

SCHEDULE ON TRANSITIONAL MATTERS

The following provisions shall remain part of the Constitution until their terms have been executed. Once each year the attorney general shall review the following provisions and certify to the governor which, if any, have been executed. Any provisions so certified shall be removed from this Schedule and no longer published as part of the Constitution.

Section 1: Effective Date of Constitution. The Constitution shall take effect on a date proclaimed by the President of the United States after its approval by the United States and otherwise as provided by the Covenant.

Section 2: Continuity of Laws. Laws in force in the Northern Mariana Islands on the day preceding the effective date of the Constitution that are consistent with the Constitution and the Covenant shall continue in force until they expire or are amended or repealed.

Section 3: Continuity of Government Employment and Operations. As of the effective date of the Constitution employees of the Government of the Northern Mariana Islands and its political subdivisions shall be employees of the Commonwealth on the same terms and conditions of employment as were enforceable against the Government of the Northern Mariana Islands or its political subdivisions until provided otherwise by law, regulation or ordinance. Employees of the Government of the Northern Mariana Islands shall have the same functions and

duties after becoming employees of the Commonwealth until provided otherwise by law, regulation or ordinance.

Section 4: Continuity of Judicial Matters. As of the effective date of the Constitution the Marianas District Court of the Government of the Northern Mariana Islands shall become the Commonwealth trial court and the judges serving on the Marianas District Court shall be judges of the Commonwealth trial court serving at the pleasure of the governor until the governor appoints judges of the Commonwealth trial court for full six-year terms under article IV, section 4, of the Constitution. Civil and criminal matters pending before the Marianas District Court on the effective date of the Constitution shall become matters pending before the Commonwealth trial court. Civil and criminal matters pending before the High Court of the Trust Territory of the Pacific Islands on the effective date of the Constitution that involve matters within the jurisdiction of the Commonwealth trial court or the United States District Court for the Northern Mariana Islands shall remain within the jurisdiction of the High Court until finally decided.

Section 5: Continuity of Legislative Matters. The terms of office of members of the Northern Mariana Islands Legislature shall expire on the effective date of the Constitution. Bills enacted by the Northern Mariana Islands Legislature but not approved by the Resident Commissioner on the effective date of the Constitution shall be void.

Section 6: Continuity of Corporations and Licenses.

Corporations incorporated or qualified to do business in the Northern Mariana Islands on the effective date of the Constitution shall continue to be incorporated or qualified until otherwise provided by law. Licenses in effect in the Northern Mariana Islands on the effective date of the Constitution shall continue in effect until otherwise provided by law except that no license possessed by a land surveyor, ship officer, health professional or a practicing trial assistant may be amended or revoked except for incompetence or unethical conduct.

Section 7: Statutes of Limitations. The legislature

shall study whether to repeal a statute of limitations currently in force in the Commonwealth with respect to land in order for the Commonwealth to provide compensation for past transactions. If a statute is repealed after study, the compensation provided by the Commonwealth shall be limited to priority with respect to the distribution of public lands and shall not affect a right in property that vested under the repealed statute of limitations.

Section 8: Interim Definition of Citizenship. For the

period from the approval of the Constitution by the people of the Northern Mariana Islands to the termination of the Trusteeship Agreement, the term United States citizen or United States national as used in the Constitution includes those persons who, on the date of the approval of the Constitution by the people of the Northern Mariana Islands, do not owe allegiance to any foreign state and who qualify under one of the following criteria:

a) persons who were born in the Northern Mariana Islands, who are citizens of the Trust Territory of the Pacific Islands on the date of the approval of the Constitution by the people of the Northern Mariana Islands, and who on that date are domiciled in the Northern Mariana Islands or in the United States or any territory or possession thereof;

b) persons who are citizens of the Trust Territory of the Pacific Islands on the date of the approval of the Constitution by the people of the Northern Mariana Islands, who have been domiciled continuously in the Northern Mariana Islands for at least five years immediately prior to that date, and who, unless under age, registered to vote in elections for the Mariana Islands District Legislature or for any municipal election in the Northern Mariana Islands prior to January 1, 1975; or

c) persons domiciled in the Northern Mariana Islands on the date of the approval of the Constitution by the people of the Northern Mariana Islands who, although not citizens of the Trust Territory of the Pacific Islands, on that date have been domiciled continuously in the Northern Mariana Islands beginning prior to January 1, 1974.

Section 9: Commonwealth. For the period from the approval of the Constitution by the people of the Northern Mariana Islands to the termination of the Trusteeship Agreement, the term Commonwealth as used in the Constitution and this Schedule to describe a geographic area means the Northern Mariana Islands

as defined by article X, section 1005(b), of the Covenant and otherwise means the government established under this Constitution.

Section 10: Elections. Within one hundred twenty days after the approval of the Constitution by the United States under to article II, section 202, of the Covenant, an election shall be held on a date set by the Northern Mariana Islands Legislature to fill the elective offices established by the Constitution. Persons shall be eligible to vote who are eligible to vote under article VII of the Constitution and the laws in force in the Northern Mariana Islands to the extent those laws are consistent with the Constitution. The Northern Mariana Islands Legislature shall establish those procedures, including registration of voters, required to conduct the election required by this section, and shall appropriate sufficient funds for the implementation of this section. If the Northern Mariana Islands Legislature does not act to set the election date and establish the necessary registration and election procedures within thirty days after the approval of the Constitution by the United States, the Resident Commissioner may set the election date and establish registration and election procedures.

Section 11: Saipan Election Districts.

(To be supplied)

Section 12: Commencement of Terms. Officials elected in the election required by section 10 shall take office on the effective date of the Constitution. The oath of office shall be administered by a judge designated by the Commonwealth trial court. For the purpose of determining the date the terms of officials elected under section 10 expire, the officials shall be considered to have taken office on the second Monday in January in the year after the year in which the election is held, except that if the election is held before the first day of the month of July the officials shall be considered to have taken office on the second Monday in January of the year in which the election is held.

Section 13: Succession. As of the effective date of the Constitution the Commonwealth of the Northern Mariana Islands shall succeed to all rights and obligations of the previous Government of the Northern Mariana Islands.