

**2001 DRAFTING REQUEST****Bill**

Received: 09/05/2000

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: Sheldon Wasserman (608) 266-7671

By/Representing:

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Addl. Drafters:

Subject: **Transportation - driver licenses**

Extra Copies:

**Pre Topic:**

No specific pre topic given

**Topic:**

Require drivers license information to be forwarded to Selective Service

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/2	phurley 12/21/2000	gilfokm 12/21/2000	pgreensl 12/22/2000 pgreensl 12/27/2000	_____	lrb_docadmin 12/27/2000		State
/3	phurley 01/02/2001	gilfokm 01/02/2001	rschluet 01/10/2001	_____	lrb_docadmin 01/10/2001		State
/4	phurley	gilfokm	rschluet	_____	lrb_docadmin		State

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	02/08/2001	02/19/2001	02/20/2001	_____	02/20/2001		
/5	phurley 02/21/2001	gilfokm 02/21/2001	kfollet 02/21/2001	_____	lrb_docadmin 02/21/2001	lrb_docadminState 03/09/2001	

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2/21-01  
KJ  
2/21  
KJ/Pg  
2/21

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14-2/Kmg  
19-01

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APG  
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		13-1/2-2001	pgreensl 12/27/2000	_____			

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Handwritten notes: 1-10-1, SP6 1-10-1

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*12-12/Kmg*  
*12/21*  
*PG*  
*PG/RS*  
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1?	phurley	1-11/3 Kmg	Xm 11/3	RS Xm 11/3			

FE Sent For:

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## INFORMATION PAPER

**TO: Rep. Sheldon Wasserman  
Wisconsin Legislature**

**SUBJECT: Driver's License Bill**

This bill will provide the authority for Selective Service to register males as required by Federal law. Upon enactment, State law will require certain males be in compliance with the Military Selective Service Act (MSSA) to qualify for a driver's instruction permit, license, license renewal, or identification card. Further, the applicant will be advised that his signature on the driver's application constitutes his approval to be registered with the U.S. Selective Service.

All young men are required to register with Selective Service, if they are at least 18 years of age but not yet 26. This law does not apply to men age 26 or older. Passage of this law will greatly enhance the awareness of and compliance for the Federal registration requirement among young men, especially those out of the mainstream who are high school drop outs or immigrants.

By registering, males become eligible for Federal employment, Federal Job Training, Federal and state Student Financial Aid, and other benefits, such as attendance at state-supported institutions of higher learning. Male immigrants (both documented and undocumented) also must register with the Selective Service as a prerequisite for obtaining United States citizenship. Male immigrants residing in the United States, who do not register between the ages of 18 through 25, may be permanently denied these benefits. By law, the Selective Service System is prohibited from registering men age 26 years of age and over. Nonimmigrants residing in the United States who possess a valid Temporary Visa, such as a tourist visa, student visa or temporary work visa, are not required to register.

Failure to register is a felony. When a young man registers with Selective Service he avoids the prospect of a maximum fine of \$250,000 and/or five years imprisonment. Prosecution is not usually pursued unless an actual induction of young men is underway.

### **Drivers License Application Statement:**

"I understand that my signature constitutes consent to be registered with the Selective Service System, if so required."

## LEGISLATIVE INTENT

"It is the intent of this Legislature in enacting this act to protect young men in Wisconsin from the penalties associated with failing to register with the US Selective Service System and to help ensure that any future draft is fair and equitable to all potential draftees.

The Legislature finds and declares that the penalties associated with non-compliance are severe, including, but not limited to a felony conviction and forfeiture of the ability to seek state employment from certain state agencies and departments. In addition, failure to register may permanently preclude the violator from acquiring many federal benefits, such as federal employment, including employment with the US Postal Service, federal and state student financial assistance, participation in federally funded job training programs and eligibility for US citizenship for immigrants seeking citizenship.

Therefore, in recognition of the severe consequences of non-compliance and the importance of helping to ensure that any future draft is fair and equitable, it is the intent of the Legislature to notify young men in Wisconsin of their responsibility to register with Selective Service and to provide them the opportunity to register concurrent with applying for a driver's license or identification card."

2ND DOCUMENT of Level 1 printed in FULL format.

THE STATE OF DELAWARE  
BILL TEXT  
STATENET

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1999 DE S.B. 325

DELAWARE SECOND YEAR OF THE 140TH GENERAL ASSEMBLY

SENATE BILL 325

DELAWARE STATE SENATE  
140TH GENERAL ASSEMBLY  
SENATE SUBSTITUTE NO. 1  
FOR  
SENATE BILL NO. 325

BILL TRACKING REPORT: <=1> 1999 Bill Tracking DE S.B. 325

1999 Bill Text DE S.B. 325

VERSION: Enacted - Final

VERSION-DATE: August 3, 2000

SYNOPSIS:

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMPLIANCE WITH THE MILITARY SELECTIVE SERVICE ACT.

DIGEST:

SYNOPSIS

This Bill is intended to help implement the Selective Service registration requirements by automatically registering males who are at least eighteen years of age but less than twenty-six years of age when they apply for a driver license or identification card.

TEXT: BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Section 2611, Title 21, Delaware Code by adding thereto the following:

"(h) Compliance with the Military Selective Service Act

(1) Any male applicant who applies for a commercial driver license instruction permit or license or a renewal of any such permit or license and who is at least eighteen years of age but less than twenty-six years of age shall be

registered in compliance with the requirements of Section 3 of the 'Military Selective Service Act', 50 U.S.C. App. sec. 453, as amended.

