

1 IN THE HOUSE

BY RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 431

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SECOND LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to employees of the
7 Division of Marine Transportation;
8 amending Subsec. 5, Sec. 3 of Ch. 143,
9 SLA 1960; amending Sec. 3, Ch. 144,
10 SLA 1960; amending Subsec. 1, Ch. 145,
11 SLA 1960; and providing for an effective
12 date."

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

14 Section 1. COLLECTIVE BARGAINING AGREEMENT. The Commissioner
15 of Public Works or his authorized representative, in accordance
16 with Ch. 108, SLA 1959, may negotiate and enter into collective
17 bargaining agreements concerning wages, hours, working conditions
18 and other employment benefits with the employees of the Division
19 of Marine Transportation engaged in operating the State Ferry
20 System as masters or members of the crews of vessels or their
21 bargaining agent. No collective bargaining agreement is final
22 without the concurrence of the Commissioner of Public Works.
23 The Commissioner of Public Works may make provision in the collec-
24 tive bargaining agreement for the settlement of labor disputes
25 by arbitration.

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

28 (5) "employee" shall mean a person who is receiving
29 remuneration for full time personal services regularly

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

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

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

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

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

22 (3) The administrative director of the state court
23 system;

24 (4) The chief administrative officer of each house of
25 the legislature;

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

29 (6) The head of each principal department in the

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executive branch;

(7) Officers, members of the teaching staff, and 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 and who are covered by collective bargaining agreements as provided in Sec. 1 of this Act. This Subsection does not apply to pursers and hostesses.

Sec. 4. Subsec. 1, Sec. 11-5-6, ACLA 1949 as repealed and re-enacted by Sec. 1, Ch. 145, SLA 1960, is amended by adding a new sub-paragraph to read:

(8) persons employed by the Division of Marine Transportation as masters and members of the crews operating the state ferry system. This subsection shall not apply to pursers and hostesses.

Sec. 5. This Act shall take effect immediately upon its passage and approval or upon its becoming law without such approval.