

Joint House/Senate Subcommittee on Claims
Subcommittee Minutes

Monday, March 31, 2014
State Office Building, Room 300N
6:00 p.m.

In Attendance

Sen. Jim Carlson, Co-Chair
Sen. David Osmek
Sen. Bev Scalze
Rep. Mary Murphy, Co-Chair
Rep. Brian Johnson
Excused: Representative Steve Simon

Call to order by Chair Murphy at 6:03 p.m. A quorum was not present.
Senator Carlson arrived at 6:50pm. A quorum was present.

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

Rep. Johnson **MOVED** to approve the minutes from April 16, 2013. **MOTION PREVAILED.**

1. Michele Timmons presented the *Cory Zeien claim against the Minnesota Department of Transportation.*

Testified on the Zeien claim:

- James Cownie, Department of Transportation
- Representative John Ward

Sen. Osmek **MOVED** to authorize the Department of Transportation to pay Cory Zeien \$4,284.92, a prorated amount from the \$10,961.02 retained by the department from the contract #440939 with M. G. Carlson Constructing Co., Inc. The motion also authorized the department to notify the seven additional individuals who were identified in the department's audit of contract #440939 as having been underpaid and for the department to make a prorated payment for each individual from the remaining \$6,676.10 of contract retainage.

MOTION PREVAILED.

2. Michele Timmons presented the *Lisa and Greg Storey claim against the Minnesota Department of Revenue.*

Testified on the Storey claim:

- Patrick Finnegan, Department of Revenue

Sen. Scalze **MOVED** to deny the Lisa and Greg Storey claim. **MOTION PREVAILED.**

3. Michele Timmons presented the *Scott Lentz, Michael Pittman and the three claims from Allen Pyron; property claims against the Minnesota Department of Human Services.*

Testified on the Lentz, Pittman, and Pyron claims:

- Connie Proctor, Department of Human Services

Sen. Scalze **MOVED** to deny the five property claims against the Department of Human Services. **MOTION PREVAILED**

4. Michele Timmons presented the *Medical Reimbursement for Injury Claims under \$500 and other claims paid by the department memo from the Minnesota Department of Corrections.*

Rep. Brian Johnson **MOVED** to approve payment of \$2,359.82 the Department of Corrections for reimbursement of medical expenses for injury claims under \$500 and other claims paid by the department. **MOTION PREVAILED.**

5. Michele Timmons presented the *Garry Green claim against the Minnesota Department of Corrections.*

Testified on the Green claim:

- Garry Green, Claimant
- Peter Nikitas, Attorney for Claimant
- Randy Harnett, Minnesota Department of Corrections

Sen. Carlson **MOVED** to approve payment of \$7,400 to Gary Green for 9.25% permanent partial disability injury to his right hand sustained while performing sentence to service work in Hennepin County. **MOTION PREVAILED.**

6. Michele Timmons presented the *James Vandevender claim against the Minnesota Department of Corrections.*

Testified on the Vandevender claim:

- Keith Hanratty, Attorney for Claimant
- Randy Harnett, Minnesota Department of Corrections

Rep. Johnson **MOVED** to **DEFER** the James Vandevender claim. **MOTION PREVAILED.**

7. Michele Timmons presented the *Carlos Castillo claim against the Minnesota Department of Corrections.*

Testified on the Castillo claim:

- Randy Hartnett, Minnesota Department of Corrections
- Nacole Lind, Minnesota Department of Corrections

Sen. Osmek **MOVED** to deny the Castillo claim. **MOTION PREVAILED**

8. Michele Timmons presented the *Michael Goodwin claim against the Minnesota Department of Corrections*.

Testified on the Goodwin claim:

- Randy Hartnett, Minnesota Department of Corrections
- Nacole Lind, Minnesota Department of Corrections

Sen. Osmek **MOVED** to deny the Goodwin claim. **MOTION PREVAILED**

9. Michele Timmons presented the *David Huff claim against the Minnesota Department of Corrections*.

Testified on the Huff claim:

- Randy Hartnett, Minnesota Department of Corrections
- Nacole Lind, Minnesota Department of Corrections

Sen. Carlson **MOVED** to approve payment of \$19,686.22 to David Huff claim for a 16% permanency partial disability back injury sustained while performing sentence to service work in Waseca County and for medical cost incurred by Mr. Huff, and \$9,065.24 for medical providers for the treatment of injuries. **MOTION PREVAILED.**

10. Michele Timmons presented the *Michael Livingston claim against the Minnesota Department of Corrections*.

Testified on the Livingston claim:

- Randy Hartnett, Minnesota Department of Corrections
- Nacole Lind, Minnesota Department of Corrections

