



Joint House/Senate Subcommittee on Claims

♦ 72 State Office Building ♦ St. Paul, MN 55155 ♦ (651) 296-0099 ♦ Fax: (651) 297-3697

MINUTES

April 7, 2021

In Attendance

Rep. Mary Murphy, Co-chair
Sen. Bruce Anderson, Co-chair
Sen. Jim Carlson
Sen. Gene Dornink
Rep. Luke Frederick
Rep. Duane Quam

Chair Murphy called the meeting of the Joint House/Senate Subcommittee on Claims to order at 6:35 p.m. A quorum was present.

Sen. Anderson moved to approve the minutes from March 26, 2019. **Motion prevailed.**

Jason Kuenle, Assistant Revisor of Statutes, served as Counsel to the subcommittee.

Jason Kuenle, Counsel, provided a summary of claims to dismiss or hold over for procedural reasons:

Recommended to Dismiss

- Wright & Becker County
- Nicholas Sterry

Rep. Quam moved to dismiss these claims. [Unanimous Roll Call Vote to dismiss.]

Motion prevailed

Recommended to hold-over (injury claims) seeking determination of maximum medical improvement (MMI)

- | | |
|--------------------------|---------------------------|
| • Brown, Jacob | 19-PI-Brown-LL |
| • Edwards, Matthew | 20-PI-Edwards-TOGO |
| • Lind, Jarred | 19-PI-Lind-STC |
| • Washington, Marvin | 20-PI-Washington-ML |
| • Zaldivar-Proenza, Raci | 20-PI-Zaldivar-Proenza-ML |

Recommended to hold-over (property claims) seeking additional information

- | | |
|---------------|----------------|
| • Moran, Jon | 19-PR-Moran-ML |
| • Vang, Chang | 20-PR-Chang-ML |

Recommended to hold-over due to legislation which is in process

- Officer Joseph Gomm
- Thirteen (13) Mille Lacs claims against the Department of Natural Resources

Kristyn Anderson, General Counsel, MMB presented an **Exonerated Claim** on Nicholas Mark Peterson.

1. Testified on the Nicholas Mark Peterson Claim:
 - Kristyn Anderson, General Counsel, MMB
 - Robert Shane, Attorney for Claimant
 - Nicholas Mark Peterson, Claimant

Senator Anderson moved to approve payment of the Exonerated Claim. [Unanimous Roll Call Vote to approve payment.] **Motion prevailed.**

Claims being heard against the **Department of Human Services:**

Stephen Stecyk testified on behalf of the DHS for the following claims:

- | | |
|-----------------------|----------------------|
| 1. Albert, Courey* | 19-PR-Albert-StPeter |
| 2. Anderson, Byron K* | 20-PR-MSOP-Anderson |
| 3. Pyron, Allen* | 18-PR-Pyron-MSOP |

Sen. Anderson moved to deny all Department of Human Services Claims. [Unanimous Roll Call Vote to deny all DHS claims.] **Motion prevailed**

Medical reimbursement to the **Department of Corrections** for injury claims under \$7,000 presented by Ben Ehlers, Associate General Counsel, DOC.

- Medical Claims = Total of \$1,180.63

Rep. Quam moved to approve payment of \$1,180.63 to DOC for the reimbursement of STS medical payments. **Motion prevailed.**

Claims being heard against the **Department of Corrections** were presented by Jason Kuenle. Ben Ehlers, Associate General Counsel, DOC testified.

Injury Claims

Jason Kuenle, Lead Counsel to the subcommittee

Ben Ehlers, Associate General Counsel, DOC and Fiona Ruthven, Associate General Counsel, DOC

Rep. Quam moved to approve the staff recommendation to deny Joshua Dow, 20-PI-Dow-STW claim. Roll call vote indicated all in favor of the motion. **Motion prevailed.**

Rep. Quam moved to approve payment of \$3,940 for the Nicholas Edwards, 19-PI-Edwards-ML claim. Roll call vote indicated all in favor of the motion. **Motion prevailed.**

Rep. Quam moved to deny the Mark Fleischman, 19-PI-Fleischman-ML claim. Roll call vote indicated all in favor of the motion. **Motion prevailed.**

Rep. Quam moved to deny the Mark Jechort, 20-PI-Jechort-LL claim. Roll call vote indicated all in favor of the motion. **Motion prevailed.**

Sen. Anderson moved to pay Steve Kulkay, 19-PI-Kulkay-FRB, with a friendly amendment made by Senator Dornink specifying a payment amount of \$85,743. Roll call vote indicated all in favor of the motion. Mr. Kulkay was represented by Michael Kemp, Attorney.

Motion prevailed.

Sen. Anderson moved to deny Richard O'Reilly, 17-PI-O'Reilly-STW claim. Roll call vote indicated all in favor.
Motion prevailed.

Sen. Carlson moved to approve a payment of \$5,600 for Michael Schmidt, 19-PI-Schmidt-RC claim. Roll call vote indicated all in favor.
Motion prevailed.

