

First Extraordinary Session, 2005

HOUSE CONCURRENT RESOLUTION NO. 59

BY REPRESENTATIVES RICHMOND AND BRUNEAU

A CONCURRENT RESOLUTION

To urge and request the attorney general to file suit seeking a declaratory judgment holding that the flooding of New Orleans was caused by a design or construction defect, as opposed to an Act of God or natural flooding caused by Hurricane Katrina.

WHEREAS, the citizens of the city of New Orleans have suffered devastating losses of life and property primarily due to the flooding which occurred subsequent to Hurricane Katrina hitting the Louisiana coast and the city of New Orleans; and

WHEREAS, the flooding of the city of New Orleans was the result of the breaching of the levee system; and

WHEREAS, according to findings of engineering teams from the University of California, Berkeley, and Louisiana State University, the breaching of the levee system was the result of negligent design and/or construction of the levees and floodwalls by the Army Corps of Engineers and/or its contractors; and

WHEREAS, due to the negligent design and construction, the flooding of the city of New Orleans was a manmade disaster and not a natural disaster or an Act of God; and

WHEREAS, the determination of this matter may very well have a substantial effect upon the nature and amount of insurance coverage for citizens affected by this disaster.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the attorney general of the state of Louisiana to file a lawsuit seeking a declaratory judgment holding that the flooding of New Orleans was caused by a design or construction defect, as opposed to an Act of God or natural flooding caused by Hurricane Katrina.

BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted to the attorney general of the state of Louisiana.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE