



## MEMORANDUM

TO: Bob Klein, Chair, and Members of the Alcoholic Beverage Control Board      DATE: April 29, 2019

FROM: Erika McConnell, Director      RE: 5659 M/V Sound Endeavor

**Requested Action:** Appeal determination of incomplete application

**Statutory Authority:** AS 04.11.560(a): “An action of an officer, employee, or agent of the board relating to the administration or enforcement of this title may be appealed to the board by the aggrieved party.”

**Staff Rec.:** Uphold staff determination of an incomplete application

**Background:** Phillips Cruises & Tours LLC submitted a new application for license #5659 for a common carrier license to be located on the M/V Sound Endeavor. Because the applicant does not have a Certificate of Inspection from the US Coast Guard, nor a 5-Star Decal through the 17<sup>th</sup> Coast Guard District’s 5-Star Safety Program, the application was deemed incomplete and returned to the applicant. The applicant is appealing the determination.

The statutes governing alcohol licensing give the board oversight to ensure the public health, safety, and welfare is protected in relation to alcohol licensing. AS 04.11.370 states that a license or permit may be suspended or revoked if the licensee fails to comply with public health, fire, or safety laws and regulations in the state. Clearly the safety of the premises is expected to be a concern of the board, as well as the control of alcoholic beverages.

AMCO has noted three categories of vessels that apply for common carrier licenses:

- Vessels that receive US Coast Guard inspections and are issued a Certificate of Inspection (COI)
- Foreign vessels that receive inspections in their home country, verified by the US Coast Guard through a Certificate of Compliance (COC)
- Vessels that are not required to be inspected by the US Coast Guard.

This third type of vessel is the subject of this situation. According to the US Coast Guard Auxiliary, “An uninspected passenger vessel is any vessel (typically under 100 gross tons) carrying six or fewer passengers for hire.” Such vessels are expected to comply with all applicable laws and carry all

required safety equipment, but there appears to be no way for the board to determine whether these safety requirements are being met.

According to public comment received by the board during a 2016 regulations project on common carriers, such uninspected vessels have no set standards for being designed for maritime safety. There are no minimum qualifications of any crew beyond the required “licensed mariner.” There is no yearly inspection to ensure against structural or mechanical issues with the vessel, that the vessel carries appropriate safety equipment, or that the crew are appropriately trained in safety drills.

In 2016, the board considered a regulations project regarding what types of vessels would qualify for a common carrier license. The board’s first draft stated that the only type of uninspected marine vessel that would qualify for a common carrier license would be a 12-pack with three or more staterooms for overnight passenger travel. Ultimately the board determined not to move forward with this language, although the minutes do not relate why. Comments from a common carrier licensee submitted during the project attest that the board has always required a Certificate of Inspection for every common carrier license, although that appears not to be the case.

In our efforts to assure the safety of the premises in which alcohol will be served, staff has developed the following policy: for vessels that are not required to be inspected by the US Coast Guard and do not have a US Coast Guard Certificate of Compliance (COC—for foreign vessels), AMCO requires participation in the 5-Star Safety Program.

The 5-Star Safety Program is a no-cost program where the US Coast Guard conducts a limited dockside examination and, upon passage, provides a two-year 5-Star Decal. A decal with five stars, which is the level required by AMCO, would certify the following:

- “Vessel is in compliance with existing regulations including the requirements found in 46 CFR, Subchapter C and the operator must also have a safety-training program established and a system of record keeping showing drills and training are conducted regularly. The program should include drills on emergency procedures and use of safety equipment.
- Vessel has a properly installed bilge pump and audible bilge alarm, or if the vessel is designed without a bilge, suitable reserve buoyancy to float the vessel in a totally swamped condition.
- Vessel has a handheld VHF FM radio with a minimum 5 watts of power. A portable satellite phone can be used as an equivalent level of safety.
- Vessel has a properly mounted and registered 406 MHz Emergency Position Indicating Radio Beacon (EPIRB), Class I or II.
- Vessel has on board, a properly installed and serviced, Coast Guard approved inflatable life raft or inflatable buoyant apparatus (IBA), canister or valise type, with minimum capacity for all passengers on board. An equivalent level of safety is level floatation vessel that meets Coast Guard standards or, if the vessel operates exclusively inside the Boundary Line, a commercial quality inflatable skiff in good condition that is fully inflated, stowed for immediate use, and has the capacity equal to the total number of passengers carried.”  
([https://alaska5star.us/program\\_info](https://alaska5star.us/program_info))

According to the program website, there were over 3,000 uninspected passenger vessels in Alaska in 2009. That number is likely much higher today. This policy has been put into place to work to

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ensure that licensed premises are safe. The board may wish to consider opening a regulations project to address the requirements for common carrier vessels.

