

**Executive Documents**

## DELEGATION OF FUNCTIONS

Ex. Ord. No. 11230, under which the functions of the President under sections 44(a) and 45(a) of the Alaska Omnibus Act of June 25, 1959, set out above, were delegated to the Director of the Bureau of the Budget [now the Director of Management and Budget], was superseded by Ex. Ord. No. 11609, eff. July 22, 1971, 36 F.R. 13747, set out under section 301 of Title 3.

## PROC. NO. 3269. ADMISSION OF THE STATE OF ALASKA INTO THE UNION

Proc. No. 3269, eff. Jan. 3, 1959, 24 F.R. 81, 73 Stat. c16, provided:

WHEREAS the Congress of the United States by the act approved on July 7, 1958 (72 Stat. 339) [set out above], accepted, ratified, and confirmed the constitution adopted by a vote of the people of Alaska in an election held on April 24, 1956, and provided for the admission of the State of Alaska into the Union on an equal footing with the other States of the Union upon compliance with certain procedural requirements specified in that act; and

WHEREAS it appears from information before me that a majority of the legal votes cast at an election held on August 26, 1958, were in favor of each of the propositions required to be submitted to the people of Alaska by section 8(b) of the Act of July 7, 1958 [set out above]; and

WHEREAS it further appears from information before me that a general election was held on November 25, 1958, and that the returns of the general election were made and certified as provided in the act of July 7, 1958; and

WHEREAS the Acting Governor of Alaska has certified to me the results of the submission to the people of Alaska of the three propositions set forth in section 8(b) of the act of July 7, 1958 [set out above], and the results of the general election; and

WHEREAS I find and announce that the people of Alaska have duly adopted the propositions required to be submitted to them by the act of July 7, 1958 [set out above], and have duly elected the officers required to be elected by that act:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby declare and proclaim that the procedural requirements imposed by the Congress on the State of Alaska to entitle that State to admission into the Union have been complied with in all respects and that admission of the State of Alaska into the Union on an equal footing with the other States of the Union is now accomplished.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington at one minute past noon on this third day of January in the year of our Lord nineteen hundred and fifty-nine, and of the Independence of the United States of America the one hundred and eighty-third.

DWIGHT D. EISENHOWER.

[SEAL]

## EX. ORD. NO. 10857. TERMINATION OF FEDERAL FUNCTIONS IN ALASKA AND TRANSFER OF PROPERTY HELD BY UNITED STATES

Ex. Ord. No. 10857, eff. Dec. 29, 1959, 25 F.R. 33, provided:

WHEREAS section 6(e) of the act of July 7, 1958, 72 Stat. 339, as amended [set out as a note above], provides that the administration and management of the fish and wildlife resources of Alaska shall be transferred to the State of Alaska on the first day of the first calendar year following the expiration of ninety calendar days after the Secretary of the Interior certifies to the Congress that the Alaska State Legislature has made adequate provision for the administration, manage-

ment, and conservation of such resources in the broad national interest; and

WHEREAS the Secretary of the Interior made such certification to the Congress on April 27, 1959; and

WHEREAS section 45(a) of the Alaska Omnibus Act (73 Stat. 152) [set out as a note above] provides that if the President determines that any function performed by the Federal Government in Alaska has been terminated by the Federal Government and that performance of such function or substantially the same function has been or will be assumed by the State of Alaska, the President may, until July 1, 1964, in his discretion, transfer and convey to the State of Alaska, without reimbursement, any property or interest in property, real or personal, situated in Alaska which is owned or held by the United States in connection with such function; and

WHEREAS it appears that it would be in the public interest to delegate to the Secretary of the Interior, to the extent hereinafter indicated, the authority vested in the President by section 45(a) of the Alaska Omnibus Act:

NOW, THEREFORE, by virtue of the authority vested in me by section 45(a) of the Alaska Omnibus Act (73 Stat. 152) and section 301 of title 3 of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. It is hereby determined that the functions performed by the United States in Alaska pursuant to the Alaska game law of July 1, 1943, 57 Stat. 301 [sections 192, 193, and 195 to 211 of this title], the act of June 26, 1906, 34 Stat. 478, the act of June 6, 1924, 43 Stat. 465, and the acts amending or supplementing such acts, will terminate on December 31, 1959, and that the same functions or substantially the same functions will be assumed by the State of Alaska.

SEC. 2. There is hereby delegated to the Secretary of the Interior, effective January 1, 1960, the authority vested in the President by section 45(a) of the Alaska Omnibus Act to transfer and convey to the State of Alaska, without reimbursement, any property or interest in property, real or personal, situated in Alaska which is owned or held by the United States in connection with the functions described in section 1 hereof.

