

## Joint House/Senate Subcommittee on Claims

Thursday May 4, 2023

8:00 AM

300 South State Office Building

### Meeting Minutes

#### MEMBERS PRESENT

Representative Luke Frederick, Co-Chair

Senator Jim Carlson, Co-Chair

Senator Bruce Anderson

Representative Sandra Feist

Representative Duane Quam

Senator Bonnie Westlin

Chair Frederick called the meeting of the Joint House/Senate Subcommittee on Claims to order at 8:03 am. A quorum was present.

#### Approval of agenda

Senator Anderson moved approval of the agenda for the May 4, 2023, meeting of the Joint House/Senate Subcommittee on Claims. THE MOTION PREVAILED.

#### Approval of minutes

Senator Anderson moved approval of the minutes from the March 29, 2022, meeting. THE MOTION PREVAILED.

#### Reconsideration of injury claims approved in 2021 and 2022

Jason Kuenle, co-counsel to the subcommittee, provided a summary on reconsideration of injury claims approved by the subcommittee in 2021 or 2022, however were not included in the final claims bill that that was enacted for the associated year. No outside testimony on these claims was considered.

<u>Claimant</u>	<u>Claim #</u>
1. Edwards, Nicholas	19-PI-Edwards-ML
2. Faulkner, Jeron	20-PI-Faulkner-ST
3. Kulkay, Steven	19-PI-Kulkay-FRB
4. Vandevender, James	20-PI-Vandevender-RC

Senator Anderson moved reapproval payment of \$3,940.00 for Nicholas Edwards; reapproval of payment of \$520.08 for Jeron Faulkner; reapproval of payment of \$43,200 for James Vandevender with any future final determination of disability reduced by this amount; and to hold over the determination of payment for the Steven Kulkay claim until more information is available regarding the deceased claimant’s estate. THE MOTION PREVAILED.

**Exonerated Claims**

Jason Kuenle presented information on the claims being heard under the Imprisonment and Exonerated Remedies Act.

<u>Claimant</u>
1. Buechner, Terrell James
2. Fairbanks, Ronald James
3. Vento, Joe Maria

Senator Anderson moved approval of payment of \$810,431.86 to Terrell James Buechner. THE MOTION PREVAILED.

Representative Feist moved approval of payment of \$56,008.26 to Ronald James Fairbanks. THE MOTION PREVAILED.

Senator Anderson moved approval of payment of \$240,000.00 to Joe Maria Vento. THE MOTION PREVAILED.

**Medical Reimbursement to the Department of Corrections for Injury Claims Paid**

Jason Kuenle presented to the subcommittee the medical reimbursement requests from the Department of Corrections for sentence-to-serve injury claims under \$7,000 paid by the department. The total request for reimbursements is \$2,968.12.

Representative Quam moved approval of payment of \$2,968.12 to Department of Corrections. THE MOTION PREVAILED.

**Claims Against the Department of Corrections – Injury Claims**

Jason Kuenle presented to the subcommittee the injury claims against the Department of Corrections.

<u>Claimant</u>	<u>Claim #</u>
1. Diemert, Scott	22-PI-Diemert-FRB
2. Meyer, James	22-PI-Meyer-FRB

Senator Carlson moved dismissal of Scott Diemert claim. THE MOTION PREVAILED.

Senator Anderson moved dismissal of James Meyer claim. THE MOTION PREVAILED.

### **Claims Against the Department of Corrections – Property Claims**

Maureen Sandey, co-counsel to the subcommittee, presented to the subcommittee the property claims against the Department of Corrections. Maureen provided information on the property claims that counsel recommended to be heard: Harold Davis, David Nielson, and Mario Williams.

<b><u>Claimant</u></b>	<b><u>Claim #</u></b>
1. Abdi, Omar	22-PR-Abdi-SCL
2. Adan, Abdiaziz	22-PR-Adan-RC
3. Almhjeld, Troy	22-PR-Almhjeld-RC
4. Boyd, Thomas	22-PR-Boyd-RC
5. Brewer, Ronald	22-PR-Brewer-RC
6. Brooks, Raymond	22-PR-Brooks-RC
7. Burciaga, Mario	22-PR-Burciaga-RC
8. Clark2, Courtney	22-PR-Clark2-FRB
9. Coe, Reginald	22-PR-Coe-FRB
10. Common, Michael	23-PR-Common-STW
11. Dabney, MyAndre	23-PR-Dabney-RC
<b>12. Davis, Harold</b>	<b>22-PR-Davis-RC</b>
13. Deng, Mongong	22-PR-Deng-STW
14. Dutka, Nicholai	22-PR-Dutka-LL
15. Ellingson, Erik	22-PR-Ellingson-ML
16. Fisherman, Corey	22-PR-Fisherman-OPH
17. Fox, Audie	22-PR-Fox2-STW
18. Gould, Matthias	22-PR-Gould-STW
19. Haas, Adam	22-PR-Haas-STW
20. Hall, William	22-PR-Hall-RC
21. Hayes, Anthony	22-PR-Hayes-STW
22. Henderson, Isaac	22-PR-Henderson-FRB

<u>Claimant</u>	<u>Claim #</u>
23. Iheme, Michael	22-PR-Iheme-STW
24. Johnson, Steven	22-PR-Johnson-RC
25. Jones, Andre	22-PR-Jones-OPH
26. Leonard, David	22-PR-Leonard-ML
27. Martin, LaMonte	22-PR-Martin-RC
28. Nielsen, David	22-PR-Nielsen-RC
29. Osterloh, Mitchell	22-PR-Osterloh-RC
30. Rabold, Guy	22-PR-Rabold-STW
31. Reynolds, Kenya	22-PR-Reynolds-STW
32. Richardson, Jamie	22-PR-Richardson-STW
33. Riddley, Octavius	22-PR-Riddley-STW
34. Roberts, Ishmael	22-PR-Roberts-STW
35. Robinson, Zachary	22-PR-Robinson-RC
36. Shattuck, Robert	22-PR-Shattuck-STW
37. Shelton, Victor	22-PR-Shelton-STW
38. Sho, Shi	22-PR-Sho-STW
39. Sinthavong, Bounkieng	22-PR-Sinthavong-STW
40. Thigpen, Timothy	22-PR-Thigpen-FRB
41. Thompson, James	22-PR-Thompson-STW
42. Turner, Ricky	22-PR-Turner-RC
43. Ullrich, Jeremy	22-PR-Ullrich-RC
44. Walker, Darryl	22-PR-Walker-STW
45. Wilkes, Darryll	22-PR-Wilkes-STW
46. Williams, Mario	22-PR-Williams-RC
47. Williams, Semaj	22-PR-Williams,S-RC
48. Winston, Marshawn	22-PR-Winston-STW
49. Woods, Melvin	22-PR-Woods-FRB

Representative Quam motioned to request DOC to reoffer \$38.58 to Harold Davis for missing property. THE MOTION PREVAILED.

Senator Anderson motioned to request DOC to reoffer \$139.62 for damaged and confiscated property. THE MOTION PREVAILED.

Senator Anderson motioned to request DOC to reoffer \$27.29 for damaged property. THE MOTION PREVAILED.

Representative Quam motioned to deny all remaining property claims. THE MOTION PREVAILED.

**Hold over all claims not approved, denied or dismissed**

Senator Westlin motioned to hold over all claims that were not approved, denied or dismissed. THE MOTION PREVAILED.

**Adjournment**

There being no further business, the meeting adjourned at 8:55 am.