

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 Division  
7 of Marine Transportation; amending Subsec.  
8 5, Sec. 3 of Ch. 143, SLA 1960; amending  
9 Sec. 3, Ch. 144, SLA 1960; amending Subsec.  
10 1, Ch. 145, SLA 1960; and providing for an  
11 effective date."

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

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

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

27 (5) "employee" shall mean a person who is receiving  
28 remuneration for full time personal services regularly  
29 rendered to an employer or who would be receiving such

HB #431, as amended by the Senate -1-

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

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

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

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

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

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

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

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

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

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(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.

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 who are covered by collective bargaining agreements as provided in Sec. 1 of this Act.

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