SEC. 3. The Secretary of the Interior is hereby authorized to redelegate to (1) the Assistant Secretary for Fish and Wildlife, (2) the Commissioner of Fish and Wildlife, (3) the Directors of the Bureaus of Commercial Fisheries and Sport Fisheries and Wildlife, and (4) the Regional Directors, Alaska Region, of the Bureaus of Commercial Fisheries and Sport Fisheries and Wildlife all or any part of the authority delegated to the Secretary of the Interior by section 2 hereof.

SEC. 4. All transfers and conveyances made under or pursuant to this order shall be made in accordance with such policies, conditions, and procedures as may be prescribed by the Secretary of the Interior.

DWIGHT D. EISENHOWER.

UNITED STATES DISTRICT COURT OF ALASKA

Readiness of United States District Court for District of Alaska to assume functions imposed upon it, see Ex. Ord. No. 10867, eff. Feb. 20, 1960, 25 F.R. 1584, set out under section 81A of Title 28, Judiciary and Judicial Procedure.

**§§ 21 to 27. Omitted****Editorial Notes**

## CODIFICATION

Sections 21 to 27, relating to Territory of Alaska, were omitted in view of admission of Alaska into the Union.

Section 21, act Aug. 24, 1912, ch. 387, § 1, 37 Stat. 512, provided for organization and administration of Territory of Alaska.

Section 22, act Aug. 24, 1912, ch. 387, § 2, 37 Stat. 512, directed that Capital of Territory be at Juneau.

Section 23, act Aug. 24, 1912, ch. 387, § 3, 37 Stat. 512, extended Constitution and laws of United States to Territory.

Section 24, acts Aug. 24, 1912, ch. 387, § 3, 37 Stat. 512; July 28, 1956, ch. 772, title III, § 301(c), 70 Stat. 713, limited authority of Territorial legislature to repeal or amend existing laws.

Section 25, act June 6, 1900, ch. 786, § 30, 31 Stat. 332, empowered Attorney General to prescribe fees of officers not otherwise compensated.

Section 26, act June 6, 1900, ch. 786, § 2, 31 Stat. 321, authorized governor to appoint notaries public.

Section 27, act June 6, 1900, ch. 786, § 2, 31 Stat. 321, validated appointments of notaries public made prior to June 6, 1900.

**§ 28. Repealed. Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1029**

Section, act June 6, 1900, ch. 786, § 17, 31 Stat. 328, related to residence, term of office, and removal from office of notaries public.

**§§ 29 to 38. Omitted**

**Editorial Notes**

**CODIFICATION**

Sections 29 to 38, relating to Territory of Alaska, were omitted in view of admission of Alaska into the Union.

Section 29, act June 6, 1900, ch. 786, §§ 22, 23, 31 Stat. 329, related to official bonds of notaries public.

Section 30, acts June 6, 1900, ch. 786, § 32, 31 Stat. 333; Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1029, prescribed fee for issuance of notary public commission.

Section 31, act June 6, 1900, ch. 786, § 18, 31 Stat. 328, related to duties of notaries public.

Section 32, act June 6, 1900, ch. 786, § 19, 31 Stat. 329, provided for protests of bills or notes by notaries public.

Section 33, act June 6, 1900, ch. 786, § 24, 31 Stat. 329, related to liability of notaries public for misconduct or neglect.

Section 34, act June 6, 1900, ch. 786, § 20, 31 Stat. 329, directed notaries to deposit their records with district court on resignation, removal or death.

Section 35, act June 6, 1900, ch. 786, § 21, 31 Stat. 329, related to duty of clerk in safe-keeping records deposited.

Section 35a, acts Aug. 5, 1939, ch. 480, § 1, 53 Stat. 1219; Dec. 11, 1945, ch. 563, 59 Stat. 605, empowered postmasters to act as notaries public.

Section 35b, acts Aug. 5, 1939, ch. 480, § 2, 53 Stat. 1219; Dec. 11, 1945, ch. 563, 59 Stat. 606, provided for signature and seal of postmasters acting as notaries.

Section 35c, act Aug. 5, 1939, ch. 480, § 3, 53 Stat. 1219, related to fees of postmasters acting as notaries.

Section 36, acts June 6, 1900, ch. 786, § 32, 31 Stat. 333; Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1029, prescribed fee for certificates issued to members of bar authorizing them to practice law.