Attachments: Applicant correspondence

License application



PHILLIPS CRUISES & TOURS, LLC

March 13, 2019

To Whom It May Concern;

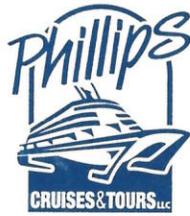
Phillips Cruises & Tours, LLC wishes to appeal the reason for the return of the Seasonal Common Carrier Liquor License Application for the "Sound Endeavor". The reason stated in the letter was the "Sound Endeavor" needed a Coast Guard Certificate of Inspection.

The "Sound Endeavor" falls into the Coast Guard's category for Uninspected Passenger Vessels as set forth by (CFR reference) therefore there is no inspection documentation available for this specific vessel. Please see additional statement for the more information.

Sincerely,

Robert G. Neumann  
Manager and Member  
Phillips Cruises & Tours, LLC  
Manager and Member





PHILLIPS CRUISES & TOURS, LLC

March 13, 2019

To Whom It May Concern;

Phillips Cruises & Tours, LLC wishes to choose not to opt into the 5 Star Program and have any other inspections in reference to the vessel "Sound Endeavor".

The "Sound Endeavor" falls into the Coast Guard Category of licensed "Uninspected Passenger Vessel (UPV);

- The "Sound Endeavor" is over 100 gross tons and under 300 gross tons (46 CFR §24.10-1)
- Carrying not more than 12 passengers, including at least one passenger-for-hire; or
- Is chartered with the crew provided or specified by the owner or owner's representative and carrying not more than 12 passengers
- The "Sound Endeavor" is under the command of an individual holding a license or MMC endorsed as master (46 CFR §26.20-1)

Please let us know if you have any questions concerning the Liquor License Application for the "Sound Endeavor".

Sincerely,

Robert G. Neumann  
Manager and Member  
Phillips Cruises & Tours, LLC  
Manager and Member



§ 24.05-5

46 CFR Ch. I (10-1-99 Edition)

§ 24.05-5 Specific application noted in text.

(a) At the beginning of the various parts, subparts, and sections, a more specific application is generally given for the particular portion of the text involved. This application sets forth the types, sizes, or services of vessels to which the text pertains, and in many cases limits the application of the text to vessels contracted for before or after a specific date. As used in this subchapter, the term *vessels contracted for* includes not only the contracting for the construction of a vessel, but also the contracting for a material alteration to a vessel, the contracting for the conversion of a vessel to a passenger vessel, and the changing of service or route of a vessel if such change increases or modifies the general requirements for the vessel or increases the hazards to which it might be subjected.

(b) [Reserved]

**Subpart 24.10—Definition of Terms Used in This subchapter**

§ 24.10-1 Approved.

This term means approved by the Commandant unless otherwise stated.

§ 24.10-2 Barge.

This term means any vessel not equipped with means of self-propulsion. [CGFR 68-32, 33 FR 5711, Apr. 12, 1968]

§ 24.10-3 Carrying passengers for hire.

The carriage of any person or persons by a vessel for a valuable consideration, whether directly or indirectly flowing to the owner, charterer, operator, agent or any other person interested in the vessel.

§ 24.10-5 Carrying freight for hire.

The carriage of any goods, wares, or merchandise or any other freight for a valuable consideration, whether directly or indirectly flowing to the owner, charterer, operator, agent, or any other person interested in the vessel.

§ 24.10-7 Commandant.

This term means the Commandant of the Coast Guard.

§ 24.10-9 Coast Guard District Commander.

This term means an officer of the Coast Guard designated as such by the Commandant to command all Coast Guard activities within his district, which include the inspection, enforcement, and administration of Subtitle II, Title 46 U.S. Code, Title 46 and Title 33 U.S. Code, and regulations issued under these statutes.

[CGFR 65-50, 30 FR 16650, Dec. 30, 1965, as amended by CGD 95-028, 62 FR 51196, Sept. 30, 1997]

§ 24.10-11 Headquarters.

This term means the Office of the Commandant, Washington, DC.

§ 24.10-13 International voyage.

(a) This section describes those voyages which are considered to be "international voyages" for the purposes of this subchapter.

(b) Except as provided in paragraph (c) of this section, the term *international voyage* as used in this subchapter shall have the same meaning as that contained in Regulation 2(d), chapter I of the International Convention for Safety of Life at Sea, 1974, i.e., "*International voyage* means a voyage from a country to which the present convention applies to a port outside such country, or conversely."

(c) The International Convention for Safety of Life at Sea, 1974, does not apply to vessels "solely navigating the Great Lakes of North America and the River St. Lawrence as far east as a straight line drawn from Cap de Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63d Meridian." Accordingly, such vessels shall not be considered as being on an *international voyage* for the purpose of this subchapter.

(d) In addition, although voyages between the continental United States and Hawaii or Alaska, and voyages between Hawaii and Alaska are not *international voyages* under the provisions of the International Convention for Safety of Life at Sea, 1974, such voyages are similar in nature and shall be considered as *international voyages* for the purposes of this subchapter.

