

HOUSE CONCURRENT RESOLUTION NO. 3057

Introduced by

Representatives Meyer, Kerzman

Senator Krauter

1 A concurrent resolution directing the Legislative Council to study the cost effectiveness of the
2 tax offset program of the Department of Human Services' food stamp benefit recovery effort.

3 **WHEREAS**, the federal Personal Responsibility and Work Opportunity Reconciliation
4 Act of 1996 requires states to collect all outstanding claims of overissued food stamp benefits
5 dating back to 1988; and

6 **WHEREAS**, the outstanding amount of overissued benefits in North Dakota is
7 approximately 1.2 million dollars for the 10-year period; and

8 **WHEREAS**, the Act requires the collection be made by reducing the food stamp
9 allotment to a household, withholding amounts from unemployment compensation, recovering
10 from federal pay or a federal tax refund, or any other means; and

11 **WHEREAS**, section 844 of the Act provides that the state agency is not required to
12 collect the overissuances if it can demonstrate that the collection is not cost effective; and

13 **WHEREAS**, the overissuances of food stamp benefits were the result of agency error
14 and not recipient fraud; and

15 **WHEREAS**, many of the 3,500 persons who have been contacted by the Department of
16 Human Services for repayment of overissued food stamp benefits are elderly and living on very
17 low incomes; and

18 **WHEREAS**, the collection of the overissued amount from low-income persons will
19 increase the affected persons' need for other forms of public assistance;

20 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**
21 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

22 That the Legislative Council study the cost effectiveness of the tax offset program of the
23 Department of Human Services' food stamp benefit recovery effort; and

- 1 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
- 2 recommendations, together with any legislation required to implement the recommendations, to
- 3 the Fifty-seventh Legislative Assembly.