Sen. Anderson moved to approve a minimum ascertainable permanent partial disability (PPD) payment of \$43,200 for James Vandevender, 20-PI-Vandevender-RC. Roll call vote indicated all in favor of the motion. The remainder of this claim will be heard at a future hearing. Mr. Vandevender was represented by Phillip Fishman, Attorney.

Motion prevailed.

Property Claims

Jason Kuenle summarized DOC property claims.

Ben Ehlers, Associate General Counsel, DOC testified.

Rep. Quam moved to pay \$12.80, plus shipping cost for the Louis Buggs, 19-PR-Buggs-STW claim. Roll call: Sen. Anderson, no ~ all others, yes.

Motion prevailed.

Sen. Anderson moved to pay \$22.50 for the Chris Cabrera, 19-PR-Cabrera-RC claim. DOC offered \$22.50, but has not received a response from Mr. Cabrera. Roll call vote indicated all in favor.

Motion prevailed.

Rep. Quam moved to deny the Audie Fox, 19-PR-Fox-STW claim. Roll call vote indicated all in favor.

Motion prevailed.

Sen. Anderson moved to pay \$100 for the Eddie Frazier, 19-PR-Frazier-RC claim. Roll call vote: Rep. Murphy – No, Rep. Frederick – No, Rep. Quam – Yes, Sen. Anderson – Yes, Sen. Dornink – Yes, Sen. Carlson – Yes.

Motion failed.

Rep. Quam moved to have the DOC re-offer to return the books and deny the claim for compensation from Andrew Gibbons, 20-PR-Gibbons-ML. Roll call vote indicated all in favor.

Motion prevailed.

Sen. Anderson moved to deny the Vernon Hintz, 20-PR-Hintz-LLclaim. Roll call vote indicated all in favor.

Motion prevailed.

Rep. Quam moved to re-offer the \$17.17 for the William Keys, 19-PR-Keys-FRB claim. Roll call vote indicated all in favor.

Motion prevailed.

Sen. Carlson moved to re-offer \$280 for the Anthony Lucero, 19-PR-Lucero-STW claim. Roll call vote indicated all in favor.

Motion prevailed.

Rep. Frederick moved to pay \$16.25 for the Julian Meyer, 19-PR-Meyer-STW claim. Roll call vote: Rep. Frederick – yes, Rep. Murphy – yes, Rep. Quam – no, Sen. Anderson – no, Sen. Carlson – no, Sen. Dornink – no.

Motion failed.

Rep. Quam moved to re-offer \$35.44 for the Ishamel Middlebrook, 19-PR-Middlebrook-FRB

claim. Roll call vote indicated all in favor.

Motion prevailed.

Tommy Morgan, 19-PR-Morgan-STW claim was settled by the Dept of Corrections prior to the Subcommittee on Claims meeting.

Sen. Dornink moved to pay \$50 for the Calvin Reavers, 19-PR-Reavers-ML claim. Roll call vote indicated all in favor.

Motion prevailed.

Sen. Anderson moved to re-offer \$244.73 for the Gerald Skolte, 20-PR-Skolte-FRB claim. Roll call vote indicated all in favor.

Motion prevailed.

Rep. Quam moved to pay \$20 for the Ricky Waiters, 20-PR-Waiters-RC claim. (Department of Corrections offered \$40. However, the claimant had not responded to the offer.) Roll call vote indicated all in favor.

Motion prevailed.

Rep. Quam moved to pay \$257.10 for the Charles Yang, 19-PR-Yang-STW claim. Roll call vote indicated all in favor.

Motion prevailed.

Rep. Quam moved that the following claims be denied:

Abla-Salmeron, Dario, 19-PR-Abla-Salmeron-FRB
Ahmed, Abdulahi, 19-PR-Ahmed-RC
Alexander, Tony, 19-PR-Alexander-STW
Allen, Paris, 19-PR-Allen-STW
Battles, Cortez, 19-PR-Battles-FRB
Baugh, Timothy, 20-PR-Baugh-STW
Blair, Christopher, 19-PR-Blair-RC
Bobendrier, Jesse, 19-PR-Bobendrier, J-RC
Brown, Pierre, 19-PR-Brown-STW
Butcher, William, 19-PR-Butcher-FRB
Caroon, David, 19-PR-Caroon-FRB
Coatie, Jamael, 20-PR-Coatie-STW
Cobb, Ricky, 19-PR-Cobb-RC
Cole, Allen, 20-PR-Cole-STW
Craig, Shannon, 19-PR-Craig-STW
Crow, Keith, 19-PR-Crow-RC
Cuypers, Eugene, 19-PR-Cuypers-RC
Davis, Gregory, 19-PR-Davis-STW
Davis, Gregory, 20-PR-Davis-STW
Diego, Donovan, 19-PR-Diego-ML
Dirk, Bryce, 20-PR-Dirk-RC
Duwenhoeffer, Jerry, 19-PR-Duwnhoeffer-STW
Eddington, Jamaree, 20-PR-Eddington-RC
Edwards, Anthony, 19-PR-Edwards-RC
Einberger, Justice, 19-PR-Einberger-STW
Fairbanks, Brian, 19-PR-Fairbanks-FRB
Fitch, Brian, 20-PR-Fitch-STW
Fort, Eugene, 20-PR-Eugene-STW
French, Curtis, 20-PR-French-STW

