

~~November 11~~  
~~October 23, 1974~~

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ARTICLE II

Constitution of the Northern Mariana Islands

Section 201. The people of the Northern Mariana Islands will formulate and approve a Constitution in accordance with this Agreement and may amend their Constitution pursuant to the procedures provided therein.

Section 202. <sup>US (MPS), Tentative</sup> ~~the~~ The Constitution will be submitted to the Government of the United States for approval on the basis of its consistency with this Agreement and ~~the~~ <sup>Those</sup> ~~applicable~~ provisions of the Constitution, <sup>treaties of</sup> and laws of the United States ~~and laws of the United States shall approve the~~ <sup>to be applicable to the Northern Mariana Islands. The Congress will be deemed to have been approved 60 days after the receipt by the President of</sup> ~~original provisions of the Constitution as provided in Section 100[3] of this Agreement.~~ <sup>unless earlier disapproved; the same procedure will be repeated if necessary.</sup> ~~Subsequent~~ Amendments to the

Constitution of the Northern Mariana Islands may be made by the people of the Northern Mariana Islands without approval by the Government of the United States, but the courts established by the Constitution or laws of the United States will be competent to determine whether the Constitution and subsequent amendments thereto are consistent with this Agreement and with those provisions of the Constitution, treaties or laws of the United States applicable to the Northern Mariana Islands.

Section 203. (a) The Constitution will provide for a republican form of government with separate executive, legislative, and judicial branches, and will contain a bill of rights.

(b) The executive power of the Northern Mariana Islands will be vested in a popularly elected Governor and such other officials as the Constitution or laws of the Northern Mariana Islands may provide.

(c) The legislative power of the Northern Mariana Islands will be vested in a popularly elected legislature, and will extend to all rightful subjects of legislation.

*The Constitution of The Northern Mariana Islands may provide for a distribution of the legislature's membership on the basis of appropriate considerations*  
~~Nothing in this Agreement or in the provisions of the Constitution or laws of the United States applicable to the Northern Mariana Islands shall prevent the Constitution of the Northern Mariana Islands from providing for a distribution of the membership of the legislature on a basis which takes into account matters such as geographical or historical interests as well as population, provided such distribution is ratified by the people of the Northern Mariana Islands by their approval of the Constitution or amendments thereto.~~

(d) The judicial power of the Northern Mariana Islands will be vested in such courts as the Constitution or laws of the Northern Mariana Islands may provide.

~~[US: The operation of the courts of the Northern Mariana Islands will be compatible with the federal judicial system of the United States and consistent with applicable federal law.]~~

Section 204. All members of the legislature of the Northern Mariana Islands and all officers and employees of the Government of the Northern Mariana Islands will take an oath or affirmation to support this Agreement, the provisions of the Constitution, treaties and laws of the United States applicable to the Northern Mariana Islands, and the Constitution and laws of the Northern Mariana Islands.