

**Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine**

**HOUSE CONCURRENT RESOLUTION NO. 3057  
(Representatives Meyer, Kerzman)  
(Senator Krauter)**

A concurrent resolution urging Congress and the Secretary of Agriculture to reevaluate the feasibility, desirability, and cost effectiveness of requiring states to collect certain outstanding claims of overissued food stamp benefits.

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

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

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

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

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

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

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

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

That the Fifty-sixth Legislative Assembly urges the Congress of the United States and the Secretary of Agriculture to reevaluate the feasibility, desirability, and cost effectiveness of requiring states to collect certain outstanding claims of overissued food stamp benefits; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the President of the United States, the Secretary of Agriculture, the chairmen of the Senate and House Agriculture Committees, and to each member of the North Dakota Congressional Delegation.

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Speaker of the House

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President of the Senate

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Chief Clerk of the House

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Secretary of the Senate

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 1999,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State