(2) The Department shall forward in an electronic format the necessary personal information of the applicants identified in paragraph (1) of this subsection to the selective service system. The applicant's signature on the application shall serve as an indication that the applicant either has already registered with the selective service system or that he is authorizing the Department to forward to the selective service system the necessary information for such registration. The Department shall notify the applicant at the time of application that his signature constitutes consent to registration with the selective service system, if he is not already registered."

Section 2. Amend Section 2711, Title 21, Delaware Code by adding thereto the following:

"(d)(1) Any male applicant who applies for an instruction permit or driver's license or a renewal of any such permit or license and who is at least eighteen years of age but less than twenty-six years of age shall be registered in compliance with the requirements of Section 3 of the 'Military Selective Service Act', 50 U.S.C. App. sec. 453, as amended.

(2) The Department shall forward in an electronic format the necessary personal information of the applicants identified in this subsection to the selective service system. The applicant's signature on the application shall serve as an indication that the applicant either has already registered with the selective service system or that he is authorizing the Department to forward to the selective service system the necessary information for such registration. The Department shall notify the applicant at the time of application that his signature constitutes consent to registration with the selective service system, if he is not already registered."

Section 3. Amend Section 3102, Title 21, Delaware code by adding thereto the following:

"(d)(1) Any male applicant who applies for an identification card or a renewal of any such document and who is at least eighteen years of age but less than twenty-six years of age shall be registered in compliance with the requirements of Section 3 of the 'Military Selective Service Act', 50 U.S.C. App. sec. 453, as amended.

(2) The Department shall forward in an electronic format the necessary personal information of the applicants identified in this subsection to the selective service system. The applicant's signature on the application shall serve as an indication that the applicant either has already registered with the selective service system or that he is authorizing the Department to forward to the selective service system the necessary information for such registration. The Department shall notify the applicant at the time of application that his signature constitutes consent to registration with the selective service system, if he is not already registered."

Section 4. This Act shall become effective within 180 days after its enactment into law.

SPONSOR:

A BILL FOR AN ACT

101 CONCERNING COMPLIANCE WITH FEDERAL SELECTIVE SERVICE  
102 REQUIREMENTS PRIOR TO THE ISSUANCE OF DRIVERS' LICENSES.

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Requires any male United States citizen or immigrant who is at least 18 years of age but less than 26 years of age to comply with federal selective service requirements when applying to receive:

- An instruction permit;
- A driver's license;
- A provisional driver's license;
- A commercial driver's license;
- A license renewal; or
- An identification card, renewal, or duplicate.

Directs the department of revenue to forward to the federal selective service system information about such applicants in an electronic format. Specifies that an applicant's signature on the application serves to certify that the applicant either has complied with federal selective service requirements or is authorizing the department to forward to the selective service system the necessary information for such registration. Requires the department to notify the applicant at the time of application that his signature constitutes consent to registration with the selective service system, if he is not already registered.

---

1 *Be it enacted by the (General Assembly) of the State of \_\_\_\_\_:*

2 **SECTION 1.** xx-x-xxx, State of \_\_\_\_\_ Revised Statutes, is  
3 amended BY THE ADDITION OF A NEW SUBSECTION to read:

4 (a) ANY MALE UNITED STATES CITIZEN OR IMMIGRANT WHO  
5 APPLIES FOR AN INSTRUCTION PERMIT OR A DRIVER'S OR PROVISIONAL  
6 DRIVER'S LICENSE OR A RENEWAL OF ANY SUCH PERMIT OR LICENSE AND  
7 WHO IS AT LEAST EIGHTEEN YEARS OF AGE BUT LESS THAN TWENTY-SIX  
8 YEARS OF AGE SHALL BE REGISTERED IN COMPLIANCE WITH THE  
9 REQUIREMENTS OF SECTION 3 OF THE "MILITARY SELECTIVE SERVICE

1 ACT", 50 U.S.C. APP. 451 ET SEQ., AS AMENDED.

2 (b) THE DEPARTMENT SHALL FORWARD IN AN ELECTRONIC  
3 FORMAT THE NECESSARY PERSONAL INFORMATION OF THE APPLICANTS  
4 IDENTIFIED IN PARAGRAPH (a) OF THIS SUBSECTION TO THE SELECTIVE  
5 SERVICE SYSTEM. THE APPLICANT'S SIGNATURE ON THE APPLICATION  
6 SHALL SERVE AS AN INDICATION THAT THE APPLICANT EITHER HAS  
7 ALREADY REGISTERED WITH THE SELECTIVE SERVICE SYSTEM OR THAT HE  
8 IS AUTHORIZING THE DEPARTMENT TO FORWARD TO THE SELECTIVE  
9 SERVICE SYSTEM THE NECESSARY INFORMATION FOR SUCH REGISTRATION.  
10 THE DEPARTMENT SHALL NOTIFY THE APPLICANT AT THE TIME OF  
11 APPLICATION THAT HIS SIGNATURE CONSTITUTES CONSENT TO  
12 REGISTRATION WITH THE SELECTIVE SERVICE SYSTEM, IF HE IS NOT  
13 ALREADY REGISTERED.

