



**THE ATTORNEY GENERAL  
OF TEXAS**

**CRAWFORD C. MARTIN  
ATTORNEY GENERAL**

**AUSTIN, TEXAS 78711**

June 5, 1972

Hon. Hugh C. Yantis, Jr.  
Executive Director  
Texas Water Quality Board  
314 West 11th Street  
Austin, Texas 78711

Opinion No. M- 1138

Re: Legality of Texas  
Water Quality Board  
supplying public  
with "Clean Water"  
bumper stickers.

Dear Mr. Yantis:

Your agency has an Environmental Education Program as part of your activity. In furtherance of the objectives of that program you desire to use appropriated funds in the manufacture or printing of "Clean Water" bumper stickers for public distribution. As to the legality, you request our opinion.

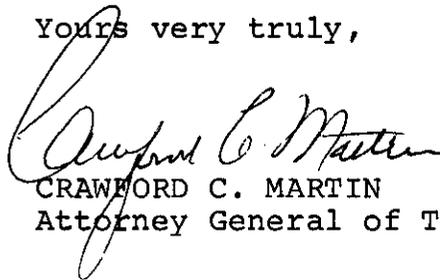
It is our opinion that this expenditure would be legal. It would be no different, except physically, than instruction sheets, pamphlets and other appropriate printing or purchase in carrying out the function of your agency. Our Courts have favored State agencies in holding constitutional their expenditures for carrying on their necessary functions. National Biscuit Co. v. State, 134 Tex. 293, 135 S.W.2d 687 (1940); Terrell v. Sparks, 104 Tex. 191, 135 S.W. 519 (1911). The purpose is within the Texas Water Quality Act. Sec. 21.002, 21.061, 21.067, Water Code, Vernon's Civil Statutes.

Where the law confers a responsibility or power upon a board, the authority to do such things as are reasonably necessary to carry into effect that responsibility or power is implied. 47 Tex.Jur.2d 145, Public Officers, Section 110. This office has heretofore relied upon this principle in finding authority for an agency to publish a newsletter or bulletin at state expense concerning matter related to its statutory responsibilities. Attorney General Opinion Nos. M-828 (1971) and M-439 (1969).

S U M M A R Y

The Texas Water Quality Board may produce and distribute public "Clean Water" bumper stickers as part of its Environmental Education Program.

Yours very truly,



CRAWFORD C. MARTIN  
Attorney General of Texas

Prepared by Vince Taylor  
Assistant Attorney General

APPROVED:  
OPINION COMMITTEE

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