

SUBJECT: Revising Texas Water Development Board administration and duties

COMMITTEE: Natural Resources — committee substitute recommended

VOTE: 6 ayes — Ritter, T. King, Beck, Creighton, Larson, D. Miller

0 nays

5 absent — Hopson, Keffer, Lucio, Martinez Fischer, Price

SENATE VOTE: On final passage, April 20 — 30-1 (Uresti)

WITNESSES: *(On House companion bill, HB 3530:)*

For — *(Registered, but did not testify:* Ken Kramer, Lone Star Chapter, Sierra Club; Jim Conkwright, High Plains Water Conservation District; C.E. Williams, Panhandle Groundwater Conservation District)

Against — None

On — Robert Mace, Texas Water Development Board; *(Registered, but did not testify:* Carolyn Brittin, Melanie Callahan, Ken Petersen, Edward Vaughan, Texas Water Development Board; Cathleen Parsley, Tom Walston, State Office of Administrative Hearings; Sarah Kirkle, Sunset Advisory Committee)

BACKGROUND: The Texas Water Development Board (TWDB) was created through constitutional amendment in 1957 to issue water development bonds to provide funding for water projects and infrastructure. TWDB ensures sufficient water supplies for the state through water planning and providing technical assistance and water-related data.

TWDB provides loans and grants through state and federal programs to Texas communities for the construction of water supply, wastewater treatment, flood control, and agricultural water conservation projects. It supports development of regional water plans and prepares the state water plan. The agency collects, analyzes, and disseminates water-related data, studies surface water and groundwater resources, and develops and

maintains availability models to support planning, conservation, and development of surface water and groundwater for Texas.

TWDB's policy board has six members appointed by the governor, each from a different section of the state. Members serve staggered six-year terms, with the terms of two members expiring every two years. Terms expire in odd-numbered years. The governor designates the board chair.

In fiscal 2009, TWDB employed 329 staff, most of whom were located in Austin. Twenty-two staff, mostly project inspectors, are in TWDB's five field offices in El Paso, Harlingen, Houston, Mesquite, and San Antonio.

TWDB operated on revenues of \$93.4 million in fiscal 2009. Federal funds were the largest portion of the agency's method of finance, 43 percent, followed by general revenue, which was 40 percent. TWDB spent 44 percent of its appropriation on water resources planning in fiscal 2009.

TWDB last underwent Sunset review in 2001. The agency is not subject to abolishment under the Texas Sunset Act, but will be reviewed again in 2023.

DIGEST:

CSSB 660 would make various changes to TWDB administration and water management. It would amend the current process for developing desired future conditions (DFCs) for aquifers. This would include amending the public notice requirements for joint planning meetings in groundwater management areas and for the adoption of DFCs of aquifers, and it would require proof of notice in submission of DFCs to TWDB. CSSB 660 would require groundwater management areas to document factors considered in adopting DFCs and to submit that documentation to TWDB. The bill would remove TWDB from determinations of the reasonableness of a DFC and instead require districts to adopt relevant DFCs through rule, with the proper adoption of the rule subject to challenge in district court, under the same procedures currently used to challenge district rules.

CSSB 660 would require a representative of a groundwater conservation district in each groundwater management area that overlaps with a regional water planning group to serve as a member of that regional water planning group, require regional water planning groups to use the desired future conditions in place at the time of adoption of TWDB's state water plan in the next regional water planning cycle, provide that the state water

plan include an evaluation of the state's progress in meeting future water needs, provide for the development of a uniform system for calculating municipal water use in gallons per capita per day to be used for water conservation plans, define TWDB's water financial assistance bonds status for the state debt limit, provide for legal action to be taken for default of payment on TWDB's financial assistance programs, charge the director of the Texas Natural Resources Information System (TNRIS) to serve as the state geographic information officer, and abolish the Texas Geographic Information Council.

The bill also would add and modify standard Sunset provisions governing rulemaking and dispute resolution and complaints.

Public notice requirements. The groundwater conservation district representatives of a management area could elect one district to be responsible for providing the notice of a joint meeting that would otherwise be required of each district in the management area. Notice of a joint meeting would have to be provided at least 10 days before the date of the meeting.

The secretary of state and the county clerk of each county would have to post notice of the meeting, according to requirements in the bill.

The failure or refusal of one or more districts to post notice for a joint meeting would not invalidate an action taken at the joint meeting.

