

Establishing a smart growth work group

SB 2169 by Ellis (Alvarado)

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- DIGEST:** SB 2169 would have established a smart growth work group consisting of representatives from a number of state agencies. The work group would have developed, in collaboration with local governments and policy experts, a comprehensive smart growth plan for the state that would have included making recommendations to the Legislature on issues concerning housing, transportation, health, the environment, and other concerns. The work group would have submitted a report to the Legislature on the smart growth plan and policies by January 1, 2011.
- GOVERNOR'S REASON FOR VETO:** “Senate Bill No. 2169 would create a new governmental body that would centralize the decision-making process in Austin for the planning of communities through an interagency work group on ‘smart growth’ policy. Decisions about the growth of communities should be made by local governments closest to the people living and working in these areas. Local governments can already adopt ‘smart growth’ policies based on the desires of the community without a state-led effort that endorses such planning. This legislation would promote a one-size-fits-all approach to land use and planning that would not work across a state as large and diverse as Texas.”
- RESPONSE:** **Sen. Rodney Ellis**, the bill’s author, said: “Governor Perry’s veto message showed he clearly did not understand the bill. It would not have ‘centralized the decision making process.’ The smart growth work group would have had no decision making authority whatsoever. I even clarified this, at the request of the governor’s staff, so that the wording was changed from ‘develop policies’ (which they would have had no authority to implement anyway) to ‘make recommendations’ and yet still he vetoed it.
- “The governor said these are local decisions. The bill specifically said the work group had to work with local governments to develop their report. But these local decisions affect the operations of the Department of Transportation, the Water Development Board, and other state agencies. To have them work together for economic development that enhances the environment would have been helpful for long term planning in the state.
- “This bill was intended to begin a discussion about development and how it impacts quality of life. It would have opened up lines of communications between governmental agencies. I’m very disappointed that the governor vetoed it.”
- Rep. Carol Alvarado**, the House sponsor, said: “I am disappointed with Governor Perry’s veto of SB 2169. This bill would have simply provided for a group made up of representatives from various state agencies working together with local communities to make recommendations of what smart growth would look like in our

state. This would have created a forum for state agencies involved in the statewide development process to talk about growth-related issues and gather practical information, best practices and lessons learned that could have been extremely beneficial for future development in our state.

“Governor Perry’s assertion that the bill would centralize the decision-making process is off the mark and inaccurate. In no manner did SB 2169 give the smart growth work group any decision making authority.

“The contention that ‘this legislation would promote a one-size-fits-all approach’ is in direct opposition to the basic idea behind smart growth. The smart growth work group would have worked closely with local governments and communities to find recommendations that are unique to each community. The main idea behind smart growth is to find the most beneficial plan for each community and by its very nature is not one-size-fits-all.”

NOTES:

SB 2169 passed the House on the Local, Consent, and Resolutions Calendar and was not analyzed in a *Daily Floor Report*.