Section 37, act June 11, 1896, ch. 420, § 1, 29 Stat. 413, empowered Secretary of the Treasury to fix rates of dockage and wharfage to be paid for use of wharf at Sitka.

Section 38, act Jan. 3, 1923, ch. 22, 42 Stat. 1106, related to repairs to wharf at Sitka.

**§ 39. Repealed. Oct. 31, 1951, ch. 654, § 1(118)-(124), 65 Stat. 706**

Section, acts Mar. 4, 1907, ch. 2918, § 1, 34 Stat. 1338; May 24, 1922, ch. 199, 42 Stat. 584; Jan. 24, 1923, ch. 42, 42 Stat. 1205; June 5, 1924, ch. 264, 43 Stat. 427; Mar. 3, 1925, ch. 462, 43 Stat. 1181; May 10, 1926, ch. 277, § 1, 44 Stat. 492; Jan. 12, 1927, ch. 27, § 1, 44 Stat. 968, related to handling and disposition of reindeer in Alaska.

**§§ 40, 41. Omitted**

**Editorial Notes**

**CODIFICATION**

Sections 40 and 41, relating to Territory of Alaska, were omitted in view of admission of Alaska into the Union.

Section 40, act June 6, 1900, ch. 786, § 31, 31 Stat. 332, related to court rooms and offices of civil government.

Section 41, acts Jan. 27, 1905, ch. 277, § 1, 33 Stat. 616; May 14, 1906, ch. 2458, § 1, 34 Stat. 192; Feb. 6, 1909, ch. 80, § 7, 35 Stat. 601; Mar. 3, 1913, ch. 109, 37 Stat. 728, related to deposits to Alaska fund in Treasury Department.

**§ 42. Repealed. Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1029**

Section, acts June 6, 1900, ch. 786, § 32, 31 Stat. 333; Mar. 3, 1905, ch. 1497, § 2, 33 Stat. 1266, provided for disbursements to Alaska Historical Library and Museum and prescribed contents thereof.

**§§ 43 to 45. Omitted**

**Editorial Notes**

**CODIFICATION**

Sections 43 to 45, relating to Territory of Alaska, were omitted in view of admission of Alaska into the Union.

Section 43, acts June 6, 1900, ch. 786, § 33, 31 Stat. 333; Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1029, designated Alaska Historical Library and Museum as a depository of Government publications.

Section 44, acts Aug. 24, 1912, ch. 387, § 9, 37 Stat. 514; June 3, 1948, ch. 396, 62 Stat. 302, limited amount of taxes that could be levied by incorporated towns or municipalities.

Section 44a, act May 28, 1936, ch. 467, § 1, 49 Stat. 1388, related to bonded indebtedness of municipalities for public works.

Section 44b, acts May 28, 1936, ch. 467, § 2, 49 Stat. 1388; June 14, 1937, ch. 337, 50 Stat. 258, related to approval by electors of bonded indebtedness incurred by municipal corporation.

Section 44c, act May 28, 1936, ch. 467, § 3, 49 Stat. 1388, provided for issuance, sale and redemption, and interest rates of bonds.

Section 44d, act May 28, 1936, ch. 467, § 4, 49 Stat. 1389, authorized tax levies for payment of bonds.

Section 44e, act May 28, 1936, ch. 467, § 5, 49 Stat. 1389, repealed conflicting laws.

Section 44f, act Mar. 6, 1946, ch. 52, § 1, 60 Stat. 33, authorized bonds for public works by municipalities and public utility districts.

Section 44g, act Mar. 6, 1946, ch. 52, § 2, 60 Stat. 33, related to issuance, sale and redemption, and interest rates on bonds for public works.

Section 44h, act Mar. 6, 1946, ch. 52, § 3, 60 Stat. 34, related to covenants in bonds issue for public works.

Section 44i, act Mar. 6, 1946, ch. 52, § 4, 60 Stat. 34, repealed laws inconsistent with sections 44f to 44i of this title.

Section 45, act Aug. 24, 1912, ch. 387, § 9, 37 Stat. 514, prescribed residence qualifications for divorce actions.

**§ 46. Repealed. July 28, 1956, ch. 772, title III, § 301(a)(2), 70 Stat. 712**

Section, acts Feb. 6, 1909, ch. 80, § 7, 35 Stat. 601; Oct. 14, 1942, ch. 601, § 2, 56 Stat. 782; July 28, 1956, ch. 722, title III, § 301(b)(1), 70 Stat. 712, authorized Governor of Alaska or his designee to contract for care and custody of insane persons.