Groundwater management area development of proposed DFCs. CSSB 660 would amend the Water Code by adding factors for groundwater conservation districts to consider before voting on proposed DFCs for aquifers, including:

- aquifer uses or conditions within the management area, including conditions that differ substantially from one geographic area to another;
- water supply needs and water management strategies in the state water plan;
- hydrological conditions, including for each aquifer in the management area the total estimated recoverable storage and the average annual recharge, inflows, and discharge;
- other environmental impacts, including impacts on spring flow and other interactions between groundwater and surface water;

- the impact on subsidence;
- socioeconomic impacts reasonably expected to occur;
- the impact on the interest and rights in private property, including ownership and the rights of management area landowners and their lessees and assigns in groundwater;
- whether the desired future conditions were physically possible; and
- any other information relevant to the specific DFCs.

Balancing test. The proposed DFCs would have to provide a balance between the highest practicable level of groundwater production and the conservation, preservation, protection, recharging, and prevention of waste of groundwater and control of subsidence in the management area. This would not prohibit the establishment of DFCs that provided for the reasonable long-term management of groundwater resources consistent with the management goals.

DFCs would have to be approved by a two-thirds vote of all district representatives for distribution to the districts in the management area.

Technical staff and subcommittees. CSSB 660 would require the Texas Commission on Environmental Quality (TCEQ) and TWDB, upon request, to make technical staff available to serve in a nonvoting advisory capacity to assist with the development of DFCs during the joint planning process.

During the joint planning process, district representatives could appoint and convene nonvoting advisory subcommittees that represented social, governmental, environmental, or economic interests to assist in the development of DFCs.

Public notice and comment on proposed DFCs at the district level. A 30- to 90-day public comment period on the proposed DFCs would begin on the day they were mailed to the districts. During the public comment period, the district would be required to make a copy of the proposed DFCs available as well as supporting materials, such as factors considered and groundwater availability model run results.

During the comment period and after notice was posted, each district would be required to hold a public hearing on proposed DFC relevant to that district.

Notice would be required to be posted at least 10 days before a hearing at which a district would adopt a DFC. This notice requirement would apply only to a hearing that occurred on or after September 1, 2011.

Adoption of DFCs for the management area. After the district public hearing, the districts would be required to compile a summary of relevant comments received, any suggested revisions to the proposed DFCs, and the basis for the revisions for consideration at the next joint planning meeting.

After all the districts had submitted their district summaries or the public comment period had expired, whichever came first, the district representatives would be required to reconvene to review the reports, consider any district's suggested revisions to the proposed DFCs, and finally adopt the desired future conditions for the management area.

The DFCs would have to be adopted as a resolution by a two-thirds vote of all the district representatives. Within 60 days of adopting DFCs, the districts in a management area would be required to submit to TWDB the adopted DFCs, proof that notice was posted for the joint planning meeting, and the DFC explanatory report.

Explanatory report. The district representatives would be required to produce a DFCs explanatory report for the management area. The explanatory report would have to:

- identify each DFC;
- provide the policy and technical justifications for each DFC;
- include documentation that the required factors were considered by the districts and a discussion of how the adopted DFCs impacted each factor;
- list other DFC options considered, if any, and the reasons those options were not adopted; and
- discuss reasons that recommendations made by advisory committees and public comments received by the districts were or were not incorporated into the DFCs.

The procedure for adopting and reporting of DFCs of groundwater resources in a management area would apply only to the adoption of DFCs that occur on or after September 1, 2011.

Adoption of DFCs by individual districts. As soon as possible after a district received the DFCs adoption resolution and explanatory report for the management area, the individual districts would be required to adopt relevant DFCs.

District management plans. Each district in the management area would be required to ensure that its management plan contained goals and objectives consistent with achieving the DFCs of the relevant aquifers as adopted by the joint planning process.

CSSB 660 would require that management plans include DFCs before the plan was considered administratively complete. This would apply only to a district management plan submitted on or after September 1, 2011.

Petition for inquiry of a DFC. CSSB 660 would amend and add reasons that an affected person, as defined by the bill, could file a petition for inquiry with TCEQ for the reason that a district failed to:

- submit its management plan to TCEQ;
- participate in the joint planning process
- adopt rules;
- adopt the applicable DFCs adopted by the management area at a joint meeting;
- update its management plan within two years of the adoption of the DFCs by the management area;
- update its rules to implement the applicable DFCs within a year of updating its management plan with the adopted DFCs.

