

The Times-Picayune

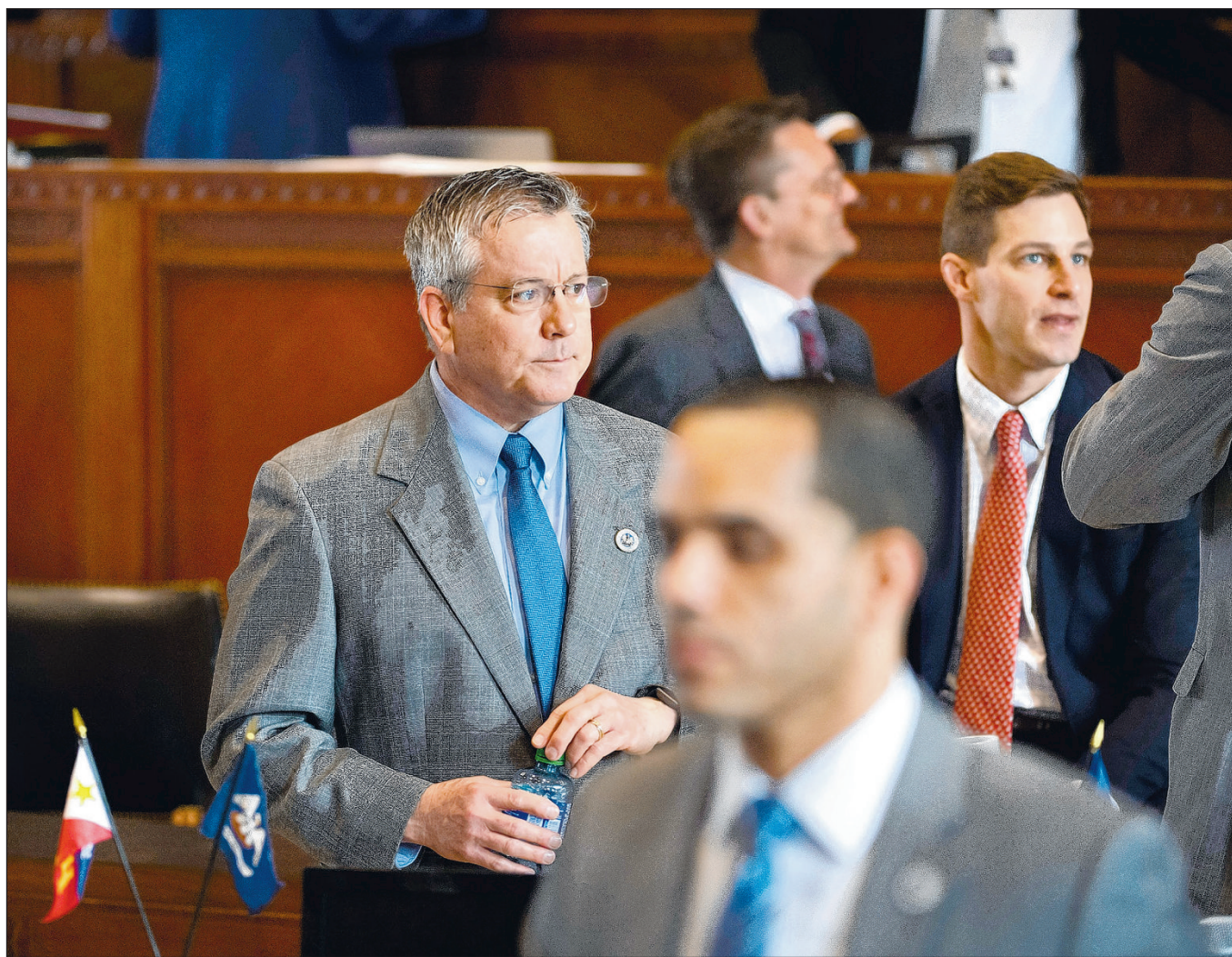
THE NEW ORLEANS ADVOCATE

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2023 LEGISLATURE
SPECIAL SESSION

Legislature starts debate on insurance lifelines



STAFF PHOTO BY TRAVIS SPRADLING

House Bill 1 author Rep. Jerome Zeringue, R-Houma, left, and HB2 author Rep. John Stefanski, R-Crowley, right, wait in the House chamber Monday after adjournment of the first day of a special legislative session.

Special session to address availability of affordable coverage

BY WILL SENTELL
Staff writer

The state Legislature began a special session Monday aimed at ensuring people will still have access to affordable property insurance after a string of hurricanes damaged and destroyed homes and businesses across Louisiana, upending the market.

The gathering, which must end by Feb. 5, was limited to ceremonial, opening-day duties ahead of the first substantive debate Tuesday.

Teed up for consideration Tuesday by

the House Appropriations Committee is a key measure that would allocate \$45 million to a state incentive fund to entice insurance companies to write policies in Louisiana.

Committee Chair Rep. Jerome “Zee” Zeringue, R-Houma, is the sponsor of the three-page proposal, House Bill 1.

Zeringue’s House district was among areas heavily damaged when Hurricane Ida roared ashore in 2021, one in a series of storms that year and the year before.