14 SECTION 2. xx-x-xxx, State of \_\_\_\_\_ Revised Statutes, is  
15 amended BY THE ADDITION OF A NEW SUBSECTION to read:

16 **XX-X-XXX. Department may issue - limitations.** (4) (a) ANY  
17 MALE UNITED STATES CITIZEN OR IMMIGRANT WHO APPLIES FOR AN  
18 IDENTIFICATION CARD OR A RENEWAL OR DUPLICATE OF ANY SUCH CARD  
19 AND WHO IS AT LEAST EIGHTEEN YEARS OF AGE BUT LESS THAN  
20 TWENTY-SIX YEARS OF AGE SHALL BE REGISTERED IN COMPLIANCE WITH  
21 THE REQUIREMENTS OF SECTION 3 OF THE "MILITARY SELECTIVE SERVICE  
22 ACT", 50 U.S.C. APP. 451 ET SEQ., AS AMENDED.

23 (b) THE DEPARTMENT SHALL FORWARD IN AN ELECTRONIC  
24 FORMAT THE NECESSARY PERSONAL INFORMATION OF THE APPLICANTS  
25 IDENTIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (4) TO THE SELECTIVE  
26 SERVICE SYSTEM. THE APPLICANT'S SIGNATURE ON THE APPLICATION  
27 SHALL SERVE AS AN INDICATION THAT THE APPLICANT EITHER HAS



1 ALREADY REGISTERED WITH THE SELECTIVE SERVICE SYSTEM OR THAT HE  
2 IS AUTHORIZING THE DEPARTMENT TO FORWARD TO THE SELECTIVE  
3 SERVICE SYSTEM THE NECESSARY INFORMATION FOR SUCH REGISTRATION.  
4 THE DEPARTMENT SHALL NOTIFY THE APPLICANT AT THE TIME OF  
5 APPLICATION THAT HIS SIGNATURE CONSTITUTES CONSENT TO  
6 REGISTRATION WITH THE SELECTIVE SERVICE SYSTEM, IF HE IS NOT  
7 ALREADY REGISTERED.

8 SECTION 3. xx-x-xxx, State of \_\_\_\_\_ Revised Statutes, is  
9 amended BY THE ADDITION OF A NEW SUBSECTION to read:

10 **XX-X-XXX. Department authority - rules and regulations -**  
11 **federal requirements.** (4) (a) ANY MALE UNITED STATES CITIZEN OR  
12 IMMIGRANT WHO APPLIES FOR A COMMERCIAL DRIVER'S LICENSE, OR A  
13 RENEWAL OF ANY SUCH LICENSE, AND WHO IS AT LEAST EIGHTEEN YEARS  
14 OF AGE BUT LESS THAN TWENTY-SIX YEARS OF AGE SHALL BE REGISTERED  
15 IN COMPLIANCE WITH THE REQUIREMENTS OF SECTION 3 OF THE  
16 "MILITARY SELECTIVE SERVICE ACT", 50 U.S.C. APP. 451 ET SEQ., AS  
17 AMENDED.

18 (b) THE DEPARTMENT SHALL FORWARD IN AN ELECTRONIC  
19 FORMAT THE NECESSARY PERSONAL INFORMATION OF THE APPLICANT'S  
20 IDENTIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (4) TO THE SELECTIVE  
21 SERVICE SYSTEM. THE APPLICANT'S SIGNATURE ON THE APPLICATION  
22 SHALL SERVE AS AN INDICATION THAT THE APPLICANT EITHER HAS  
23 ALREADY REGISTERED WITH THE SELECTIVE SERVICE SYSTEM OR THAT HE  
24 IS AUTHORIZING THE DEPARTMENT TO FORWARD TO THE SELECTIVE  
25 SERVICE SYSTEM THE NECESSARY INFORMATION FOR SUCH REGISTRATION.  
26 THE DEPARTMENT SHALL NOTIFY THE APPLICANT AT THE TIME OF  
27 APPLICATION THAT HIS SIGNATURE SERVES AS CONSENT TO REGISTRATION

1 WITH THE SELECTIVE SERVICES SYSTEM, IF HE IS NOT ALREADY  
2 REGISTERED.

3       **SECTION 4. Effective date - applicability.** (1) This act shall  
4 take effect at 12:01 a.m. on the day following the expiration of the  
5 ninety-day period after final adjournment of the (general assembly) that  
6 is allowed for submitting a referendum petition pursuant to article \_\_\_\_  
7 section \_\_\_\_ of the state constitution; except that, if a referendum  
8 petition is filed against this act or an item, section, or part of this act  
9 within such period, then the act, item, section, or part, if approved by the  
10 people, shall take effect on the date of the official declaration of the vote  
11 thereon by proclamation of the governor.

12       (2) The provisions of this act shall apply to male United States  
13 citizens or immigrants who are at least eighteen years of age but less than  
14 twenty-six years of age and who are applying for issuance or renewal of  
15 an instruction permit, a driver's license, a provisional driver's license, a  
16 commercial driver's license, or an identification card on or after the  
17 applicable effective date of this act.



SPONSOR: Sen. Winslow & Rep. Cathcart  
Sens. Bair, Bonini, Simpson, Still

DELAWARE STATE SENATE

140th GENERAL ASSEMBLY

SENATE SUBSTITUTE NO.