Administrative appeal of DFCs. CSSB 660 would remove TWDB's reasonableness petition process and instead allow an affected person to petition an individual district and request the district contract with the State Office of Administrative Hearings (SOAH) to challenge the DFC, including the reasonableness of the DFC. A reasonableness petition filed and pending with TWDB before September 1, 2011, would continue to be handled by TWDB.

An affected person could file a petition with the district within 180 days of a district adopting a DFC. The district would be required to contract with SOAH, request a contested case hearing, and submit a copy of the petition to SOAH within 45 days of receiving the request.

A hearing would have to be held at the district office or regular meeting location of the board unless the board provided for hearings to be held at a different location.

The district could adopt rules for the hearing that were consistent with the procedural rules of SOAH.

The district would be required to provide general notice of the hearing and individual notice of the hearing to the petitioner, any other party in the hearing, each nonparty district and regional water planning group in the management area, TWDB, and TCEQ. Only an affected person would be able to participate as a party in the hearing.

CSSB 660 would require SOAH to hold a prehearing conference to determine preliminary matters, including:

- whether the petition should be dismissed for failure to state a claim on which relief could be granted;
- whether a person was an affected person and eligible to participate as a party in the hearing; and
- naming parties to the hearing.

CSSB 660 would require the party requesting the hearing to pay all costs associated with the SOAH contract for the hearing and to pay the district a sufficient deposit before the hearing began. The district would have to refund any excess money.

Final order. On receipt of the administrative law judge's findings of fact and conclusions of law in a proposal for decision, including a dismissal of a petition, the district's board would be required to issue a final order stating the district's decision on the contested matter and the district's findings of fact and conclusions of law. TWDB could change a finding of fact or conclusion of law made by the administrative law judge or could vacate or modify an order issued by the administrative law judge.

Unreasonable DFC. If the district in its final order found that a DFC was unreasonable, the districts in the management area would be required to reconvene in a joint planning meeting within 30 days of the final order to revise the DFC.

A district's final order finding that a DFC was unreasonable would not invalidate the DFC for a district not subject to the petition.

Court appeal of DFCs to a district court. A final district order could be appealed under the substantial evidence standard of review. The venue for appeal would be a district court with jurisdiction over any part of the territory in the management area that included the district whose final order was being appealed.

Finding of unreasonable DFC. If the court found that a DFC was unreasonable, the court would be required to strike the DFC and order the districts in the management area to reconvene in a joint planning meeting within 30 days of the court's decision to revise the DFC.

Membership on regional planning group. CSSB 660 would require a representative of a groundwater conservation district in each groundwater management area that overlapped with a regional water planning group to serve as a member of that regional water planning group. The management area representative would have to represent a district located in the regional water planning area.

As soon as practicable after September 1, 2011, groundwater conservation districts would be required to appoint initial representatives to regional water planning groups.

Regional water planning groups' use of desired future conditions. Regional water planning groups would be required to use the desired future conditions in place at the time of adoption of TWDB's state water plan in the next regional water planning cycle.

Evaluating the state's progress in meeting water needs. CSSB 660 would provide that the state water plan include:

- an evaluation of the state's progress in meeting future water needs, including an evaluation of the extent to which water management strategies and projects implemented after the adoption of the last state water plan had affected that progress; and
- an analysis of the number of projects in the last state water plan that received financial assistance from TWDB.

The bill would authorize TWDB to obtain implementation data from the regional water planning groups to assist in evaluating the state's progress in meeting future water needs.

Gallons per capita per day reporting (GPCD) requirements. By January 1, 2013, TWDB and TCEQ, in consultation with the Water Conservation Advisory Council, would be required to develop a uniform system for calculating municipal water use in gallons per capita per day to be used by each entity required to submit a water conservation plan.

TWDB and TCEQ would be required to adopt rules requiring the uniform water use calculation system to be used in the water conservation plans and reports.

At a minimum, the rules would have to require an entity to report the most detailed level of municipal water use data available to the entity. TWDB and TCEQ would be prohibited from adopting a rule that required an entity to report data that was more detailed than the entity's billing system was capable of producing.

