

2015 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 74

BY REPRESENTATIVE ARMES

BOARDS/COMMISSIONS: Requests professional licensing boards and commissions to ensure compliance with laws pertaining to licensure of military members and military spouses

1                                 A CONCURRENT RESOLUTION

2 To urge and request that professional and occupational licensing boards comply with R.S.  
3           37:3651 requiring the licensure, certification, or registration of military members and  
4           military spouses to lawfully practice their occupation in this state when certain  
5           conditions are satisfied, to give due consideration to the lawfully recognized interests  
6           of military members and military spouses, and to clarify the intent of the legislature.

7           WHEREAS, the state of Louisiana celebrates and honors all members of the military  
8           and their families for the sacrifices they make to preserve the security, freedoms, and  
9           liberties that enrich both this state and this nation; and

10           WHEREAS, members of the military and their families have earned the eternal  
11           respect, admiration, and gratitude of the state of Louisiana and its citizens, and it is fitting  
12           to recognize their unwavering selflessness and courage by giving due consideration to all  
13           laws meant to protect those members, their families, and their lawfully recognized interests;  
14           and

15           WHEREAS, R.S. 37:3651(C) requires all state agencies, boards, commissions, or  
16           substantially similar entities involved in the licensure, certification, or registration of any  
17           regulated profession or occupation within the state of Louisiana to issue a license,  
18           certification, or registration to a military spouse to lawfully practice the military spouse's  
19           occupation in this state, if, upon application, the military spouse satisfies certain enumerated  
20           conditions; and

1           WHEREAS, R.S. 37:3651(D) provides for the issuance of a temporary practice  
2 permit to a military member or a military spouse during the time period in which the military  
3 member or military spouse is satisfying the requirements for licensure within this state when  
4 the military member or military spouse is licensed, certified, or registered in another  
5 jurisdiction and the standards of that jurisdiction are substantially equivalent to the standards  
6 of this state; and

7           WHEREAS, R.S. 37:3651(E) requires that any individual possessing a temporary  
8 practice permit pursuant to R.S. 37:3651 shall receive priority processing of his application  
9 for licensure, certification, or registration in accordance with rules promulgated by the  
10 applicable professional or occupational licensing board; and

11           WHEREAS, the legislature finds that certain state agencies, boards, commissions,  
12 or substantially similar entities involved in the licensure, certification, or registration of  
13 regulated professions or occupations have too narrowly interpreted the provisions of R.S.  
14 37:3651 resulting in an overly restrictive atmosphere of excluding members of the military  
15 or their spouses from licensure, certification, or registration in their respective professions  
16 or occupations.

17           THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
18 clarify that the intent of R.S. 37:3651 is to give due consideration to the lawfully recognized  
19 interests of members of the military and their spouses and that the provisions of R.S.  
20 37:3651 shall be construed liberally in favor of members of the military and military  
21 spouses.

22           BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
23 secretary of the Department of Veterans Affairs and to the director of boards and  
24 commissions in the office of the governor, who is hereby requested to distribute copies of  
25 this Resolution to the boards and commissions that license, certify, or register persons who  
26 work in professions and occupations of this state.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HCR 74 Engrossed

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Armes

Clarifies that any interpretation of present law (R.S. 37:3651) should be broad and liberally construed in favor of members of the military and military spouses.

Requests the director of boards and commissions in the office of the governor to distribute copies of this Resolution to the boards and commissions that license, certify, or register persons who work in professions and occupations of this state.