FOR

SENATE BILL NO. 325

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMPLIANCE WITH THE  
MILITARY SELECTIVE SERVICE ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend §2611, Title 21, Delaware Code by adding thereto the following:

2 "(h) Compliance with the Military Selective Service Act

3 (1) Any male applicant who applies for a commercial driver license instruction permit or license  
4 or a renewal of any such permit or license and who is at least eighteen years of age but less than twenty-six years of  
5 age shall be registered in compliance with the requirements of Section 3 of the 'Military Selective Service Act', 50  
6 U.S.C. App, sec. 453, as amended.

7 *update* (2) The Department shall forward in an electronic format the necessary personal information of  
8 the applicants identified in paragraph (1) of this subsection to the selective service system. The applicant's signature  
9 on the application shall serve as an indication that the applicant either has already registered with the selective  
10 service system or that he is authorizing the Department to forward to the selective service system the necessary  
11 information for such registration. The Department shall notify the applicant at the time of application that his  
12 signature constitutes consent to registration with the selective service system, if he is not already registered."

13 Section 2. Amend §2711, Title 21, Delaware Code by adding thereto the following:

14 "(d)(1) Any male applicant who applies for an instruction permit or driver's license or a renewal of any  
15 such permit or license and who is at least eighteen years of age but less than twenty-six years of age shall be  
16 registered in compliance with the requirements of Section 3 of the 'Military Selective Service Act', 50 U.S.C. App.  
17 sec. 453, as amended.

18 (2) The Department shall forward in an electronic format the necessary personal information of the  
19 applicants identified in this subsection to the selective service system. The applicant's signature on the application  
20 shall serve as an indication that the applicant either has already registered with the selective service system or that he  
21 is authorizing the Department to forward to the selective service system the necessary information for such  
22 registration. The Department shall notify the applicant at the time of application that his signature constitutes  
23 consent to registration with the selective service system, if he is not already registered.”

24 Section 3. Amend §3102, Title 21, Delaware code by adding thereto the following:

25 “(d)(1) Any male applicant who applies for an identification card or a renewal of any such document and  
26 who is at least eighteen years of age but less than twenty-six years of age shall be registered in compliance with the  
27 requirements of Section 3 of the ‘Military Selective Service Act’, 50 U.S.C. App. sec. 453, as amended.

28 (2) The Department shall forward in an electronic format the necessary personal information of the  
29 applicants identified in this subsection to the selective service system. The applicant's signature on the application  
30 shall serve as an indication that the applicant either has already registered with the selective service system or that he  
31 is authorizing the Department to forward to the selective service system the necessary information for such  
32 registration. The Department shall notify the applicant at the time of application that his signature constitutes  
33 consent to registration with the selective service system, if he is not already registered.”

34 Section 4. This Act shall become effective within 180 days after its enactment into law.

#### SYNOPSIS

This Bill is intended to help implement the Selective Service registration requirements by automatically registering males who are at least eighteen years of age but less than twenty-six years of age when they apply for a driver license or identification card.

Author: Sen. Winslow

freedom must yield to duty of rendering military service. United States v Henderson (1950), CA7 (Ind) 180 F2d 711, cert den (1950) 339 US 963, 94 L Ed 1372, 70 S Ct 997, reh den (1950) 340 US 846, 95 L Ed 620, 71 S Ct 13.

Military Selective Service Act of 1967 (50 USCS Appx § 451 et seq) does not violate establishment of religion clause of First Amendment. United States v Berger (1970) CA9 Cal) 434 F2d 610.

6.—Ninth Amendment

Selective Service Act is not unconstitutional interference with "right to life" guaranteed by Ninth Amendment. United States v Diaz (1970, CA1 NH) 427 F2d 636.

Application of draft law during period in which there is no dire national emergency does not violate Ninth Amendment. United States v Uhl (1970, CA9 Cal) 436 F2d 773.

Military Selective Service Act of 1967 does not violate rights guaranteed by the Ninth Amendment to the U. S. Constitution. United States v Cook (1970, WD Pa) 311 F Supp 618.

7.—Equal Protection Clause

Provisions of Military Selective Service Act (50 USCS Appx § 451 et seq.) authorizing President to require registration of males but not females do not violate equal protection requirements of Fifth Amendment; in deciding whether Act violates Constitution, Court must be particularly careful not to substitute its judgment of what is desirable for that of Congress or its own evaluation of evidence for reasonable evaluation by legislative branch. Kosker v Goldberg (1981) 453 US 57, 69 L Ed 2d 478, 101 S Ct 2646.

In action challenging constitutionality of Selective Service Act (50 USCS Appx § 451 et seq.) and requesting 3-judge statutory court, court claiming that Vietnam conflict was illegal and unconstitutional war was dismissed as moot, the court taking judicial notice that American participation in Vietnam conflict had been terminated and that no person subject to Act would be called to serve in Vietnam, court claiming that Act offended equal protection clause because of discrimination between males and females presented a justiciable issue not foreclosed by Supreme Court decision and proceedings would be remanded to district court for consideration of claim. Rowland v Tarr (1973, CA3 Pa) 480 F2d 545.

8. Power of Congress

Power to exact enforced military duty at home or abroad by citizens of United States was conferred upon Congress by provisions of US Const art I, § 8, empowering Congress to declare war and to raise and support armies, and authorizing it to make all laws which shall be necessary and

proper for carrying into execution properly given to Congress. Selective Service Act (1918) 245 US 366, 62 L Ed 155; Jones v Perkins (1918) 245 US 355, 38 S Ct 166; Kramer v United States (1948) 338 US 478, 62 L Ed 413, 38 S Ct 478.