Treatment of Development Fund bonds. Under CSSB 660, water financial assistance bonds that had been authorized, but not issued would not be considered state debt payable from the General Revenue Fund until the Legislature made an appropriation from the general revenue to TWDB to pay the debt service on the bonds.

CSSB 660 would require TWDB, when requesting approval for the issuance of bonds, to certify to the Bond Review Board the source of bond payment, either general revenue or other revenue sources, on the proposed bond issuance.

The Bond Review Board would have to verify whether the debt service on bonds to be issued by TWDB was state debt to be paid from general revenue and was therefore nonself-supporting. Nonself-supporting bonds no longer would be considered nonself-supporting and would be removed from the constitutional debt limit calculation if:

- the bonds were backed by insurance or another form of guarantee that ensured payment from a source other than general revenue; or

- TWDB demonstrated to the Bond Review Board that the bonds no longer required payment from general revenue and the Bond Review Board certified this to the LBB.

Legal action for default on financial assistance programs. CSSB 660 would authorize TWDB to request the attorney general to take legal action, including receivership, to compel a recipient of any of TWDB's financial assistance programs to cure default in payment. The venue of this type of proceeding would be a district court in Travis County.

The attorney general could recover reasonable attorney's fees, investigative costs, and court costs incurred on behalf of the state in the proceeding in the same manner as provided by general law for a private litigant.

Texas Natural Resources Information System (TNRIS) duties and reporting.

TNRIS duties. CSSB 660 would require TCEQ to designate the director of TNRIS to serve as the state geographic information officer. The state geographic information officer would be required to:

- coordinate the acquisition and use of high-priority imagery and data sets;
- establish, support, and disseminate authoritative statewide geographic data sets;
- support geographic data needs of emergency management responders during emergencies;
- monitor trends in geographic information technology; and
- support public access to state geographic data and resources.

TNRIS report to the Legislature. By December 1, 2016, and every five years after, TWDB, in consultation with stakeholders, would be required to submit to the governor, the lieutenant governor, and the speaker of the House a report on certain needs and initiatives.

TWDB could establish one or more advisory committees to assist in preparing the report. TWDB would consider representatives of state agencies that were major users of geographic data, federal agencies, local governments, and the Department of Information Resources for appointment to an advisory committee.

Abolishing the Texas Geographic Information Council. CSSB 660 would abolish the Texas Geographic Information Council.

Effective date. The bill would take effect September 1, 2011.

**SUPPORTERS
SAY:**

As a result of the Sunset Advisory Commission's review of the Texas Water Development Board (TWDB), CSSB 660 would make several statutory modifications to improve the functions and duties of the agency.

Desired future conditions. CSSB 660 would replace the process to challenge the reasonableness of desired future conditions (DFCs) at TWDB with a process to appeal a groundwater conservation district's DFCs to the State Office of Administrative Hearings (SOAH). The bill would provide a due process remedy that currently is lacking. The current process for questioning the reasonableness of DFCs at TWDB lacks standard components of administrative processes designed to ensure a clear, fair resolution. TWDB's petition process lacks the components of a standard administrative process and does not provide a meaningful final resolution.

Appeals to district court under substantial evidence review require some evidence for review, so the SOAH hearing would be important. Once a case reaches district court, a substantial evidence review would be a simpler, faster, less expensive process than a trial de novo would be.

CSSB 660 also would establish a more rigorous process for adopting DFCs. It would promote more input into the joint planning process during the establishment of the DFC and improve the process for local decision-making in groundwater matters.

It is critical that there be meaningful checks and balances in the establishment of DFCs and in determining what is reasonable. The bill would require that the established DFCs provide a balance between the highest practicable level of groundwater production and the conservation of the resource. This was consensus language agreed to by stakeholders in developing the language of the bill. While there are concerns that in the balancing test, the term "highest practicable level" of groundwater production was not defined and could be difficult to prove, similar language on "highest practicable level" currently is in surface water law on water conservation related to applying for an interbasin transfer. In surface water law, however, there is nothing against which to balance the

“highest practicable level,” which leaves it open-ended. That would not be a problem under CSSB 660 because conservation, preservation, protection, recharge, and prevention of waste of groundwater and control of subsidence in the management area would be balanced against the highest practicable level of groundwater production.