[CGD 90-008, 55 FR 30659, July 26, 1990]

**Pt. 26**

NOTE: 33 CFR 151.67 prohibits the discharge of plastic or garbage mixed with plastic into the sea or the navigable waters of the United States. "Plastic" and "garbage" are defined in 33 CFR 151.05.

[CGD 88-002A, 56 FR 8880, Mar. 1, 1991]

**PART 26—OPERATIONS**

**Subpart 26.01—Application**

Sec.

26.01-1 Applicable to all vessels.

**Subpart 26.03—Special Operating Requirements**

- 26.03-1 Safety orientation.
- 26.03-2 Emergency instructions.
- 26.03-5 Action required after accident.
- 26.03-10 Signaling light.

**Subpart 26.08—Notice and Reporting of Casualty and Voyage Records**

26.08-1 Notice and reporting of casualty and voyage records.

**Subpart 26.15—Boarding**

26.15-1 May board at any time.

**Subpart 26.20—Exhibition of Motorboat Operator's License**

26.20-1 Must be available.

**Subpart 26.25 [Reserved]**

**Subpart 26.30—Work Vest**

- 26.30-1 Approved unicellular plastic foam work vests.
- 26.30-5 Use.
- 26.30-10 Stowage.

AUTHORITY: 46 U.S.C. 3306, 4104, 6101, 8105; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277.; 49 CFR 1.46.

SOURCE: CGFR 65-50, 30 FR 16656, Dec. 30, 1965, unless otherwise noted.

**Subpart 26.01—Application**

**§ 26.01-1 Applicable to all vessels.**

(a) The provisions of this part shall apply to all vessels except as specifically noted.

**46 CFR Ch. I (10-1-99 Edition)**

**Subpart 26.03—Special Operating Requirements**

**§ 26.03-1 Safety orientation.**

(a) Before getting underway in any vessel carrying 6 or fewer passengers for hire, the operator in charge shall ensure that suitable public announcements, instructive placards or both are provided in a manner which affords all passengers the opportunity to become acquainted with:

- (1) Stowage locations of life preservers;
- (2) Proper method of donning and adjusting life preservers of the type(s) carried on the vessel;
- (3) The type and location of all life-saving devices carried on the vessel; and
- (4) The location and contents of the *Emergency Checkoff List* required by § 26.03-2.

(b) Vessels subject to this subpart engaged in tender service at yacht clubs and marinas, and vessels being demonstrated for a potential purchaser by a yacht broker, are excluded from the requirements of § 26.03-1 and § 26.03-2.

[CGD 78-009, 45 FR 11109, Feb. 19, 1980]

**§ 26.03-2 Emergency instructions.**

(a) The operator in charge of each vessel carrying 6 or fewer passengers for hire shall ensure that an emergency checkoff list is posted in a conspicuous, continuously accessible place to serve as a notice to the passengers and a reminder to the crew of precautionary measures which may be necessary in the event of an emergency situation.

(b) Except where any part of the emergency instructions are deemed unnecessary by the Officer in Charge, Marine Inspection, the emergency checkoff list must contain not less than the applicable portions of the sample emergency checkoff list which follows:

**SAMPLE EMERGENCY CHECKOFF LIST**

Measures to be considered in the event of:

- (a) *Rough weather at sea or crossing hazardous bars.*
  - All weathertight and watertight doors, hatches and airports closed to prevent taking water aboard.
  - Bilges kept dry to prevent loss of stability.

## Coast Guard, DOT

§26.15-1

- Passengers seated and evenly distributed.
  - All passengers wearing life preservers in conditions of very rough seas or if about to cross a bar under hazardous conditions.
  - An international distress call and a call to the Coast Guard over radiotelephone made if assistance is needed (if radiotelephone equipped).
  - Ring buoy thrown overboard as close to the victim as possible.
  - Lookout posted to keep the victim in sight.
  - Crewmember, wearing a life preserver and lifeline, standing by ready to jump into the water to assist the victim back aboard.
  - Coast Guard and all vessels in the vicinity notified by radiotelephone (if radiotelephone equipped).
  - Search continued until after radiotelephone consultation with the Coast Guard, if at all possible.
- (b) *Man overboard.*
- Air supply to the fire cut off by closing hatches, ports, doors, and ventilators, etc.
  - Portable extinguishers discharged at the base of the flames of flammable liquid or grease fires or water applied to fires in combustible solids.
  - If fire is in machinery spaces, fuel supply and ventilation shut off and any installed fixed firefighting system discharged.
  - Vessel maneuvered to minimize the effect of wind on the fire.
  - Coast Guard and all vessels in the vicinity notified by radiotelephone of the fire and vessel location (if radiotelephone equipped).
  - Passengers moved away from fire and wearing life preservers.

(c) When in the judgment of the cognizant Officer in Charge, Marine Inspection, the operation of any vessel subject to this section does not present the hazards listed on the emergency checkoff list or when any vessel has no suitable mounting surface, an exclusion from the requirements of §26.03-2(a) and (b) is granted by letter.