Enactment of provisions of Selective Service Act of 1917 [predecessor to 50 USCS Appx § 451], requiring registration for conscription, was within constitutional power of Congress. Goldman v United States (1947), 62 L Ed 410, 38 S Ct 166.

Compulsory military service beyond limits of United States under authority of citizens of United States under that body by US Const art I, § 8, to and to raise armies, notwithstanding as to use of militia which may be further provision of that section empowers Congress to "call forth the militia to execute the laws of the Union, suppress and repel invasions." Cox v Wood (1947) 62 L Ed 410, 38 S Ct 166.

Power conferred by Constitution "to raise . . . armies" necessarily confers power to say who shall serve in the army. United States v Macintosh (1905), 75 L Ed 1302, 51 S Ct 570.

Other grounds for Ground v United States (1961), 90 L Ed 1084, 66 S Ct 328.

As incident to power granted by Congress to raise and support armies, Congress has power to conscript men and women as may be necessary and proper. United States (1948) 334 US 742, 68 S Ct 1294, reh den (1948) 335 US 389, 69 S Ct 11.

Selective Service Act is valid. United States v Nugent (1963), 97 L Ed 1417, 73 S Ct 991, reh den (1963), 853, 98 L Ed 367, 74 S Ct 66.

Pursuant to unquestionable power to classify and conscript manpower to service, Congress may establish system for individuals liable for training and may require such individuals with co-operate in registration system, system indicating registration and classification of individuals is legitimate administrative aid in function system, and legislation to insure capability of issued certificates serves substantial purpose in system's operation. United States v O'Brien (1968) 391 US 446, 28 L Ed 2d 672, 88 S Ct 1673, reh den (1968), 900, 21 L Ed 2d 188, 89 S Ct 63.

Other grounds as stated in Church v Flag Serv. v City of Clearwater (1995), 2 F3d 1514, 7 FLW Fed C 871). Congressional power to provide for

depend upon existence of war or national emergency, but stems also from Constitutional power to raise armies and to provide and maintain armies. United States (1969), CA5 Ga) 431 F2d 456, cert den (1969) 395 US 982, 23 L Ed 2d 456.

§ 52. [Repealed]

HISTORY: ANCILLARY LAWS AND DIRECTIVES

This section (Act June 24, 1948, ch 625, Title I, § 2, 62 Stat 605; June 19, 1951, ch 144, Title I, § 1(b), 65 Stat. 76) was repealed by Act Aug. 10, 1956, ch 1041, § 53, 70A Stat. 641, 678. It related to authorized personnel strength of various services. Similar provisions appear as 10 USCS § 3201 and 8201.

§ 53. Registration

Except as otherwise provided in this title, it shall be the duty of every citizen of the United States, and every other male person residing in United States, who, on the day or days fixed for the first or any subsequent registration, is between the ages of eighteen and twenty-six, to present himself for and submit to registration at such time or times and at such places, and in such manner, as shall be determined by proclamation of the President and by rules and regulations prescribed hereunder. The provisions of this section shall not be applicable to any alien lawfully admitted to the United States as a nonimmigrant under section 101(a)(15) of the Immigration and Nationality Act, as amended (66 Stat. 163; 8 U.S.C. 1101), for so long as he continues to maintain a lawful nonimmigrant status in the United States.

Regulations prescribed pursuant to subsection (a) may require that persons presenting themselves for and submitting to registration under this section provide, as part of such registration, such identifying information including date of birth, address, and social security account number) as such regulations may prescribe.

Act June 24, 1948, ch 625, Title I, § 3, 62 Stat. 605; June 19, 1951, ch 144, Title I(c), 65 Stat. 76; Sept. 28, 1971, P. L. 92-129, Title I, § 101(a)(2), 85 Stat. 348; Dec. 1, 1981, P. L. 97-86, Title XI, § 916(a), 95 Stat. 1129.)

HISTORY: ANCILLARY LAWS AND DIRECTIVES

References in text:

"This title", referred to in this section, is Act June 24, 1948, ch 625, Title I, 62 Stat. 604, which is generally classified to 50 USCS Appx. § 451 et seq. For full classification of this Title, consult USCS Tables volumes.

Amendments:

1951. Act June 19, 1951, made all male persons now or hereafter in the United States subject to registration.  
1971. Act Sept. 28, 1971, substituted new section for one which read: "Except as otherwise provided in this title, it shall be the duty of every



## 2001 BILL

1 AN ACT ...; relating to: registering applicants for operators' licenses with  
2 the selective service system.

---

### *Analysis by the Legislative Reference Bureau*

Under current law, males between the ages of 18 and 26 are required to register with the federal selective service system for possible conscription into service in the U.S. military. This bill requires the department of transportation (DOT) to forward the motor vehicle operators' license application of any male between the ages of 18 and 26 to the selective service system for the purpose of registering the applicant with the selective service system. The bill requires DOT to notify the applicant that his signature on the application form constitutes consent to register the applicant with the selective service system.

*fixed in state*

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3 SECTION 1. 343.027 of the statutes is amended to read:  
4 **343.027 Confidentiality of signatures.** Any signature collected under this  
5 chapter may be maintained by the department and shall be kept confidential. The

**BILL**

**SECTION 1**

1 department may release a signature or a facsimile of a signature only to the person  
2 to whom the signature relates, except as provided under s. 343.155.

*not need to send  
only personal  
identifiers*

History: 1995 a. 113.