Under the plan, firms would have to put up \$1 for each dollar of state aid.

Backers say the move is a short-term

fix until bigger changes can be debated during the 2023 regular session, which begins in April.

State Insurance Commissioner Jim Donelon has been calling for the special session for months amid what he calls a crisis for homeowners unable to afford insurance.

Gov. John Bel Edwards and legislative leaders were initially reluctant to meet before the regular session.

What changed, officials said, is the need for insurance firms to get reinsurance of

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NEW ORLEANS CITY COUNCIL

Nuisance ordinance proposed

Measure would allow city to fine or even close businesses

BY MATT SLEDGE and LEAH CLARK
Staff writers

The city would gain the power to shutter businesses that repeatedly play host to drug use, stolen property and violence under a proposed “padlock” ordinance that drew the support of most New Orleans City Council members at a hearing Monday.

The proposal, from at-large Council member Helena Moreno, which is set for a full council vote Thursday, requires problem businesses to work with the New Orleans Police Department to mend their ways or risk \$500 daily fines and emergency closure.

Days after New Orleans started the year with a burst of deadly gun violence, council members pledged they would pursue a package of legislation meant to chip away at the city’s crime problem.

Council members are also pursuing legislation calling for outside police agencies to be brought in to backstop New Orleans cops, to crank up enforcement of illegal dumping and to launch an ad campaign against leaving unsecured guns in cars.

With residents up in arms about crime, some council members say they’re taking action — and likely trying to draw an implicit contrast with Mayor LaToya Cantrell, who is also touting her work to bring in more officers and take other crime-fighting steps.

Moreno’s ordinance is part of that latest City Council push, and centers on a narrow issue: how to get business owners who create an environment where crime develops to clean up their act.

It’s a topic that often comes up in conversation with aggrieved residents, according to District B Council member Lesli Harris, who said she’s heard repeated complaints about a convenience store in Central City and a bar in Mid-City.

While other legislation in recent years aimed at putting additional restrictions on bars and restaurants has

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Seventh Memphis officer disciplined

3 fire department workers fired in Nichols death

BY ADRIAN SAINZ
Associated Press

MEMPHIS, Tenn. — The Memphis Police Department has disciplined two more officers involved in the arrest, beating and death of Tyre Nichols, the department said Monday, widening the circle of punishment for a killing that has already led to the murder indictment of five officers and outraged the nation with another display of

► **Protest held at Duncan Plaza for Tyre Nichols.**
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police brutality. Officer Preston Hemphill, who is White, was relieved of duty shortly after Nichols’ Jan. 7 arrest, the department said. Five Black officers were fired and charged last week with second-degree murder and other offenses in Nichols’ beating and Jan. 10 death.

Late Monday, the Police Department said another officer had been relieved of duty. Officials did not give a name or specify what role the officer played in the arrest. In total, seven Memphis officers have been disciplined.

Also Monday, Memphis Fire Department officials announced the firing of emergency medical technicians Robert Long and JaMicheal Sandridge and fire Lt. Michelle Whitaker

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ASSOCIATED PRESS PHOTO BY GERALD HERBERT

A person holds a sign as a group of demonstrators gather at dusk in Shelby Farms Park in Memphis in response to the death of Tyre Nichols, who died after being beaten by Memphis police officers following a traffic stop.

Nonprofit: Money influx prevented school crisis

N.O. teacher shortage stemmed by earlier actions, officials say

BY MARIE FAZIO
Staff writer

New Orleans educators had been sounding an alarm for some time, but three years ago, the gravity of the school district’s teacher shortage hit home: The city’s public schools were losing 900 teachers annually, and there was no way the pipeline for replacements would be able to keep up.

Hoping to stem the problem, then-NOLA Public Schools Superintendent Henderson Lewis Jr. and the Orleans Parish School Board put millions of dollars into teacher recruitment

and training programs, as well as stipends for teachers.

According to the education nonprofit New Schools for New Orleans, that influx of money helped prevent a “true crisis.”

In a presentation to the School Board earlier this month, Alex Jarrell, chief innovation officer for the group, said the efforts had brought in more than 400 new teachers over the past three years.

New Orleans public schools bring in between 120-150 new teacher recruits each year but continue to lose many more than that. New Schools has estimated that they need to recruit about 250 teachers from local teacher preparation programs to fill the gap.

“It’s humbling, sobering; it’s frustrating,” Jarrell told the board.

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their own before the regular session and before the start of hurricane season June 1. Insurance companies buy reinsurance to lessen the risk to their own finances from the deluge of claims made against them during disasters.

Donelon said seven insurance companies have indicated interest in the incentive program.

Legislative leaders hope to finish the special session Friday. The gathering costs taxpayers about \$60,000 per day.

The Senate met for about 30 minutes Monday and adjourned until Wednesday while it waits on House action, where the bill must begin.

Senate President Page Cortez, R-Lafayette, said the hope is to wrap up the gathering late Friday morning or early afternoon.

“That is the tentative plan,” Cortez told senators. “Things can change. As we like to say, stay tuned.”