[CGD 78-009, 45 FR 11109, Feb. 19, 1980]

### §26.03-5 Action required after accident.

(a) Whenever an undocumented vessel is involved in a marine casualty, the master or individual in charge shall:

(1) Render necessary assistance to each individual affected to save that affected individual from danger caused

by a marine casualty, so far as the master or individual in charge can do so without serious danger to the master's or the individual's vessel or to individuals on board; and

(2) Give the master's or individual's name and address and identification of the vessel to the master or individual in charge of any other vessel involved in the casualty, to any individual injured, and to the owner of any property damaged.

(b) Undocumented vessels involved in marine casualties shall report the casualty in accordance with the requirements of 33 CFR part 173, subpart C.

[CGD 95-028, 62 FR 51197, Sept. 30, 1997, as amended by USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

### §26.03-10 Signaling light.

All vessels of over 150 gross tons, when engaged on an international voyage, shall be equipped with an efficient daylight signaling lamp in accordance with the requirements of subchapter J (Electrical Engineering) of this chapter.

[CGFR 68-32, 33 FR 5711, Apr. 12, 1968, as amended by CGD 97-057, 62 FR 51042, Sept. 30, 1997]

### Subpart 26.08—Notice and Reporting of Casualty and Voyage Records

AUTHORITY: 46 U.S.C. 6101; 46 CFR 1.46.

#### §26.08-1 Notice and reporting of casualty and voyage records.

The requirements for providing notice and reporting of marine casualties and for retaining voyage records are contained in part 4 of this chapter.

[CGD 84-099, 52 FR 47535, Dec. 14, 1987; 53 FR 13117, Apr. 21, 1988]

### Subpart 26.15—Boarding

#### §26.15-1 May board at any time.

(a) To facilitate the boarding of vessels by the commissioned, warrant, and petty officers of the U.S. Coast Guard in the exercise of their authority, every uninspected vessel, as defined in 46 U.S.C. 2101(43), if underway and upon being hailed by a Coast Guard vessel,

**§ 26.20-1**

must stop immediately and lay to, or must maneuver in such a way to permit the Coast Guard boarding officer to come aboard. Failure to permit a Coast Guard boarding officer to board a vessel or refusal to comply will subject the operator or owner of the vessel to the penalties provided in law.

(b) Coast Guard boarding vessels will be identified by the display of the Coast Guard ensign as a symbol of authority and the Coast Guard personnel will be dressed in Coast Guard uniform. The Coast Guard boarding officer upon boarding a vessel will identify himself to the master, owner, or operator and explain his mission.

[CGFR 65-50, 30 FR 16656, Dec. 30, 1965, as amended by CGD 72-132R, 38 FR 5750, Mar. 2, 1973; CGD 95-027, 61 FR 25997, May 23, 1996]

**Subpart 26.20—Exhibition of Motorboat Operator's License**

**§ 26.20-1 Must be available.**

(a) Any person to whom a license as a motorboat operator has been issued shall have such license in his possession and available for immediate production to any Coast Guard boarding officer at all times during which any vessel which he is operating is carrying passengers for hire.

**Subpart 26.25 [Reserved]**

**Subpart 26.30—Work Vest**

SOURCE: CGFR 68-65, 33 FR 19982, Dec. 28, 1968, unless otherwise noted.

**§ 26.30-1 Approved unicellular plastic foam work vests.**

(a) Buoyant work vests carried under the permissive authority of this subpart shall be of an approved type, and shall be constructed, listed, and labeled in accordance with subpart 160.053 of subchapter Q (Specifications) of this chapter.

**§ 26.30-5 Use.**

(a) Approved buoyant work vests are considered to be items of safety apparel and may be carried aboard vessels to be worn by crew members when working near or over the water under favorable working conditions.

**46 CFR Ch. I (10-1-99 Edition)**

(b) When carried, approved buoyant work vests shall not be accepted in lieu of any portion of the required number of approved lifesaving appliances required by § 25.25-10 of this subchapter.

**§ 26.30-10 Stowage.**

(a) The approved buoyant work vests shall be stowed separately from the regular stowage of required lifesaving equipment.

**PART 28—REQUIREMENTS FOR COMMERCIAL FISHING INDUSTRY VESSELS**

**Subpart A—General Provisions**

- Sec.
- 28.10 Authority.
- 28.20 OMB control numbers.
- 28.30 Applicability.
- 28.40 Incorporation by reference.
- 28.50 Definition of terms used in this part.
- 28.60 Exemption letter.
- 28.65 Termination of unsafe operations.
- 28.70 Approved equipment and material.
- 28.73 Accepted organizations.
- 28.76 Similarly qualified organizations.
- 28.80 Report of casualty.
- 28.90 Report of injury.
- 28.95 Right of appeal.