3 **SECTION 2.** 343.14 (2) (j) of the statutes is created to read:

4 343.14 (2) (j) Notice that if the applicant is required to register with the  
5 selective service system under section 3 of the ~~"Military Selective Service Act,"~~ 50  
6 U.S.C, App. 453, ~~as amended,~~ the applicant's signature on the application  
7 constitutes consent to register the applicant with the selective service system under  
8 s. 343.155. The form shall indicate the following:

*bring the info to  
all of the*

9 1. Except for any alien lawfully admitted into the United States as a  
10 nonimmigrant who maintains nonimmigrant status, federal law requires every male  
11 citizen and every male residing in the United States between the ages of 18 and 26  
12 to register with the selective service system for possible conscription into the United  
13 States armed services.

*add to  
part of  
to make  
discharge  
chapter*

14 2. By signing the form each male applicant avers that he is not required to  
15 register with the selective service system, that he is already registered with the  
16 selective service system, or that he gives consent to the department to forward a copy  
17 of his application to the selective service system for the purpose of registering him  
18 with the selective service system.

*not other  
word*

*look into  
using*

19 **SECTION 3.** 343.155 of the statutes is created to read:

20 **343.155 Application of persons required to register with selective**  
21 **service; forwarding of information.** ~~(1)~~ APPLICATION FOR LICENSE. The  
22 department shall forward in electronic format the application of any male between  
23 the ages of 18 and 26 to the selective service system for the purpose of registering the  
24 applicant with the selective service system.

*instructor 2  
permit 2*

*check  
out 343.50  
a problem  
at 343.25  
10 or more  
only*

*or for  
instruct  
w. card  
issued  
this  
card  
only 2*

*only 2  
343.14  
etc*





[Code of Federal Regulations]

[Title 32, Volume 6, Part 800 to end]

[Revised as of July 1, 2000]

From the U.S. Government Printing Office via GPO Access

[CITE: 32CFR1615.1]

[Page 335]

TITLE 32-NATIONAL DEFENSE

CHAPTER XVI--SELECTIVE SERVICE SYSTEM

PART 1615--ADMINISTRATION OF REGISTRATION--Table of Contents

Sec. 1615.1 Registration.

(a) Registration under selective service law consists of:

(1) Completing of the Registration Card prescribed by the Director of Selective Service by a person required to register and

(2) The recording of the information furnished by the registrant on his Registration Card in the records (master computer file) of the Selective Service System. Registration is completed when both of these actions have been accomplished.

(b) The Director of Selective Service will furnish to each registrant a verification notice that includes a copy of the information pertaining to his registration that has been recorded in the records of the Selective Service System together with a correction form. If the information is correct, the registrant should take no action. If the information is incorrect, the registrant should forthwith furnish the correct information to the Director of Selective Service. If the registrant does not receive the verification notice within 90 days after he completed a Registration Card, he shall advise in writing the Selective Service System, 600 E Street, NW., Washington, DC 20435, of the applicable facts.

10-5-00

H/c to Sheldon Wasserman. Rep Wasserman not in, left voicemail msg.

Spoke with Joe and got permission to speak with anyone in Delaware about the law. Gave Joe cite to CFR Title 32 Ch. XVI part 1615.1 - he'll check w/ his contacts at Selective Service to see if there is an alternate registration option (other than the card - CFR as of 7-1-00 still required the card to be completed).

10-5-00

Joe called; Presidential decree outlining other methods of regis if Director of SS prescribes. According to Joe, this is a nat'l initiative to director decs this method of registering.

[Federal Register: February 24, 2000 (Volume 65, Number 37)]  
[Presidential Documents]:  
[Page 9199]  
From the Federal Register Online via GPO Access [wais.access.gpo.gov]  
[DOCID:fr24fe00-126]

Presidential Documents

Title 3--  
The President

[[Page 9199]]

Proclamation 7275 of February 22, 2000

**Registration Under the Military Selective Service Act**

By the President of the United States of America

A Proclamation

Section 3 of the Military Selective Service Act, as amended (50 U.S.C. App. 453), provides that male citizens of the United States and other male persons residing in the United States who are between the ages of 18 and 26, except those exempted by sections 3 and 6(a) of the Military Selective Service Act, must present themselves for **registration** at such time or times and place or places, and in such manner as determined by the President. Section 6(k) provides that such exceptions shall not continue after the cause for the exemption ceases to exist.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by the authority vested in me by the Military Selective Service Act, as amended (50 U.S.C. App. 451 et seq.), do hereby proclaim as follows:

Section 1. Paragraph 1-201 of Proclamation 4771 of July 2, 1980, is amended to read:

1-2. Places and Times for **Registration**.

1-201. Persons who are required to be registered and who are in the United States shall register at the places and by the means designated by the Director of Selective Service. These places and means may include but are not limited to any classified United States Post Office, the Selective Service Internet web site, telephonic **registration**, **registration** on approved Government forms, **registration** through high school and college registrars, and the Selective Service reminder mailback card."

Sec. 2. Paragraph 1-202 of Proclamation 4771 of July 2, 1980, is amended to read:

1-202. Citizens of the United States who are required to be registered and who are not in the United States, shall register via any of the places and methods authorized by the Director of Selective Service pursuant to paragraph 1-201 or present themselves at a United States Embassy or Consulate for **registration** before a diplomatic or consular officer of the United States or before a registrar duly appointed by a diplomatic or consular officer of the United States."