Membership on regional planning group. CSSB 660 would require a representative of a groundwater conservation district in each groundwater management area that overlaps with a regional water planning group to serve as a member of that regional water planning group. The management area representative would have to represent a district located in the regional water planning area. This would help prevent any disconnect in developing desired future conditions and planning to meet the state’s future water needs.

Groundwater management area boundaries currently do not align with regional water planning boundaries. Groundwater conservation districts may informally reach out to regional water planning groups with overlapping jurisdictions, but nothing ensures coordination takes place between the entities in determining the amount of available groundwater for planning.

Regional water planning groups’ use of desired future conditions. CSSB 660 would require regional water planning groups to use the DFCs in place at the time of adoption of TWDB’s state water plan in the next regional water planning cycle. This would better align the water planning process with the process for developing DFCs.

Regional water planning groups begin planning for the next regional water plan as soon as their current plan is adopted for incorporation into the state water plan, if not sooner. DFCs, which must be readopted at least once every five years, will not be established in time for consideration in the next round of regional water planning. The timeframes for completing DFCs always lag behind the regional water planning process such that groundwater availability numbers are out of date for broader planning purposes. Timing of the adoption of DFCs can result in the use of out-of-date information for broader planning purposes. Without specifying a point in time at which a DFC will be used in the next round of water planning, groundwater management areas lack certainty on the time by which a DFC would need to be readopted for use in water planning.

Evaluating the state's progress in meeting water needs. CSSB 660 would require TWDB to evaluate the state's progress in meeting its water needs as part of the state water plan. As TWDB completes the third round of planning and more water strategies are implemented, TWDB has a greater need to see how strategy implementation affects overall planning and whether the state is on track to meet future water demands.

TWDB does track state water plan projects receiving its financial assistance, but has not assessed the impact of those projects, or others not receiving financial assistance, in meeting needs outlined in the state water plan. Without a compilation of all implementation data, the state misses the opportunity to evaluate whether newly developed water supply projects, conservation efforts, and other strategies actually are meeting future needs.

Gallons per capita per day (GPCD) reporting requirements. In 2007, the Legislature established the Water Conservation Advisory Council to monitor development and implementation of the state's water conservation efforts. The council's 2008 report made several recommendations, including water conservation implementation and measurement, specifically focusing on GPCD methodologies. Under CSSB 660, TWDB and TCEQ would have to work with the Water Conservation Advisory Council to develop uniform GPCD reporting requirements outlining how entities calculated and reported municipal water use.

Treatment of Development Fund bonds. CSSB 660 would codify the current practice for determining how the TWDB's general obligation water development bonds were treated for purposes of calculating the constitutional debt limit.

Under CSSB 660, the TWDB's general obligation bonds would not be considered state debt payable from general revenue for purposes of calculating the constitutional debt limit until the Legislature appropriated general revenue for debt service on TWDB's bonds and only for as long as the Legislature continued to do so.

Unlike debt at other state agencies, TWDB's Development Fund debt has both self-supporting and non-self-supporting components. Self-supporting debt is not factored into the constitutional debt limit. In the calculation of the constitutional debt limit, the Texas Constitution allows for bonds "reasonably expected to be paid from other revenue sources and

that are not expected to create a general revenue draw” to be excluded from the calculation until “any portion of the bonds or agreements subsequently requires use of the state’s general revenue for payment.” As a historical and current practice, both the Bond Review Board and the LBB consider TWDB’s bond authority self-supporting unless the Legislature appropriates funds for debt service, at which point that portion of the authority becomes non-self-supporting and is included in the constitutional debt limit calculation.

Legal action for default in payment of financial assistance programs. CSSB 660 would ensure that TWDB had full statutory authority across all funding programs to request the attorney general to compel borrowers to perform specific duties legally required of them in documents such as bond ordinances and loan and grant agreements. This would provide TWDB consistent statutory authority across all financial assistance programs and all types of borrowing entities, including water supply corporations.

Texas Natural Resources Information System (TNRIS). CSSB 660 would clarify the duties of TNRIS. TNRIS currently lacks clear statutory direction to coordinate and advance geographic information system (GIS) initiatives. While current law clearly establishes TNRIS as the state’s centralized clearinghouse and referral center for geographic data, it does not clearly outline its other responsibilities. The addition of significant functions and funding has informally made TNRIS the state’s leader in coordinating and acquiring geographic data. Stakeholders, such as state, local, and federal agencies, rely on and benefit from TNRIS’ coordination of partnerships for the use and acquisition of GIS data, contributing to significant cost savings for the state. Despite this high-level recognition of TNRIS, it still is not clearly established as the state’s leader on GIS matters. CSSB 660 would designate the director of TNRIS as the State Geographic Information Officer with clearly outlined duties.

Abolishing the Texas Geographic Information Council (TGIC). CSSB 660 would abolish the TGIC. The TGIC is ineffective and does not provide leadership or coordination for advancing statewide geographic information system (GIS) initiatives.

The TGIC does not take an active role in advising decision makers about the availability and use of GIS information and does not effectively advance the use of GIS data and technology for the support of state

government operations or to address state policy needs. Also, TGIC's statutory responsibilities are either already performed by TNRIS or are no longer needed.

OPPONENTS
SAY:

While CSSB 660 would make some statutory modifications that would improve the functions and duties of the agency, some of the modifications are unnecessary and could cause additional confusion and burdens to existing processes.

Desired future conditions. CSSB 660 would provide a balancing test for proposed DFCs. Proposed DFCs would have to provide a balance between the highest practicable level of groundwater production and the conservation, preservation, protection, recharging, and prevention of waste of groundwater and control of subsidence in the management area. While the balancing test is an important tool, the term "highest practicable level" of groundwater production would not be defined, making it difficult to prove that the highest practicable level of groundwater production was achieved when adopting a DFC.

CSSB 660 would replace the process for challenging the reasonableness of a DFC at TWDB with a process to appeal an individual district's DFC at SOAH. TWDB is better informed and better able to make decisions regarding DFCs than SOAH would be. Requiring a district to request a contested case hearing could lead to more lawsuits that would not be decided by people with knowledge of the water issues involved.

Membership on regional planning group. CSSB 660 would require a representative of a groundwater conservation district in each groundwater management area that overlapped with a regional water planning group to serve as a member of that regional water planning group. This is unnecessary because the regional planning groups already are well balanced and well represented without adding additional members. Adding additional members to an already large group could confuse and delay the process.

OTHER
OPPONENTS
SAY:

While CSSB 660 would make much-needed improvements to the DFC adoption process, it would provide that a DFC be appealed through an evidentiary hearing. It may be more appropriate to treat the appeal as a rulemaking standard rather than an adjudicative type standard. For example, contested cases do not apply to rules or plans adopted at other regulatory agencies, such as rules at TCEQ or TWDB's state water plan.

NOTES:

Comparison of substitute to original. The committee substitute made several changes to the Senate-passed version of the bill, including:

- requiring proposed desired future conditions provide a balance between the highest practicable level of groundwater production and the conservation, preservation, protection, recharging, and prevention of waste of groundwater and control of subsidence in the management area;
- changing requirements for a district's public comment period from 30 days in the original bill to not less than 30 or more than 90 days;
- allowing the district representatives to elect one district to be responsible for providing the notice of a joint meeting that otherwise would be required of each district in the management area;
- removing a provision in the original bill requiring uniform notice for joint planning meetings and requiring the secretary of state and the county clerk of each county to post notice of the meeting;
- authorizing an affected person, within 180 days of a district's adopting a desired future condition, to file a petition with the district requesting that the district contract with SOAH to conduct a hearing to appeal the desired future condition, including the reasonableness of the desired future condition;
- requiring SOAH to hold a prehearing conference to determine certain preliminary matters;
- authorizing a final district order to be appealed under the substantial evidence standard of review as provided by certain provisions of the Administrative Procedures Act;
- providing that the venue for an appeal would be a district court with jurisdiction over any part of the territory in the management area that included the district whose final order was being appealed; and
- requiring the court, if the court found that a desired future condition was unreasonable, to order the districts in the management area to reconvene in a joint planning meeting not later than the 30th day after the date of the court's decision to revise the desired future condition.

Similar bills. HB 1547 by Larson, with similar provisions on desired future conditions, was passed the House by 138-0 on May 13 and was referred to the Senate Natural Resources Committee on May 16. SB 693 by Estes, which contains similar provisions on the SOAH appeal, has

passed the Senate and the House and was signed by the governor on May 12. HB 1732 by Ritter, which contains similar provisions on treatment of Development Fund bonds, passed the House by 143-0 on April 6 and was referred to the Senate Finance Committee on April 14.