

ROUGH WORKING DRAFT --

August 23, 1974

TITLE XI

Approval, Transitional, and Other Matters

Section 1101. (a) The Northern Mariana Islands and the United States shall give their approval to this Agreement as provided in this Section.

(b) Approval by the Northern Mariana Islands will be given as follows:

(1) After the signing of this Agreement, the Marianas Political Status Commission shall promptly submit this Agreement to the Mariana Islands District Legislature for approval, which shall be given when a resolution of approval is adopted by a majority vote of all members authorized to vote;

(2) The Secretary of the Interior shall, within [150] days after the approval of this Agreement by the Mariana Islands District Legislature, cause a plebiscite to be held on the Agreement. All residents of the Northern Mariana Islands who would be eligible to vote in a general election therein if such an election were held on the day the plebiscite is conducted shall be eligible to vote in the plebiscite. The Agreement shall be approved if [a majority] [55 %] of the qualified votes cast in the plebiscite favor approval.

(c) Approval by the United States shall be given when the Commonwealth Agreement has been enacted into law

[or approved by joint resolution] in accordance with the constitutional processes of the United States.

Section 1102. (a) The Constitution of the Commonwealth of the Northern Mariana Islands shall be drafted and approved in accordance with this Section.

(b) Following approval of the Agreement by the people of the Mariana Islands District, the Mariana Islands District Legislature shall establish a Convention to draft a Constitution of the Commonwealth of the Northern Mariana Islands.

(c) The Secretary of the Interior shall, within [150] days after the Convention has drafted a Constitution of the Commonwealth of the Northern Mariana Islands cause a referendum to be held on the Constitution. All residents of the Northern Mariana Islands who would be eligible to vote in a general election therein if such an election were held on the day the referendum is conducted shall be eligible to vote in the referendum. The Constitution shall be approved if a majority of the qualified votes cast in the referendum favor approval.

(d) Within 30 days of the approval of a Constitution by the people of the Northern Mariana Islands in a referendum, the Secretary of the Interior shall transmit to the President and to the Congress of the United States copies of the Constitution.

Not less than 30 days [nor more than 120] after such transmittal, the President shall issue a proclamation stating that the Constitution of the Northern Mariana Islands is approved by the United States, unless he finds that the Constitution is not consistent with this Agreement. If the President finds that the Constitution is not consistent with this Agreement he shall transmit the Constitution together with a statement of the reasons for his determination to the Secretary of the Interior who shall transmit this material to the Mariana Islands District Legislature.

(e) The procedures provided for in this Section shall be repeated as necessary until the Constitution of the Northern Mariana Islands is approved by the people thereof and by the United States.

Section 1103. The laws of the Trust Territory of the Pacific Islands, of the Mariana Islands District and the local municipalities, and all other Executive and District orders of a local nature applicable within the Northern Mariana Islands on the effective date of this Section and not inconsistent with this Agreement or with the provisions of the Constitution of the United States or federal laws applicable within the Northern Mariana Islands will remain in force and effect until and unless repealed by the Government of the Northern Mariana Islands.

Section 1104. Promptly after the signing of this Agreement the United States has agreed to make funds available, [subject to approval by the Congress,] to establish a Joint Commission on Transition and to cover the costs of conducting transitional studies, programs and events relating to the establishment of a new Government of the Northern Mariana Islands.

Section 1105. [Definitions]

Section 1106. [Effective date provisions].