

**TWELFTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

**SECOND REGULAR SESSION, 2000**

**PUBLIC LAW NO. 12-78**  
**SENATE BILL**  
**NO. 12-84. SD1**

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**AN ACT**

To provide authority to the CNMI Department of Public Safety to submit relevant personal data to Selective Service System in order to register male residents in the **CNMI** as required by Federal Law and to ensure that **CNMI** citizens are in compliance with **Federal** Law pertaining to same.

**BE IT ENACTED BY THE TWELFTH NORTHERN MARIANAS  
COMMONWEALTH LEGISLATURE:**

Section 1. Short Title. This Act shall be cited as “**The CNMI Selective Service Enrollment Act of 2000.**”

Section 2. Findings and Purpose. The Legislature finds that Federal United States (**Military Selective Service Act or “MSSA”**) is not **currently** being complied with by many **CNMI** citizens and permanent residents. The MSSA requires that **all** male registrants residing in the United States, Territories **and** Possessions as permanent residents who are at least eighteen (**18**) years of age but less than twenty-six (26) years of age must register **with Selective Service**. **CNMI** males citizens and permanent residents under eighteen years of age and over twenty-six years of age are **not** required to register. The legislature **finds that** many individuals, through **failure to register** with Selective Service, are missing out on federal opportunities that would otherwise be available to them. For example, unregistered **males** in the Commonwealth do not meet the requirements to apply for **federal** student aid

loans and grants. As **well**, in order to become **employed** in government jobs and in order to train under the Workforce Investment Act, a man within this age bracket must be registered with Selective Service. The legislature **finds** moreover that there are criminal penalties associated with failure to register. **Failure** to register constitutes a violation of federal law. Because of the combined aspects of the existence of the law and mandatory provisions therein, potential lost opportunities to CNMI youth, and possible criminal sanctions for lack of compliance, the legislature finds herein that it is in the interests of the **Commonwealth** to institute a system that will ensure that **all** prospective registrant's are duly registered.

Section 3. Definitions.

(i) "Registrant"\* as used in this act refers to **CNMI** resident males who register at the Department of Public Safety for any license, **license** renewal, provisional license or identification card.

(ii) "**Males**" as used in this act refers to ail men who are at least age eighteen (18) years but who are less than the age of twenty-six (26) years.

(iii) "**Selective Service**" refers to the Selective Service System, an independent Executive **United States** agency that is charged with maintaining **all** records of **all** persons eligible for United States **military** service.

(iv) "Notice" as used in this act refers to legal notification to a registrant that they have actual or constructive **knowledge** of the conditions associated with registering with the Department of Public Safety.

Section 4. Mode of Registration. **This** Act directs The Department of Public Safety to forward, in an electronic format, the necessary personal information required for

registration of the applicant to Selective Service. Such information **shall** be forwarded when registrant appears at the **Department** of **Public** Safety to apply for any one of the **following**:

- (a) An instruction **permit**
- (b) A driver's license
- (c) A provisional drivers license
- (d) A commercial driver's license
- (e) A driver's license renewal
- (f) Identification car, renewal or duplicate

Section 5. ~~Notice~~**applicants'** submission of their application **shall** serve as an indication that the **applicant has already** register& with Selective Service, or that he is authorizing the Department of Public Safety to forward to Selective Service the necessary information for such registration. The Department shall notify the applicant on the application **itself** that his submission of the application will serve as notice of his consent to be registered with the Selective Service System, if so required by federal law. The application at the Department of Public **Safety shall** bear the foilowing statement:

“By submitting this application, I am consenting to registration with the Selective **Service** System, if so required by federal-law”.

Section 6. To Whom This Act Applies. The provisions of this act shall apply to male United States Citizens or immigrants under age 26 who are applying for issuance, renewal or duplicate of an instruction permit, a driver's license, a provisional driver's license, a commercial driver's license, or an identification card on or after **the** applicable effective date of this act.

**Section 7. Felony Offence.** This act is made in **compliance with Federal United States Law.** Pursuant to the **Military** Selective Service Act, **50** U.S.C App. 451 ET SEQ., as amended, **failure** of **applicable** males to register with Selective Service is a felony. Failure to register is **punishable** under **Federal** law with a maximum fine of 525,000 **and/or** five years imprisonment.

Section 8. ~~**Limitations**~~ Department of Public Safety **shall** not send the personal data of an applicant for: an instruction permit, driver's **license**, driver's license renewal, provisional driver's license **or** identification card, renewal or duplicate to **Selective** Service, **where** the applicant can show that he is exempt **from** the provisions of this act.

Section 9. **Severability.** **If** any provision of this Act or the application of any such **provision** to any person or circumstance **should** be held invalid by a court of competent jurisdiction, the remainder of this **Act** or **the application** of its provisions to persons or circumstances other than those to which it is **held** invalid **shall** not be affected thereby.

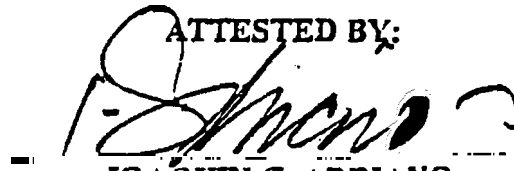
Section **10. Savings Clause.** **This** Act **and** any **repealer** contained herein **shall** not be construed as **affecting** any existing **right** acquired under contract or acquired under statutes **repealed** or under any rule, regulation or **order** adopted under the statutes. Repealers contained in this Act **shall** not **affect any** proceeding instituted under or **pursuant** to prior **law.** The enactment of this Act **shall** not have the effect of terminating, or in any way modifying, any **liability**, civil or **criminal**, which **shall** already be in existence at the date this Act becomes effective.

Section 11. **Effective Date.** This Act shall take effect upon its approval by the Governor or **upon** its becoming **law** without such approval.

**CERTIFIED BY:**

  
**PAUL A. MANGLONA**  
President of the Senate

**ATTESTED BY:**

  
**JOAQUIN G. ADRIANO**  
Senate Legislative Secretary

*Approved* this 30<sup>th</sup> day of November, 2001



**PEDRO I. TENORIO**  
Governor  
Commonwealth of the Northern Mariana Islands