**Subpart B—Requirements for All Vessels**

- 28.100 Applicability.
- 28.105 Lifesaving equipment—general requirements.
- 28.110 Life preservers or other personal flotation devices.
- 28.115 Ring life buoys.
- 28.120 Survival craft.
- 28.125 Stowage of survival craft.
- 28.130 Survival craft equipment.
- 28.135 Lifesaving equipment markings.
- 28.140 Operational readiness, maintenance, and inspection of lifesaving equipment.
- 28.145 Distress signals.
- 28.150 Emergency Position Indicating Radio Beacons (EPIRBs).
- 28.155 Excess fire detection and protection equipment.
- 28.160 Portable fire extinguishers.
- 28.165 Injury placard.

**Subpart C—Requirements for Documented Vessels That Operate Beyond the Boundary Lines or With More Than 16 Individuals On Board, or for Fish Tender Vessels Engaged in the Aleutian Trade**

- 28.200 Applicability.
- 28.205 Fireman's outfit and self-contained breathing apparatus.

DHS, USCG, CG-1270 (REV. 06-04)

OMB APPROVED

1625-0027

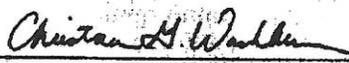


# UNITED STATES OF AMERICA

DEPARTMENT OF HOMELAND SECURITY  
UNITED STATES COAST GUARD

NATIONAL VESSEL DOCUMENTATION CENTER

## CERTIFICATE OF DOCUMENTATION

VESSEL NAME SOUND ENDEAVOR		OFFICIAL NUMBER 1133352	IMO OR OTHER NUMBER NME07602H202	YEAR COMPLETED 2002
HAILING PORT ANCHORAGE AK		HULL MATERIAL FRP (FIBERGLASS)		MECHANICAL PROPULSION YES
CROSS TONNAGE 143 GRT	NET TONNAGE 115 NRT	LENGTH 77.0	DRAUGHT 21.8	DEPTH 12.8
PLACE BUILT ANACORTES WA				
OWNERS PHILLIPS CRUISES & TOURS LLC COMPRISED OF TWO MEMBERS		OPERATIONAL ENDORSEMENTS REGISTRY COASTWISE		
MANAGING OWNER PHILLIPS CRUISES & TOURS LLC 510 WEST FOURTH AVE ANCHORAGE AK 99501				
RESTRICTIONS NONE				
ENTITLEMENTS NONE				
REMARKS NONE				
ISSUE DATE SEPTEMBER 06, 2017				
THIS CERTIFICATE EXPIRES SEPTEMBER 30, 2018				
		 DIRECTOR, NATIONAL VESSEL DOCUMENTATION CENTER		



This certificate is not valid for operation of the vessel until the vessel is marked with the name, official number, and hailing port as shown on the certificate. The original certificate must be kept aboard the vessel at all times when in operation and must be presented upon the demand of federal, state or local officials for law enforcement purposes. Vessels with only a recreational endorsement may not engage in commercial trade.

Documented vessels may be registered by states for tax and other purposes and may be required to display a state decal. This certificate is valid for one year. Renewal is the responsibility of the owner. This certificate must be surrendered to the National Vessel Documentation Center (NVDC), 792 T J Jackson Drive, Falling Waters, West Virginia 25419, upon a change in ownership, change in state of incorporation, or a change in any other element shown on the certificate other than change of address. This certificate is invalid for any vessel other than one documented solely for recreation when the vessel is placed under the command of a person who is not a citizen of the U.S. The vessel and its equipment are liable to seizure and forfeiture to the U.S. government and the owner is liable for a civil penalty of not more than \$10,000.00 per violation. Each day of a continuing violation is a separate violation.

Any change in address of the managing owner must be reported promptly to the NVDC. You may contact us at (304) 271 2400.

**Note:** The certificate on the face of this document is not conclusive evidence of title in any proceeding where ownership is in issue. Complete records are on file at the NVDC. The sale or transfer section below is provided for convenience only.

**SALE OR TRANSFER OF VESSEL**

100% OF THE VESSEL IDENTIFIED HEREIN IS SOLD (TRANSFERRED) BY THE OWNER(S) NAMED ON THE FACE OF THIS CERTIFICATE TO THE FOLLOWING PERSON(S). ADDRESS MUST BE INCLUDED.

IF SOLD (TRANSFERRED) TO MORE THAN ONE PERSON, THE PURCHASER(S)/TRANSFEREE(S) ARE TENANTS IN COMMON, EACH OWNING AN EQUAL UNDIVIDED INTEREST, UNLESS OTHERWISE INDICATED HEREIN: CHECK ONLY ONE OF THE FOLLOWING BLOCKS TO SHOW ANOTHER FORM OF OWNERSHIP.

