**

15. Other Business:

Senator Olseen inquired as to why there is not a standard for both televisions and shoes. Randy Hartnett explained that televisions are purchased thru a special catalog used by prisons and shoes are not part of a standard uniform.

Rep. Loeffler thanked Rep. Ozment for his service which was echoed by the remaining Claims Committee members.

Rep. Ozment expressed appreciation to staff, especially Craig Lindeke, for his years of work on behalf of the Claims Committee.

Meeting adjourned at 5:10 p.m.

Respectfully submitted,

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

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

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