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IN THE HOUSE

BY RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR

HOUSE BILL NO. 431

IN THE LEGISLATURE OF THE STATE OF ALASKA  
SECOND LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to employees of the  
Division of Marine Transportation;  
amending Subsec. 5, Sec. 3 of Ch. 143,  
SLA 1960; amending Sec. 3, Ch. 144,  
SLA 1960; and providing for an effective  
date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

Section 1. COLLECTIVE BARGAINING AGREEMENT. The Commission-  
er of Public Works or his authorized representative may  
negotiate and enter into collective bargaining agreements con-  
cerning wages, hours, working conditions and other employment  
benefits with the employees of the Division of Marine Trans-  
portation engaged in operating the State Ferry System as masters  
or members of the crews of vessels or their bargaining agent.  
No collective bargaining agreement is final without the con-  
currence of the Commissioner of Public Works. The Commissioner  
of Public Works may make provision in the collective bargaining  
agreement for the settlement of labor disputes by arbitration.

Sec. 2. Subsec. (5), Sec. 3, Ch. 143, SLA 1960 is  
amended to read:

(5) "employee" shall mean a person who is receiving  
remuneration for full time personal services regularly  
rendered to an employer or who would be receiving such  
remuneration except where authorized leave of absence,

1 excluding (a) persons compensated on a contractual or  
2 fee basis, (b) casual or part-time workers in a position  
3 having duties which will not permit at least six months  
4 of service during a calendar year [AND] (c) persons  
5 covered by the Alaska Teachers Retirement System and  
6 (d) employees of the Division of Marine Transportation  
7 engaged in operating the State Ferry System who are  
8 covered by a union or group retirement system to which  
9 the State of Alaska makes contributions.

10 Sec. 3. Section 5 of Ch. 144, SLA 1960 is amended to read:

11 Sec. 5. EXEMPT SERVICE. The following positions in  
12 the state service constitute the exempt service and are  
13 exempt from the provisions of this Act and the rules  
14 adopted pursuant to this Act:

15 (1) Persons elected to public office by popular vote  
16 or appointed to fill vacancies in elected offices;

17 (2) Justices of the supreme court, judges of the  
18 superior court, judges, magistrates and deputy magistrates  
19 of other state courts established by law;

20 (3) The administrative director of the state court  
21 system;

22 (4) The chief administrative officer of each house of  
23 the legislature;

24 (5) The executive director of the Legislative Council;  
25 the legislative auditor; and the head of any other  
26 legislative agency established by law;

27 (6) The head of each principal department in the  
28 executive branch;

29 (7) Officers, members of the teaching staff, and

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student employees of the University of Alaska;

(8) Certificated teachers employed by the state to teach in schools operated by the Department of Education;

(9) Patients and inmates employed in state institutions;

(10) Persons employed in a professional capacity to make a temporary and special inquiry, study, or examination as authorized by the governor, the legislature or a legislative committee;

(11) Members of boards, commissions or authorities.

(12) Personnel employed by the Division of Marine Transportation as masters and members of the crews of vessels who operate the State Ferry System. This Subsection does not apply to pursers and hostesses.

Sec. 4. This Act shall take effect immediately upon its passage and approval or upon its becoming law without such approval.