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# Lawmakers seek to clarify gun law

Many state agencies are considering banning concealed guns on their property.

AUSTIN (AP) — With an increasing number of cities and government agencies taking steps to keep licensed citizens from bringing concealed guns on their property, sponsors of the state's new right to carry law set out Wednesday to clarify the issue.

"We have a lot of bad signals being sent and a lot of those are wrong," said Sen. Jerry Patterson, R-Pasadena, an author of the gun law.

Cities — including Austin and Grand Prairie, near Dallas — have approved ordinances restricting where citizens will be able to take concealed guns when state licenses go into effect Jan. 1.

Transit authorities in Houston and Austin have passed rules banning concealed guns. Other transit services, including those in Dallas and San Antonio, are considering similar action.

The Texas Department of Public Safety, which is processing the concealed gun licenses, approved an emergency rule in October that would prohibit concealed guns on its property. The DPS is taking public comment before making it a permanent rule. The Texas Department of Transportation was to consider similar action.

Patterson said local governments are violating the constitution and the legislative intent of the right to carry law by imposing restrictions.

During a Capitol news conference, Patterson got so stirred up that he nearly advocated ignoring the local policies being put in place.

"I would suggest that a citizen do what state laws allow them to do and ignore metro rules," he said before backing off from the statement.

He later said, "You can be right and still go to jail. Citizens should obey the policies until they can be cleared up, most likely through legal opinions from the attorney general."

But Texas Attorney General Dan Morales' office said Wednesday that it stands by opinions issued earlier this year.

Those opinions said transit authorities and businesses may ban the carrying of guns; counties may prohibit concealed handguns within county parks; and local and state officials may ban guns in public buildings.

"We gave good solid legal opinions and there is no reason to revisit those opinions," said Morales spokesman Ward Tisdale.

Patterson said he expected

the DPS and Department of Transportation to reconsider their actions.

"The DPS will probably announce a retraction," he said. "The Department of Transportation would be overstepping its bounds."

Sherri Deatherage Green, spokeswoman for the DPS, said, "Any time lawmakers specifically raise questions about something the DPS is doing, we will take another look at it. That's the point where we are with these rules anyway, taking and responding to public comment."

Green said, "These rules were not intended in any way to reflect on the law. The intent was to maintain safety at DPS offices and driver license offices. People are routinely arrested at driver license offices all over the state when they come in to get licenses renewed."

# Groups disagree about Texas' air quality

The Clean Air Network said the state has done little to change the level of air pollution.

AUSTIN (AP) — The State of Texas is not doing enough — and wants to do less — to curb smog and ozone problems in its cities, a coalition of environmental groups said Wednesday.

The Clean Air Network, a Washington D.C.-based coalition, released a report on states' efforts to deal with air pollution. The group said Texas has not done enough to curb pollution from power plants and refineries and has done little to reduce motor vehicle pollution.

But the Texas Natural Resource Conservation Commission said the group is wrong.

"This evaluation is an inaccurate characterization of what is going on in Texas," said TNRCC Chairman Barry McBee. "Texas has made and is continuing to make significant progress in air quality."

McBee said that after new rules were put in place last year, industrial facilities across Texas reported lower pollution emissions.

And he said the state is working closely with federal officials on programs to reduce

air pollution from automobiles and non-road engines, like lawn mowers.

Ken Kramer, head of the Texas Sierra Club and a member of the Clean Air Network, said too many Texans continue to breathe air that does not meet federal clean air standards. Four large areas, including Houston-Galveston, Dallas-Ft. Worth, Beaumont-Port Arthur and El Paso, do not meet the federal standards.

**"Unless we reverse course, we will be breathing dirty air for many years to come."**

— Ken Kramer  
Texas Sierra Club

Kramer said earlier this year Texas could have been commended for its efforts to reduce vehicle-related ozone through an emissions testing program that started in January. But the Legislature's action to cancel the program and come up with a substitute puts Texans at risk, he charged.

"Unless we reverse course, we will be breathing dirty air for many years to come," he said.

Lawmakers scrapped the emissions testing plan just after it started because they said it was inconvenient and costly to drivers. Instead, the TNRCC has submitted to the federal Environmental Protection Agency a three-part testing system that would allow motorists their choice of tests.

The plan has not been formally submitted for approval, TNRCC Commissioner Ralph Marquez said.

Neil Carman, another Sierra Club official, said even though thousands of Texans face increased risks of respiratory problems because of the high pollution levels, the TNRCC is backing a plan for lower standards.

"With slight of hand and smoke and mirrors there will be no ozone problem," he said.

Pollution levels currently are measured in one-hour increments at several separate sites in a given area. If any of the measurements shows more than the allowable pollution level, the entire area is considered too high.

The new plan would measure pollution in eight-hour periods and would average all monitoring sites in a given area to come up with an eight-hour total average pollution level.

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