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of February, in the year of our Lord two thousand, and of the Independence of the United States of America the two hundred and twenty-fourth.

(Presidential Sig.)

[FR Doc. 00-4559  
Filed 2-23-00; 8:45 am]  
Billing code 3195-01-P



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0023/1

PJH:.....  
*dmg*

**2001 BILL**

*11/3  
Today By Sp. M.*

*NO (B)*

1 AN ACT ...; relating to: the disclosure of information obtained by the  
2 department of transportation from applications for drivers' licenses,  
3 permits, or identification cards to the selective service system for the  
4 purposes of registration with the selective service system.

***Analysis by the Legislative Reference Bureau***

Under federal law, most males between the ages of 18 and 26 are required to register with the selective service system for possible conscription into service in the U.S. military. This bill provides that the department of transportation (DOT) must notify a male between the ages of 18 and 26 who applies for any driver's license, permit, or identification card that his application will be forwarded to the selective service system for the purpose of registration with the selective service system. The bill requires a male applicant between the ages of 18 and 26 to state whether he is required to register with the selective service system and, if so, whether he has registered. The bill also requires DOT to forward the application of any male between the ages of 18 and 26 to the selective service system for the purpose of selective service registration.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**BILL****SECTION 1**

1           **SECTION 1.** 343.07 (1) of the statutes is amended to read:

2           343.07 (1) REGULAR PERMIT; ISSUANCE, RESTRICTIONS. Upon application therefor  
3 by a person at least 15 years and 6 months of age who, except for age or lack of  
4 training in the operation of a motor vehicle, is qualified to obtain an operator's license  
5 and has passed such knowledge test as the department may require, the department  
6 may issue a regular instruction permit. If the application is made by a male<sup>who is</sup> at least  
7 18 years of age and not more than 26 years of age, the application shall include any  
8 information required under s. 343.14 (2) (em). The permit entitles the permittee to  
9 operate a motor vehicle, except a commercial motor vehicle, school bus<sup>✓</sup> or Type 1  
10 motorcycle, a motor bicycle<sup>✓</sup> or a moped, upon the highways, subject to the following  
11 restrictions:

History: 1971 c. 164; 1973 c. 199; 1977 c. 29 s. 1654 (7) (a), (c); 1977 c. 128, 273; 1979 c. 345; 1983 a. 243; 1985 a. 65, 202; 1987 a. 122; 1989 a. 87, 105, 359; 1991 a. 12, 269, 316; 1993 a. 16, 24, 399; 1995 a. 27 s. 9145 (1); 1997 a. 27; 1999 a. 9.

12           **SECTION 2.** 343.14 (2) (em) of the statutes is created to read:

13           343.14 (2) (em) If the application is made by a male<sup>who is</sup> at least 18 years of age and  
14 not more than 26 years of age, a question as to whether the applicant has registered  
15 with the selective service system. The form shall notify the applicant that the  
16 department will forward a copy of his application, or any portion of it, to the selective  
17 service system for the purpose of registration with the selective service system, and  
18 shall require the applicant to state which of the following is true under 50 USC,  
19 Appendix, sections 451 to 473:

- 20           1. He has already registered with the selective service system.
- 21           2. He is required to register with the selective service system, but he has not  
22 registered.
- 23           3. He is not required to register with the selective service system.

24           **SECTION 3.** 343.234 of the statutes is created to read:

**BILL**

1           **343.234 Department to furnish applications to the selective service**  
 2 **system.** Notwithstanding any other provision in this chapter, the department shall  
 3 forward in electronic format every signed application for a driver's license, permit<sup>y</sup> or  
 4 identification card submitted under this chapter by a male<sup>who is</sup> at least 18 years of age  
 5 and not more than 26 years of age<sup>y</sup>, or any portion of it, to the selective service system  
 6 for the purpose of registration with the selective service system. This section does  
 7 not apply if the selective service system does not register applicants with the  
 8 selective service system on the basis of information forwarded under this section.

9           **SECTION 4.** 343.50 (4) of the statutes is amended to read:

10           343.50 (4) APPLICATION. The application for an identification card shall include  
 11 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm) and<sup>y</sup> (br),  
 12 and (em), such further information as the department may reasonably require to  
 13 enable it to determine whether the applicant is entitled by law to an identification  
 14 card<sup>y</sup> and, for applicants who are aged 65 years or older, material, as provided by the  
 15 department, explaining the voluntary program that is specified in s. 71.55 (10) (b).  
 16 The department shall, as part of the application process, take a photograph of the  
 17 applicant to comply with sub. (3). No application may be processed without the  
 18 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are  
 19 punishable as provided in s. 343.14 (9).

History: 1977 c. 360, 447; 1979 c. 226, 306; 1981 c. 20 s. 1848r; 1985 a. 29, 98; 1987 a. 27, 304; 1989 a. 105, 294, 298; 1991 a. 86, 269; 1995 a. 446; 1997 a. 27, 119, 191; 1999 a. 9, 32, 80, 85, 88, 186.

20           **SECTION 5. Initial applicability.**

21           (1) This act first applies to applications made on the effective date of this  
 22 ~~section.~~ subsection

23           **SECTION 6. Effective date.**

*sections*  
*under 343.07, 343.14, and 343.50*  
*of the statutes*

**BILL**

**SECTION 6**

1 (1) This act takes effect on the first day of the ~~thirteenth~~ month beginning after  
2 publication.