Sen. Osmek **MOVED** to approve payment of \$ 5,608.02 to medical providers for treatment of Michael Livingston, who was injured while performing sentence-to-service work in Meeker County. **MOTION PREVAILED.**

11. Michele Timmons presented the *David Marrow claim against the Minnesota Department of Corrections*.

Testified on the Marrow claim:

- Randy Hartnett, Minnesota Department of Corrections
- Nacole Lind, Minnesota Department of Corrections

Sen. Scalze **MOVED** to approve payment of \$ 3,300 to Donald Marrow providers for permanent injuries to his right hand while performing sentence to service work in Hennepin County and \$5,509.28 to medical providers for treatment of Mr. Marrow. **MOTION PREVAILED.**

12. Michele Timmons presented the *Stanley Misunas claim against the Minnesota Department of Corrections*.

Testified on the Misunas claim:

- Randy Hartnett, Minnesota Department of Corrections
- Nacole Lind, Minnesota Department of Corrections

Sen. Osmek **MOVED** to deny the Misunas claim. **MOTION PREVAILED**

13. Michele Timmons presented the *Jamie Patton claim against the Minnesota Department of Corrections*.

Testified on the Patton claim:

- Randy Hartnett, Minnesota Department of Corrections
- Nacole Lind, Minnesota Department of Corrections

Sen. Scalze **MOVED** to approve payment of \$ 11,135 to Jamie Patton for permanent injuries to his right hand while performing assigned duties at Minnesota Correctional Facility-Faribault. **MOTION PREVAILED.**

14. Michele Timmons presented the *Rebecca Ratzlaff claim against the Minnesota Department of Corrections*.

Testified on the Ratzlaff Claim

- Randy Hartnett, Minnesota Department of Corrections
- Nacole Lind, Minnesota Department of Corrections

Rep. Osmek **MOVED** to approve payment of \$ 513.97 to Rebecca Ratzlaff for reimbursement of medical costs incurred as a result of a foot injury sustained while performing sentence to service work in Hennepin County, and \$15,125.33 to medical providers for treatment of Ms. Ratzlaff. **MOTION PREVAILED.**

15. Michele Timmons presented the *Damon Russell claim against the Minnesota Department of Corrections*.

Testified on the Russell Claim:

- Randy Hartnett, Minnesota Department of Corrections
- Nacole Lind, Minnesota Department of Corrections

Sen. Salze **MOVED** to approve payment of \$ 1,840.35 to medical providers for treatment of Damon Russell who was injured while performing sentence to service work in Olmstead County. **MOTION PREVAILED.**

16. Michele Timmons presented the *Brian Trautman claim against the Minnesota Department of Corrections*.

Testified on the Trautman Claim:

- Randy Hartnett, Minnesota Department of Corrections
- Nacole Lind, Minnesota Department of Corrections

Rep. Osmek **MOVED** to approve payment of; \$ 1,789.11 to medical providers for treatment of Brian Trautman who was injured while performing sentence to service work in Winona County **MOTION PREVAILED.**

17. Michele Timmons presented the *David Caroon claim against the Minnesota Department of Corrections*.

Testified on the Caroon Claim:

- Nacole Lind, Minnesota Department of Corrections

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

18. Michele Timmons presented the *Albert Lucas claim against the Minnesota Department of Corrections*.

Testified on the Lucas Claim:

- Nacole Lind, Minnesota Department of Corrections

Rep Johnson **MOVED** to deny the Lucas claim. **MOTION PREVAILED.**

19. Michele Timmons presented the *Devin Neeland and all other property claims against the Minnesota Department of Corrections* not yet discussed as they appear on the agenda.

Sen. Osmek **MOVED** to deny the Neeland claim, the Andrews claim, the Atkinson claim, the Balaski claim, the Battle-Bey claim, the Bettcher claim, the Brown claim, the Bush claim, the Chosa claim, the Class claim, the Considine claim, the Dixon claim, the Duwenhoegger 13-PR-060 claim, the Duwenhoegger 13-PR-136 claim, the Eakman claim, the Elkhateeb claim, the Folland claim, the Hardy claim, the Henderson claim, the Hertzog claim, the Holland claim, the Itanca claim, the Judd claim, the King claim, the Mata claim, the McCauley claim, the Newberry claim, the Quick claim, the Robinson claim, the Ross claim, the Savage claim, the Schueneman claim, the Stamps claim, the Sweet claim, the Vu claim, the Wallace claim, the Warren claim, the Wilkes claim, and the Wilson claim, the Zaleckis claim, and the request for the rehearing of the Spencer claim. **MOTION PREVAILED.**

Meeting adjourned at 8:37 p.m.

Respectfully submitted,

Representative Mary Murphy, Co-Chair
Joint House/Senate Subcommittee on Claims

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

Jamie L. Hyland, Clerk
Joint House/Senate Subcommittee on Claims