

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

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 4/10/92

Referred: Rules

Sponsor(s): REPRESENTATIVES BRUCKMAN, Gruenberg, Mackie, Ivan, Navarre, C.Davis, Ellis, Jacko, Hudson, Donley, Leman, B.Davis, Brown, Ulmer

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 on the deck of a watercraft or in an open watercraft unless the person is  
7 wearing a United States Coast Guard approved Type I, Type II, or Type III flotation device. In  
8 this subsection, "personal 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.