

CHAPTER 750

H.B. No. 2504

AN ACT

relating to the number and terms of commissioners of the Brownsville Navigation District.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Sections 2 and 3, Chapter 192, Acts of the 41st Legislature, Regular Session, 1929, are amended to read as follows:

Sec. 2. The management and control of said "Brownsville Navigation District of Cameron County, Texas," is hereby vested in a Board of Navigation and Canal Commissioners, which Board shall be composed of *five* [~~three~~] persons who shall reside in the district and shall be qualified voters therein, who shall have the same powers and authority conferred and imposed upon the Navigation and Canal Commissioners of Navigation Districts, by Chapter 5 of the Acts of the 39th Legislature, and Acts

amendatory thereof, except as herein otherwise provided. [~~The three Navigation and Canal Commissioners appointed by the Commissioners Court of Cameron County, Texas, on the 26th day of December, 1928, and now holding office, shall discharge the duties of Navigation and Canal Commissioners for such district, until their successors are elected and qualified in the manner hereinafter provided.~~]

Sec. 3. There shall be held a general election in said "Brownsville Navigation District of Cameron County, Texas," *in* [~~on the first Tuesday in December, A.D.1930, and on the first Tuesday of~~] each *even-numbered* [~~even~~] year *on the third Saturday in May* [~~thereafter~~], at which time there shall be elected *the appropriate number of* [~~three~~] Navigation and Canal Commissioners for such district, who shall hold office for a term of *four* [~~two~~] years, and until their successors are elected and *have* qualified.

SECTION 2. All resolutions, orders, and other acts or attempted acts of the board of directors of the Brownsville Navigation District of Cameron County, Texas, the election of commissioners of the district, and all proceedings of the district, authorizing the issuance of bonds of the district, including voted but unissued bonds of the district, bond elections, and the bond taxes voted for those bonds, and all contracts are validated in all respects. All the resolutions, orders, and other acts or attempted acts of the board of directors of the district, election of commissioners, all proceedings of the district, the district's bonds, bond elections, bond taxes, pledged revenues, and contracts shall be valid as though they had originally been duly and legally authorized or accomplished.

SECTION 3. Section 2 of this Act does not apply to or affect litigation now pending in any court of competent jurisdiction in this state to which the district is a party.

SECTION 4. (a) This Act takes effect September 1, 1987, and applies to all commissioners elected on and after that date. Commissioners who are serving on the effective date of this Act shall continue to serve until their successors are elected and have qualified under this section. The additional positions on the board of navigation and canal commissioners created by this Act shall be filled at the election to be held in 1988, and until that time the district shall be governed by a board of three commissioners.

(b) At the commissioners election held in 1988, four commissioners shall be elected. Those commissioners shall draw lots to determine which one commissioner will serve a two-year term and which three serve four-year terms. The commissioners serve until their successors are elected and have qualified. Successor commissioners elected at the elections held in 1990 and 1992 serve four-year terms.

(c) The commissioner elected at the election held in October 1986 serves until the election held in May 1990 and until his successor is elected and has qualified.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 13, 1987, by a non-record vote; and, pursuant to the provisions of Article XVI, Section 59(d) of the Constitution of Texas, a copy of H.B. No. 2504 was transmitted to the Governor on March 18, 1987, and the recommendation of the Texas Water Commission was filed with the Speaker of the House on April 1, 1987. Passed by the Senate on May 25, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 20, 1987.

Effective Sept. 1, 1987.