- JOINT TENANCY WITH RIGHT OF SURVIVORSHIP
- TENANCY BY THE ENTIRETIES
- COMMUNITY PROPERTY
- OTHER

SIGNATURE OF SELLER(S)/TRANSFEROR(S) OR PERSONS SIGNING ON BEHALF OF SELLER(S)/TRANSFEROR(S):

DATE SIGNED:

NAME(S) OF PERSON(S) SIGNING ABOVE, AND LEGAL CAPACITY IN WHICH SIGNED (E.G. OWNER, AGENT, TRUSTEE, EXECUTOR)

ACKNOWLEDGMENT (TO BE COMPLETED BY NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED BY A LAW OR A STATE OR THE UNITED STATES TO TAKE OATHS.)

ON \_\_\_\_\_ THE PERSON(S) NAMED \_\_\_\_\_ STATE: \_\_\_\_\_  
(DATE) COUNTY: \_\_\_\_\_

ABOVE ACKNOWLEDGED EXECUTION OF THE FOREGOING INSTRUMENT IN THEIR STATED CAPACITY(IES) FOR THE PURPOSES THEREIN CONTAINED.

NOTARY PUBLIC  
MY COMMISSION EXPIRES:

**PRIVACY ACT STATEMENT**

IN ACCORDANCE WITH 5 USC 552(A) THE FOLLOWING INFORMATION IS PROVIDED TO YOU WITH REGARD TO YOUR PERSONAL INFORMATION TO THE U.S. COAST GUARD:

1. AUTHORITY: SOLICITATION OF THIS INFORMATION IS AUTHORIZED BY 46 USC CHAPTER 313 AND 46 CFR, PART 67.
2. THE PRINCIPAL PURPOSES FOR WHICH THIS INSTRUMENT IS TO BE USED ARE:
  - (A) TO PROVIDE A RECORD, AVAILABLE FOR PUBLIC INSPECTION AND COPYING, OF THE SALE OR OTHER CHANGE IN OWNERSHIP OF A VESSEL WHICH IS DOCUMENTED, WILL BE DOCUMENTED, OR HAS BEEN DOCUMENTED PURSUANT TO 46 USC CHAPTER 121.
  - (B) RETENTION FOR EXAMINATION BY GOVERNMENTAL AUTHORITIES AND MEMBERS OF THE GENERAL PUBLIC.
3. THE BULK/USE WHICH MAY BE MADE OF THIS INFORMATION INCLUDES DEVELOPMENT OF STATISTICAL DATA CONCERNING DOCUMENTED VESSELS.
4. DISCLOSURE OF THE INFORMATION REQUESTED ON THIS FORM IS VOLUNTARY. HOWEVER, FAILURE TO PROVIDE THE INFORMATION COULD PRECLUDE FILING OF A BILL OF SALE AND DOCUMENTATION OF THE VESSEL NAMED HEREIN PURSUANT TO 46 USC CHAPTER 121. MOREOVER, BILLS OF SALE WHICH ARE NOT FILED ARE NOT DEEMED TO BE VALID AGAINST ANY PERSON HAVING ACTUAL KNOWLEDGE OF THE SALE. (46 USC 31321 (A)).

AN AGENCY MAY NOT CONDUCT OR SPONSOR, AND A PERSON IS NOT REQUIRED TO RESPOND TO A COLLECTION OF INFORMATION UNLESS IT DISPLAYS A VALID OMB CONTROL NUMBER.

THE COAST GUARD ESTIMATES THAT THE AVERAGE BURDEN FOR THIS FORM IS 20 MINUTES FOR COMPLETING AND 5 MINUTES FOR FILING. YOU MAY SUBMIT ANY COMMENTS CONCERNING THE ACCURACY OF THIS BURDEN ESTIMATE OR ANY SUGGESTIONS FOR REDUCING THE BURDEN TO: U.S. COAST GUARD, NATIONAL VESSEL DOCUMENTATION CENTER, 792 T J JACKSON DRIVE, FALLING WATERS, WEST VIRGINIA 25419 OR OFFICE OF MANAGEMENT AND BUDGET, PAPERWORK REDUCTION PROJECT (1625-0027), WASHINGTON, DC 20503.

**AQ 520031822419**



with other ingredients, including mixers, juices, or garnishes, that are not alcoholic beverages.

(g) In this section, "distillery's product" means an alcoholic beverage distilled on the licensed premises.

**Sec. 04.11.180. Common carrier dispensary license.**

(a) A common carrier dispensary license authorizes the holder to sell alcoholic beverages for consumption aboard a vehicle, boat, or train licensed by a state or federal agency for passenger travel, or aboard aircraft operated by an airline licensed by a state or federal agency for passenger travel.

(b) Except for a common carrier that is an airline, a common carrier shall obtain a license for each vehicle, boat, or train in which alcoholic beverages are served. After obtaining an initial license for the first vehicle, boat, or train, the common carrier may obtain additional licenses for additional vehicles, boats, or trains upon making a written request identifying the vehicle, boat, or train in the manner prescribed by the board, and paying the biennial fee for additional licensed premises as required by (c) of this section.

(c) Except as provided for airlines under (d) of this section, the biennial fee for a common carrier dispensary license is \$1,000 for each of the first 10 licenses a common carrier holds and \$100 for each additional license issued to the common carrier after the first 10 licenses.

(d) The biennial fee for a common carrier dispensary license issued to an airline is the fee specified under (c) of this section for each aircraft in which alcoholic beverages are served or \$2,000 for each community served by the airline. An airline shall specify the fee applicable to the license at the time of the airline's application for issuance or renewal of the license.

Effective 10/11/18 – NOT AN OFFICIAL COPY



Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

**Form AB-00: New License Application**

**What is this form?**

This new license application form is required for all individuals or entities seeking to apply for a new liquor license. Applicants should review **Title 04 of Alaska Statutes** and **Chapter 304 of the Alaska Administrative Code**. All fields of this form must be completed, per AS 04.11.260 and 3 AAC 304.105.

This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.

**Section 1 - Establishment and Contact Information**

Enter information for the business seeking to be licensed.

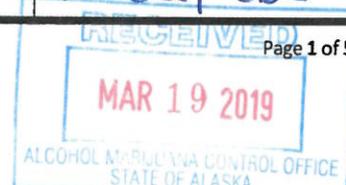
Licensee:	PHILLIPS CRUISES & TOURS, LLC		
License Type:	COMMON CARRIER - SEASONAL	Statutory Reference:	04.11.180
Doing Business As:	M/V SOUND ENDEAVOR		
Premises Address:	<del>PRINCE WILLIAM SOUND</del> <sup>PPD</sup> ALASKAN WATERS		
City:		State:	ALASKA
		ZIP:	
Local Governing Body:	N/A		
Community Council:	N/A		

Mailing Address:	519 WEST 4TH AVENUE		
City:	ANCHORAGE	State:	ALASKA
		ZIP:	99501

Designated Licensee:	ROBERT G. NEUMANN		
Contact Phone:	907 265-5888	Business Phone:	907 279-2039
Contact Email:	bneumann@26glaciers.com		

Seasonal License?  Yes  No If "Yes", write your six-month operating period: May 1st - October 31st

OFFICE USE ONLY			
Complete Date:	3/19/19	License Years:	19/20
Board Meeting Date:	4/29/19	Transaction #:	77423 77697, 77698
Issue Date:		BRE:	Mkol / CDE





Alaska Alcoholic Beverage Control Board

# Form AB-00: New License Application

## Section 2 – Premises Information

Premises to be licensed is:

- an existing facility       a new building       a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

N/A

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

N/A

## Section 3 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 4.

If more space is needed, please attach a separate sheet with the required information.

The following information must be completed for each licensee and each affiliate (spouse).

This individual is an:  applicant       affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an:  applicant       affiliate

Name:					
Address:					
City:		State:		ZIP:	





Alaska Alcoholic Beverage Control Board

**Form AB-00: New License Application**

**Section 4 – Entity Ownership Information**

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 5.

If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:	ROBERT G. NEUMANN				
Title(s):	MANAGING MEMBER	Phone:	907 265-5888	% Owned:	50%
Address:	1433 WEST 13TH AVENUE				
City:	ANCHORAGE	State:	ALASKA	ZIP:	99501

Entity Official:	CAROLYN F. NEUMANN				
Title(s):	MEMBER	Phone:	907 792-6264	% Owned:	50%
Address:	1433 WEST 13TH AVENUE				
City:	ANCHORAGE	State:	ALASKA	ZIP:	99501

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	





Alaska Alcoholic Beverage Control Board

## Form AB-00: New License Application

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	82471D	AK Formed Date:	09/19/2003	Home State:	ALASKA
Registered Agent:	ROBERT G. NEUMANN		Agent's Phone:	907 265-5888	
Agent's Mailing Address:	519 WEST 4TH AVENUE				
City:	ANCHORAGE	State:	ALASKA	ZIP:	99501

Residency of Agent: Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?

### Section 5 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses: Yes No

Does any representative or owner named in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

ROBERT G. AND CAROLYN F. NEUMANN - OPERATING IN THE PRINCE WILLIAM SOUND  
KLONDIKE EXPRESS - LICENSE #3334 - GLACIER QUEST - LICENSE #5138  
BOTH LICENSES ARE SEASONAL AND BOTH LICESES ARE COMMON CARRIER LICENSES

### Section 6 – Authorization

Communication with AMCO staff: Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

If "Yes", disclose the name of the individual and the reason for this authorization:

GAYLE M. CATES - FINANCIAL MANAGER OF PHILLIPS CRUISES & TOURS, LLC





Alaska Alcoholic Beverage Control Board  
**Form AB-00: New License Application**

**Section 7 – Certifications**

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

*REN*

I certify that all proposed licensees have been listed with the Division of Corporations.

*REN*

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

*REN*

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.

*REN*

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

*REN*

As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.

