

2015 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 74

BY REPRESENTATIVE ARMES

A CONCURRENT RESOLUTION

To urge and request that professional and occupational licensing boards comply with R.S.

37:3651 requiring the licensure, certification, or registration of military members and military spouses to lawfully practice their occupation in this state when certain conditions are satisfied, to give due consideration to the lawfully recognized interests of military members and military spouses, and to clarify the intent of the legislature.

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

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

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

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

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

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

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

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Department of Veterans Affairs and to the director of boards and commissions in the office of the governor, who is hereby requested 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.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE