

CS FOR SENATE BILL NO. 199(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 4/14/94  
Referred: Labor and Commerce

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND  
AUDIT COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to employees of the division of elections."

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

3 \* Section 1. AS 23.40.200(c) is amended to read:

4 (c) The class in (a)(2) of this section is composed of public utility, snow  
5 removal, sanitation, and educational institution employees other than employees of a  
6 school district, a regional educational attendance area, or the state boarding school and  
7 of employees of the division of elections in the office of the lieutenant governor  
8 other than the director of elections. Employees in this class may engage in a strike  
9 after mediation, subject to the voting requirement of (d) of this section, for a limited  
10 time. The limit is determined by the interests of the health, safety, or welfare of the  
11 public. The public employer or the labor relations agency may apply to the superior  
12 court in the judicial district in which the strike is occurring for an order enjoining the  
13 strike. A strike may not be enjoined unless it can be shown that it has begun to  
14 threaten the health, safety, or welfare of the public. A court, in deciding whether or not

1 to enjoin the strike, shall consider the total equities in the particular class. "Total  
2 equities" includes not only the impact of a strike on the public but also the extent to  
3 which employee organizations and public employers have met their statutory  
4 obligations. If an impasse or deadlock still exists after the issuance of an injunction,  
5 the parties shall submit to arbitration to be carried out under AS 09.43.030.

6 \* Sec. 2. AS 39.25.110 is amended to read:

7 Sec. 39.25.110. EXEMPT SERVICE. Unless otherwise provided by law, the  
8 following positions in the state service constitute the exempt service and are exempt  
9 from the provisions of this chapter and the rules adopted under it:

10 (1) persons elected to public office by popular vote or appointed to fill  
11 vacancies in elected offices;

12 (2) justices, judges, magistrates, and employees of the judicial branch  
13 including employees of the judicial council;

14 (3) employees of the state legislature and its agencies;

15 (4) the head of each principal department in the executive branch;

16 (5) officers and employees of the University of Alaska;

17 (6) certificated teachers and noncertificated employees employed by a  
18 regional educational attendance area established and organized under AS 14.08.031 -  
19 14.08.041 to teach in, administer, or operate schools under the control of a regional  
20 educational attendance area school board;

21 (7) certificated teachers employed by the Department of Education as  
22 correspondence teachers, teachers in skill centers operated by the Department of  
23 Education, or in Mt. Edgecumbe School;

24 (8) patients and inmates employed in state institutions;

25 (9) persons employed in a professional capacity to make a temporary  
26 or special inquiry, study or examination as authorized by the governor;

27 (10) members of boards, commissions, or authorities;

28 (11) the officers and employees of the following boards, commissions,  
29 and authorities:

30 (A) Alaska Gas Pipeline Financing Authority;

31 (B) Alaska Permanent Fund Corporation;

- 1 (C) Alaska Industrial Development and Export Authority;  
2 (D) Alaska Commercial Fisheries Entry Commission;  
3 (E) Alaska Commission on Postsecondary Education;  
4 (F) Alaska Aerospace Development Corporation;
- 5 (12) the executive secretary and legal counsel of the Alaska Municipal  
6 Bond Bank Authority;
- 7 (13) the state medical examiner appointed under AS 12.65.015 and  
8 physicians licensed to practice in this state and employed by the division of mental  
9 health and developmental disabilities in the Department of Health and Social Services  
10 or by the Department of Corrections;
- 11 (14) petroleum engineers and petroleum geologists employed in a  
12 professional capacity by the Department of Natural Resources and by the Oil and Gas  
13 Conservation Commission, except for those employed in the division of geological and  
14 geophysical surveys in the Department of Natural Resources;
- 15 (15) officers, agents, and employees of the Alcoholic Beverage Control  
16 Board granted limited peace officer powers by the Alcoholic Beverage Control Board  
17 under AS 04.06.110;
- 18 (16) persons employed by the division of marine transportation as  
19 masters and members of the crews of vessels who operate the state ferry system and  
20 who are covered by a collective bargaining agreement provided in AS 23.40.040;
- 21 (17) officers and employees of the state who reside in foreign countries;  
22 (18) employees of the Alaska Seafood Marketing Institute;
- 23 (19) fire fighters employed by the Department of Natural Resources for  
24 a fire emergency;
- 25 (20) employees of the Office of the Governor [AND THE OFFICE OF  
26 THE LIEUTENANT GOVERNOR], including the staff of the governor's mansion, and  
27 employees of the office of the lieutenant governor including the director of  
28 elections and the regional elections supervisors but not including other employees  
29 of the division of elections;
- 30 (21) employees of the Citizens' Advisory Commission on Federal  
31 Areas in Alaska (AS 41.37.010);

- 1                   (22) youth employed by the Department of Natural Resources under the  
2 Youth Employment and Student Intern programs;  
3                   (23) the executive director of the Medicaid Rate Advisory Commission;  
4                   (24) students employed by the state institutions in which the students  
5 are enrolled;  
6                   (25) the executive director and staff of the Alaska Science and  
7 Technology Foundation (AS 37.17.010);  
8                   (26) investment officers in the Department of Revenue;  
9                   (27) the executive director and other staff of the Alaska Tourism  
10 Marketing Council;  
11                   (28) persons engaged in employment or pre-employment training  
12 programs operated by the Department of Military and Veterans' Affairs;  
13                   (29) employees of the Alaska Amateur Sports Authority.