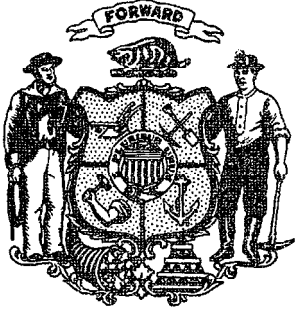
3

(END)

13<sup>th</sup>



WISCONSIN  
STATE  
ASSEMBLY



SHELDON  
WASSERMAN

STATE REPRESENTATIVE

MEMORANDUM

TO: Peggy J. Hurley

From: Joe Hoey, Rep. Wasserman's Office

Re: Changes to LRB-0023

As we discussed, the Selective Service would like to see the references to age changed to "at least eighteen years of age but less than 26 years of age."

The attached photocopy of LRB 0023 contains the changes that Sheldon would like to see in Section 2.

Sheldon would like to move up the effective date and will let you know as soon as he hears from back from the DOT.

Lastly, I have reproduced below a comment that we got back from the DOT about a possible addition to the bill. Go ahead and make the changes suggested by DOT if you feel it is necessary.

**Data Processing:** *We would provide the data to the Selective Service Board by creating a special tape for the Selective Service from our current Driver Record File or "alpha" tape, which is an electronic listing of every person licensed to operate a motor vehicle. The programming changes for the new tape, to include Identification card holders and "opt out" record holders, would be minimal. The Selective Service currently pays \$250 for the alpha tape when they get it. The tape is available twice a year, after our semi-annual record purge.*

*Please note that ss.343.50(8)b would need to be modified to include the Selective Service as authorized to receive identification card records. That is not included in this LRB draft.*

MADISON:

POST OFFICE BOX 8953

MADISON, WISCONSIN 53708

(608) 266-7671

TOLL-FREE NUMBER: 1-888-534-0022

FAX: (608) 266-7038

E-MAIL: [rep.wasserman@legis.state.wi.us](mailto:rep.wasserman@legis.state.wi.us)

WEB PACE: [http://www.legis.state.wi.us/  
assembly/asm22/news/](http://www.legis.state.wi.us/assembly/asm22/news/)

HOME:

3487 NORTH LAKE DRIVE

MILWAUKEE, WISCONSIN 53211

(414) 964-0663



PRINTED ON RECYCLED PAPER

**BILL**

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1 SECTION 1. 343.07 (1) of the statutes is amended to read:

2 343.07 (1) REGULAR PERMIT, ISSUANCE, RESTRICTIONS. Upon application therefor  
3 by a person at least 15 years and 6 months of age who, except for age or lack of  
4 training in the operation of a motor vehicle, is qualified to obtain an operator's license  
5 and has passed such knowledge test as the department may require, the department  
6 may issue a regular instruction permit. If the application is made by a male who is  
7 at least 18 years of age <sup>but less than 26 you or</sup> and not more than 26 years of age <sup>and not more than 25</sup> the application shall  
8 include any information required under s. 343.14 (2) (em). The permit entitles the  
9 permittee to operate a motor vehicle, except a commercial motor vehicle, school bus,  
10 or Type 1 motorcycle, a motor bicycle, or a moped, upon the highways, subject to the  
11 following restrictions:

12 SECTION 2. 343.14 (2) (em) of the statutes is created to read:

13 343.14 (2) (em) If the application is made by a male who is at least 18 years of  
14 age <sup>but not more than 25</sup> and not more than 26 years of age, a question ~~as to whether the applicant has~~  
15 ~~registered with the selective service system,~~ <sup>the</sup> form shall notify the applicant that  
16 the department will forward a copy of his application, or any portion of it, to the  
17 selective service system, ~~for the purpose of registration with the selective service~~  
18 ~~system, and shall require the applicant to state which of the following is true under~~  
19 ~~50 USC, Appendix, sections 451 to 473:~~

20 1. ~~He has already registered with the selective service system.~~

and that his submission of the application will serve as his consent to be registered with the selective service system, if so required by Federal law.

**BILL**

1           ~~2. He is required to register with the selective service system, but he has not~~  
2 ~~registered.~~

3           ~~3. He is not required to register with the selective service system.~~

4           **SECTION 3.** 343.234 of the statutes is created to read:

5           **343.234 Department to furnish applications to the selective service**  
6 **system.** Notwithstanding any other provision in this chapter, the department shall  
7 forward in electronic format every signed application for a driver's license, permit,  
8 or identification card submitted under this chapter by a male who is at least 18 years  
9 of age and not more than 26 years of age, or any portion of it, to the selective service  
10 system for the purpose of registration with the selective service system. This section  
11 does not apply if the selective service system does not register applicants with the  
12 selective service system on the basis of information forwarded under this section.

13           **SECTION 4.** 343.50 (4) of the statutes is amended to read:

14           **343.50 (4) APPLICATION.** The application for an identification card shall include  
15 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm) ~~and~~, (br),  
16 and (em), such further information as the department may reasonably require to  
17 enable it to determine whether the applicant is entitled by law to an identification  
18 card, and, for applicants who are aged 65 years or older, material, as provided by the  
19 department, explaining the voluntary program that is specified in s. 71.55 (10) (b).  
20 The department shall, as part of the application process, take a photograph of the  
21 applicant to comply with sub. (3). No application may be processed without the  
22 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are  
23 punishable as provided in s. 343.14 (9).

24           **SECTION 5. Initial applicability.**