

**CS FOR HOUSE BILL NO. 447 (STATE AFFAIRS)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION**

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 3/18/92

Referred: Rules

Sponsor(s): REPRESENTATIVES BRUCKMAN, Gruenberg, Mackie, Ivan, Navarre, C.Davis

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the use of a personal flotation device by a person under 13 years
2 of age."

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

4 * Section 1. AS 05.25.010 is amended by adding a new subsection to read:

5 (d) The operator of a watercraft on the water of the state may not transport a person
6 under 13 years of age onboard the watercraft unless the person is wearing a United States Coast
7 Guard approved Type I, Type II, or Type III flotation device. In this subsection, "personal
8 flotation device" does not include a life belt or life ring.

9 * Sec. 2. AS 05.25.020 is amended by adding a new subsection to read:

10 (b) A person may not operate a watercraft on the water of the state to tow a person under
11 13 years of age on water skis, a surfboard, or similar device unless the person being towed is
12 wearing a United States Court Guard approved Type I, Type II, or Type III personal flotation
13 device. In this subsection, "personal flotation device" does not include a life belt or life ring.

14 * Sec. 3. AS 05.25.090 is amended to read:

1 **Sec. 05.25.090. PENALTIES. Except as provided in (b) of this section, a [A] person**
2 **who violates a [ANY] provision of this chapter is guilty of a misdemeanor and is punishable by**
3 **a fine of not more than \$500, or by imprisonment of not more than six months, or by both, for**
4 **each violation unless that person is convicted of a violation of AS 28.35.030, in which case the**
5 **sentence shall be in accordance with AS 28.35.030.**

6 *** Sec. 4. AS 05.25.090 is amended by adding a new subsection to read:**

7 **(b) A person who violates AS 05.25.010(d) or 05.25.020(b) is guilty of a violation, as**
8 **defined in AS 11.81.900, and may be fined up to \$50.**

9 *** Sec. 5. AS 22.15.120 is amended to read:**

10 **Sec. 22.15.120. LIMITATIONS ON PROCEEDINGS WHICH MAGISTRATE MAY**
11 **HEAR. A magistrate shall preside only in cases and proceedings under AS 22.15.040, 22.15.100,**
12 **and 22.15.110, and as follows:**

13 **(1) for the recovery of money or damages only when the amount claimed,**
14 **exclusive of costs, interest, and attorney fees, does not exceed \$5,000;**

15 **(2) for the recovery of specific personal property when the value of the property**
16 **claimed and the damages for the detention do not exceed \$5,000;**

17 **(3) for the recovery of a penalty or forfeiture, whether given by statute or arising**
18 **out of contract, not exceeding \$5,000;**

19 **(4) to give judgment without action upon the confession of the defendant for any**
20 **of the cases specified in this section, except for a penalty or forfeiture imposed by statute;**

21 **(5) to give judgment of conviction upon a plea of guilty by the defendant in a**
22 **criminal proceeding within the jurisdiction of the district court;**

23 **(6) to hear, try, and enter judgments in all cases involving misdemeanors, if the**
24 **defendant consents in writing that the magistrate may try the case;**

25 **(7) to hear, try, and enter judgments in all cases involving infractions under**
26 **AS 28, violations under AS 05.25 and AS 11, and violations of ordinances of political**
27 **subdivisions;**

28 **(8) for the extradition of fugitives as authorized under AS 12.70.**