Fultz, Marcus, 19-PR-Fultz-STW
Graham, Alonzo, 20-PR-Graham-RC
Guenther, Devin, 20-PR-Guenther-RC
Hart, Ross, 19-PR-Hart-STW
Hart, Ross, 20-PR-Hart-STW
Heiller, Dillon, 20-PR-Heiller-ML
Holmes, Derrick, 20-PR-Holmes-RC
Holt, Fredrick, 20-PR-Holt-RC
Hopson, William, 19-PR-Hopson-RC
Hudson, Lonnie, 20-PR-Hudson-RC
Johnson, Eric, 19-PR-Johnson-RC
Johnson, Jeremiah, 20-PR-Johnson, J-RC
Johnson, Kevin, 20-PR-Johnson-STW
Jovanovich, Jarid, 19-PR-Jovanovich-RC
Lamusga, Ryan, 20-PR-Lamusga-LL
Langner, Joseph, 20-PR-Langner-STW
Leanyear, William, 19-PR-Leanyear3-RC
Leanyear, William, 20-PR-Leanyear-SCL
Lewis, Charlie, 19-PR-Lewis-STW
Loyd, Stanley, 20-PR-Loyd-RC
Mann, Stephen, 19-PR-Mann-STW
Markham, Oji, 19-PR-Markham-ML
McDaniel, Travers, 20-PR-McDaniel-RC
Mendez-Beltran, Jose, 20-PR-Mendez-Bentran-STW
Middlebrook, Ishamel, 19-PR-Middlebrook2-STW
Miles, Leonard, 19-PR-Miles-STW
Miller, Demetrius, 19-PR-Miller-ML
Miller, Frankie, 19-PR-Miller, F-RC
Mohamud, Abdulkadir, 20-PR-Mohamud-RC
Murray, Jeffrey, 19-PR-Murray-RC
Ness, Daniel, 19-PR-Ness-FRB
Notch, McKenzie, 19-PR-Notch-RC
Patterson, Bruce, 20-PR-Patterson-FRB
Prusinski, Nathan, 20-PR-Prusinski-RC
Rajaphoumi, Sonthana, 19-PR-Rajaphoumi-FRB
Rajaphoumi, Sonthana, 20-PR-Rajaphoumi-ML
Richardson, Nehemiah, 20-PR-Richardson-STW
Riggins-Fields, Donald, 20-PR-Riggins-Fields-STW
Robinson, Damien, 19-PR-Robinson-STW
Sam, Doug, 19-PR-Sam-LL
Schluessler, Michael, 19-PR-Schluessler-LL
Sevier, Michael, 19-PR-Sevier-RC
Sharp, Tyree, 19-PR-Sharp-STW
Skotte, David, 19-PR-Skotte-STW
Smith, Derrick, 19-PR-Smith-STW
Smith, Ricardio, 19-PR-Smith-RC
St. John, Forrest, 19-PR-St. John-OPH
Tate, Deontray, 19-PR-Tate-RC

Townsend, Andrew, 20-PR-Townsend-RC
Tramble, Malachai, 19-PR-Tramble-STW
Turnage, Quantez, 20-PR-Turnage-FRB
Webster, Montrell, 20-PR-Webster-RC
Welsh, Regis, 19-PR-Welsh-STW
Wendt, Jeffrey, 20-PR-Wendt-STW
White, Orlando, 20-PR-O.White-RC
Whitehead-Childs, Allen, 19-PR-Whitehead-Childs-STW
Williams, Andrew, 19-PR-Williams-STW
Williams, Edward, 19-PR-Williams-RC
Williams, Jamaine, 19-PR-Williams, J-STW
Williams, Marvel, 19-PR-Williams-ML
Williams, Marvel, 20-PR-Williams-ML
Williams, Roy, 19-PR-Williams, R-RC
Williams, Shane, 20-PR-Williams-RC
Wonza, William, 19-PR-Wonza-ML
Zimmerman, Jeremy, 19-PR-Zimmerman-LL

Roll call vote indicated all in favor.

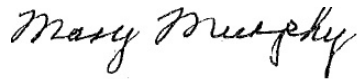
Motion prevailed.

The meeting was adjourned at 10:46 p.m.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Bruce Anderson". The signature is fluid and cursive, with the first name "Bruce" being more prominent than the last name "Anderson".

Senator Bruce Anderson
Senate Co-chair

A handwritten signature in black ink, appearing to read "Mary Murphy". The signature is cursive and elegant, with the first name "Mary" being more prominent than the last name "Murphy".

Representative Mary Murphy
House Co-chair