

Joint House/Senate Subcommittee on Claims
Subcommittee Minutes

Thursday, November 8, 2007
Room 500 North, State Office Building
1:00 p.m.

In Attendance

Representative Dennis Ozment
Representative Tom Anzelc
Representative Diane Loeffler
Senator Ron Latz
Senator Rick Olseen

Not Present

Senator David Hann

Call to Order: 1:08 p.m.
A quorum is present.

Senator Olseen **MOVED** to approve the minutes for the May 7, 2007 Subcommittee meeting. **MOTION PREVAILED**

1. Craig Lindeke presented the *Richard Occhino claim against the Department of Human Services*.

Testified on Occhino claim:

- Richard Occhino, Duluth
- Ngozichukwu Akubuike, MDHS

The Occhino claim was laid over for further study by the Subcommittee.

2. Chair Ozment recognized Rep. Joe Atkins who presented the *McEachran claim against the Department of Transportation*.

Testified on McEachran claim:

- Rep. Joe Atkins, Inver Grove Heights
- John McEachran, Inver Grove Heights
- Judy McEachran, Inver Grove Heights
- Mike Leegard, Claims Engineer, Mn/DOT
- Betsy Parker, Government Affairs, Mn/DOT

The McEachran claim was laid over pending additional information from Mn/DOT, MPCA, Dakota County, and city of Inver Grove Heights.

3. Craig Lindeke presented the *Bernard and Nancy Baker claim against the Department of Health*.

Testified on Baker claim:

- Bernard and Nancy Baker
- John Stine, Environment Services, MDH
- Dan Wilson, Well Management, MDH

The Baker claim was laid over pending a committee request for attempted resolution as a result of collaboration among the Minnesota Department of Health, the Bakers and the Commerce Department (Petro Fund).

4. Craig Lindeke presented the *Fred and Marie Lahman claims against the Department of Health*.

Testified on the Lahman claims:

- Fred Lahman
- Marie Lahman

Rep. Ozment **MOVED** to deny the Fred Lahman claim. **MOTION PREVAILED.**

Sen. Olseen **MOVED** to deny the Marie Lahman claim. **MOTION PREVAILED.**

5. Sen. Latz **MOVED** that the Subcommittee revert to the *Richard Occhino claim*. **MOTION PREVAILED.**

Sen. Olseen **MOVED** to deny the Occhino claim. **MOTION PREVAILED.**

6. Craig Lindeke presented David Dawson's response to action on his previous *claim against the Department of Corrections*.

Testified on the Dawson claim:

- Randy Hartnett, DOC

The Subcommittee chose not to act further on the Dawson claim. Payment of the previous award remains available until June 30, 2008.

7. Craig Lindeke presented the *Robert Butters claim against the Department of Corrections*.

Testified on the Butters claim:

- Randy Hartnett, DOC

Rep. Anzelc **MOVED** to deny the Butters claim. **MOTION FAILED.**

8. Craig Lindeke presented *property claims against the Department of Corrections except claims from Rhon Butler-Brey, Budd Cooper, Audie Fox and Menogheezing Sandman-Shelifoe*.

Testified on the property claims:

- Randy Hartnett, DOC

Rep. Anzelc **MOVED** to deny all property claims against the DOC except the Butler-Brey, Cooper, Fox and Sandman-Shelifoe claims. **MOTION PREVAILED.**

9. Craig Lindeke presented the *Rhon Butler-Brey claim against the Department of Corrections*

Testified on the Butler-Brey claim:

- Randy Hartnett, DOC

The Butler-Brey claim was set aside pending receipt of additional information from the DOC.

10. Craig Lindeke presented the *Budd Cooper claim against the Department of Corrections*.

Testified on the Cooper claim:

- Randy Hartnett, DOC

The Cooper claim was set aside pending receipt of additional information regarding payment of claim.

****After the meeting, DOC informed Craig Lindeke that DOC had already paid the Butler-Brey and Cooper claims.**

11. Craig Lindeke presented the *Audie Fox claim against the Department of Corrections*.

Testified on the Fox claim:

- Randy Hartnett, DOC

Rep. Anzelc **MOVED** to deny the Fox claim. **MOTION PREVAILED.**

12. Craig Lindeke presented the *Menogheezing Sandman-Shelifoe claim against the Department of Corrections*.

Testified on the Sandman-Shelifoe claim:

- Randy Hartnett, DOC
- Mark Thielen, DOC

The Sandman-Shelifoe claim was set aside. DOC was asked to obtain information from Mr. Greg Davis and contact Mr. Sandman-Shelifoe regarding what he actually wants prior to a future Subcommittee meeting.

Rep. Loeffler requested that a system for numbering claims be developed to better facilitate following claims before the Subcommittee.

Sen. Latz requested that notification of Subcommittee hearings be provided to released prisoners with claims and that the Department of Corrections notify the Claims Subcommittee when prisoners with pending claims are released.


In reference to the Novak claim, Sen. Olseen asked about storage of prisoners' personal property. Michele Timmons, Revisor, indicated this question should be asked of the Department of Human Services, not the DOC.

Meeting adjourned at 4:50 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