*Robert G. Neumann*  
Signature of licensee

**ROBERT G. NEUMANN**

Printed name of licensee

*Gayle M. Cates*  
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 06/18/2018

Subscribed and sworn to before me this 26<sup>th</sup> day of March, 2018.





Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

## Alaska Alcoholic Beverage Control Board Form AB-02: Premises Diagram

### What is this form?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The second page of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

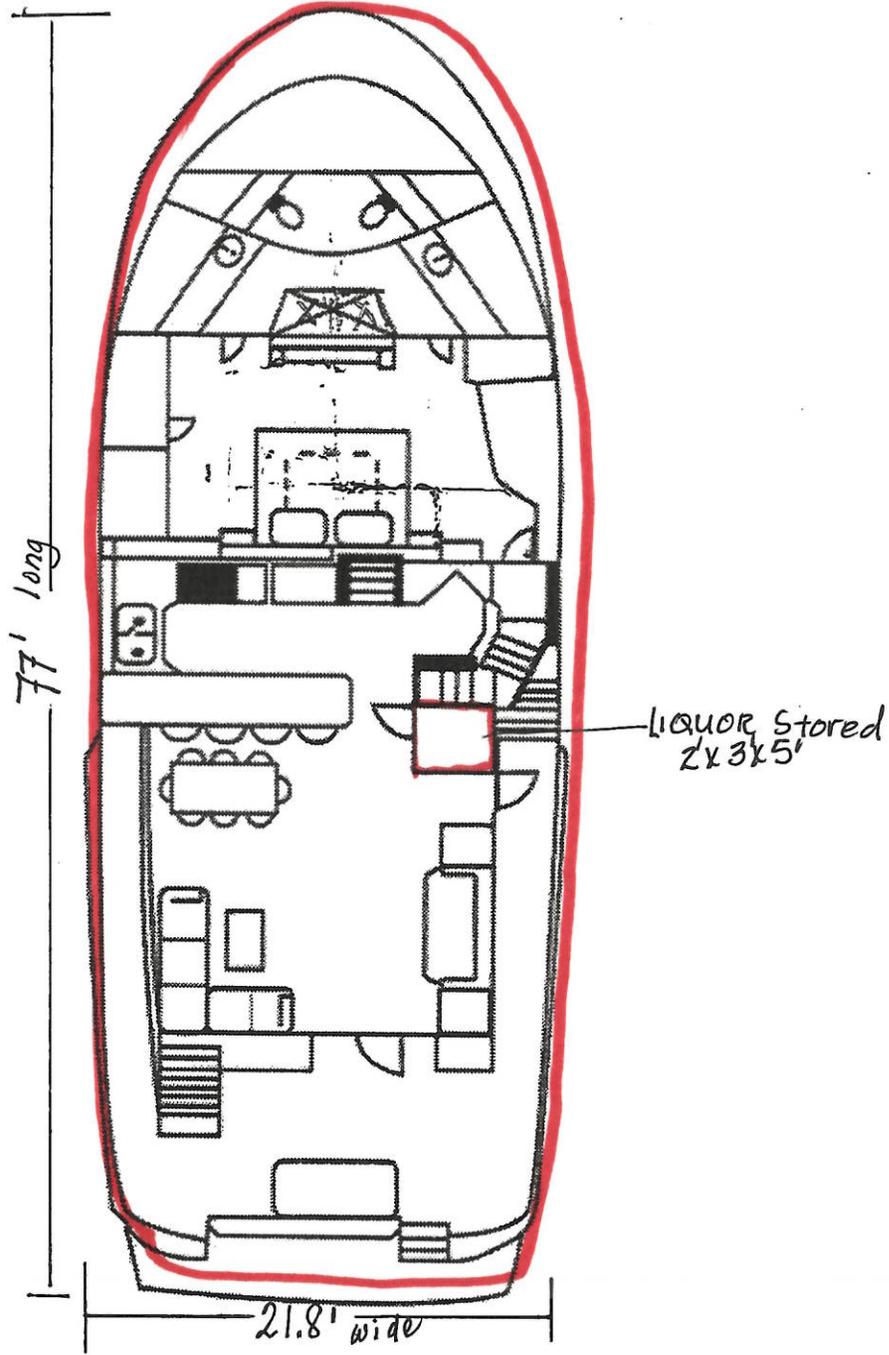
### Section 1 - Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	<del>ROBERT G. NEUMANN</del>	License Number:	5659		
License Type:	COMMON CARRIER - SEASONAL				
Doing Business As:	M/V SOUND ENDEAVOR				
Premises Address:	<del>PRINCE WILLIAM SOUND</del> ALASKAN WATERS				
City:		State:	ALASKA	ZIP:	



# Sound Endeavor



RECEIVED  
MAY 03 2018  
ALCOHOL MARIJUANA CONTROL OFFICE  
STATE OF ALASKA



## Alaska Alcoholic Beverage Control Board Form AB-02: Premises Diagram

### Section 2 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