The session is aimed in part at easing pressure on Citizens Property Insurance Corp., the state insurer of last resort.

Policyholders who rely on Citizens pay more than the market rate for coverage by design to keep it from competing with the private sector. Rates for Citizens shot up 63% on Jan. 1, according to a report released Monday by Legislative Auditor Mike Waguespack.

Waguespack said the hike would have been 31% if not for reinsurance costs.

The report said insurance companies saw big profits for 14 of 18 years starting in 2004 — 32.5 cents in losses for every \$1 of premiums before reinsurance.

But the auditor said four of those years — 2005, 2008, 2020 and 2021 — showed losses of \$4.40



STAFF PHOTO BY TRAVIS SPRADLING

House Speaker Clay Schexnayder, R-Gonzales, raps the gavel on Monday, starting the special legislative session aimed at ensuring residents have access to affordable property insurance after multiple hurricanes upended the market.

for each \$1 dollar of premiums for firms.

“The two-year period of 2020 and 2021, with consecutive years of significant disasters in different parts of the state, has placed an ex-

ceptional burden on the property insurance market,” Waguespack said.

The legislative auditor’s review is meant to aid lawmakers as they begin the special session.

The review notes that if the Legislature allocated \$50 million to Citizens, it could boost its reinsurance by up to \$204 million or provide relief to policyholders.

Citizens has about 125,000 poli-

cyholders now, which is roughly double the enrollment during normal times, experts say.

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NUISANCE

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often drawn fierce industry pushback, Moreno’s ordinance doesn’t single out a specific type of business and hasn’t yet drawn any organized opposition.

“It’s not about trying to shut down businesses,” Moreno said. “It’s about trying to come up with solutions.”

Under Moreno’s ordinance, a business could be declared a “chronic nuisance” if police determine that on three or more occasions within a year it was used for illegal drug consumption or production, possession of stolen property or illegal guns, “in furtherance” of crimes of violence or for criminal gang offenses.

Police would send a notice to the business owner, who would have 10 days to begin discussing how to resolve the issue. If the owner fails to respond, police could refer the situation to the city attorney, who would be able to seek a court order fining the business or closing its doors.

Moreno said the process is designed to move faster than the city’s lumbering code enforcement process. Meanwhile, she believes involving judges should allay concerns that the city will arbitrarily target businesses

for closure.

While the ordinance refers only to a “court of competent jurisdiction,” Moreno said it’s her intent for Orleans Parish Civil District Court to oversee cases.

Interim Police Superintendent Michelle Woodfork told the council she supports the legislation as a much-needed tool for police.

Moreno credited the idea of the nuisance ordinance to a similar “padlock law” in Baltimore.

In 2008, that city’s council created legislation allowing properties to be shuttered if they garnered a certain number of offenses within a certain time frame.

While there doesn’t appear to be a public count of how many times the law has been used, it’s been invoked recently as Baltimore battles with its own high levels of gun violence.

Last December, residents of a north Baltimore neighborhood held a rally calling for a gas station to be shut down following a fatal shooting.

Members of the council’s community development committee voted 5-0 in favor of the ordinance Monday, virtually guaranteeing its passage during a full council hearing Thursday.

So far, the proposed ordinance seems to have drawn little public criticism. That’s in stark contrast to other recent debates related to regulations around busi-

nesses, particularly those in the hospitality industry. Former Mayor Mitch Landrieu sparked an outcry from bar owners after he supported closing bars at 3 a.m. and granting the police and fire departments power to suspend alcohol permits on an emergency basis.

Bar and restaurant owners fumed, alleging that the legislation would allow their livelihoods to be stripped away with little recourse.

Landrieu ultimately abandoned the idea for a 3 a.m. last call, and by the time Cantrell was mayor, the City Council passed watered-down legislation that would have allowed the city to suspend alcohol permits only after a hearing. The council appears never to have voted on necessary follow-up legislation to implement that ordinance, however.

One vocal opponent of the earlier legislation said he didn’t see any obvious causes for concern with Moreno’s nuisance business plan. Ethan Ellenstad, executive director of the Music and Culture Coalition of New Orleans, said that while some city ordinances regarding public nuisance laws can mistakenly punish property owners who are victims themselves, this ordinance seems to protect the rights of property owners and businesses.

“I think for this one, it seems to be crafted in a way that is neutral because there

is a transparent process,” Ellenstad said. “It lays out very specific violations in terms of what are the nuisance violations that they are specifically looking for.”

Stan Harris, president and CEO of the Louisiana Restaurant Association, said he hasn’t read the ordinance, but his group generally supports having “a reason-

able regulatory structure that people can follow that doesn’t have room for a lot of subjective interpretation.”

Moreno said she isn’t concerned that the ordinance could unfairly hurt minority business owners because the process is driven by specific, “very serious or violent” incidents.

Still, a spokesperson said she would support a proposal from Harris to add a “report-back” amendment that would allow the council to review how it’s being used after a specific number of days.

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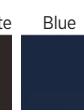
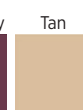
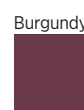


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