



MEMORANDUM

TO: Alcoholic Beverage Control Board DATE: November 12, 2019
FROM: Erika McConnell, Director RE: 4665 Hutchinson Commercial, LLC

Requested Action: Transfer of ownership and DBA change

Statutory Authority: AS 04.11.040(a): “A license issued under this title may not be transferred to another person except with the written consent of the board.”

AS 04.11.470: “A person may object to an application for issuance, renewal, transfer of location, or transfer to another person of a license, or for issuance of a permit, by serving upon the applicant and the board the reasons for the objection. The board shall consider the objections and testimony received at a hearing conducted under AS 04.11.510(b)(2) when it considers the application...”

AS 04.11.510(b)(2): “The board may review an application for the issuance, renewal, transfer of location, or transfer to another person of a license without affording the applicant notice or hearing, except... (2) the board may, on its own initiative or in response to an objection or protest, hold a hearing to ascertain the reaction of the public or a local governing body to an application if a hearing is not required under this subsection;”

Staff Rec.: Hold a public hearing; approve the transfer with delegation

Background: This is an application for transfer of ownership and DBA change of a package store license on the Steese Highway in Circle, an area with no local government. The license had been forfeit after the death of licensee Earla Hutchinson in September of 2018. The board reinstated the license and required a transfer application to be submitted within 90 days, a deadline met by the applicant.

An objection from the Department of Labor – Employment Security has been received due to non-compliance. Background investigations are still pending.

Attachment: Department of Labor objection
Transfer application



THE STATE
of **ALASKA**
GOVERNOR MICHAEL I. DUNLEAVY

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

October 24, 2019

Department of Revenue
Department of Labor, Employment Security
Department of Labor, Workers' Compensation
Via email: theresa.mitchell@alaska.gov
elizabeth.glooschenko@alaska.gov
rizalina.olde@alaska.gov
velma.thomas@alaska.gov
erwin.fariolan@alaska.gov
dor.tax.collections@alaska.gov

OCT 24 2019
AFTO

License Number:	4665
License Type:	Package Store
Applicant:	Hutchinson Commercial, LLC
Doing Business As:	Hutchinson Commercial, LLC
Transferee EIN:	84-2426528
Transferor EIN:	80-0265058

Transfer of Ownership Application

Transfer of Controlling Interest

AS 04.11.330(b) and AS 04.11.370(a)(6) require that an applicant for a liquor license operate in compliance with each applicable public health, fire, safety, and tax code and ordinance of the state and the local governing body in which the applicant's proposed licensed premises are located.

This letter serves to provide written notice and request for compliance status from the above referenced entities regarding the above application (see attached application documents for more information). Please complete and return this form to the AMCO office at alcohol.licensing@alaska.gov.

REVIEWER:  Liz Glooschenko

DATE: 10/25/19 PHONE: (907) 269-4836

- DOR
- Employment Security
- Workers' Compensation

Compliant Non-compliant

COMMENTS: _____

If you have any questions, please send them to alcohol.licensing@alaska.gov.

Sincerely,



Erika McConnell
Director, ABC Board



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

What is this form?

This transfer license application form is required for all individuals or entities seeking to apply for the transfer of ownership and/or location of an existing 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, AS 04.11.280, AS 04.11.290, 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 - Transferor Information

Enter information for the *current* licensee and licensed establishment.

Licensee:	Earla Hutchinson	License #:	4665
License Type:	Package Store	Statutory Reference:	
Doing Business As:	Hutchinson Commercial Co.		
Premises Address:	Mile 161 Steese Highway		
City:	Circle	State:	Alaska
		ZIP:	99733
Local Governing Body:	Outside City Limits - Unorganized Borough		

Transfer Type:

- Regular transfer
- Transfer with security interest
- Involuntary retransfer

OFFICE USE ONLY

Complete Date:		Transaction #:	1094256 & 1094257
Board Meeting Date:		License Years:	
Issue Date:		BRE:	





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

Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 2 – Transferee Information

Enter information for the *new* applicant and/or location seeking to be licensed.

Licensee:	Hutchinson Commercial, LLC				
Doing Business As:	Hutchinson Commercial, LLC				
Premises Address:	Mile 161 Steese Highway				
City:	Circle	State:	Alaska	ZIP:	99733
Community Council:	Outside City Limits - Unorganized Borough				

Mailing Address:	P.O. Box 1				
City:	Circle	State:	Alaska	ZIP:	99733

Designated Licensee:	Richard F. Hutchinson			
Contact Phone:	907-773-1222	Business Phone:	907-773-1222	
Contact Email:	earlandick@yahoo.com			

Seasonal License? Yes No If "Yes", write your six-month operating period: _____

Section 3 – Premises Information

Premises to be licensed is:

an existing facility a new building a proposed building

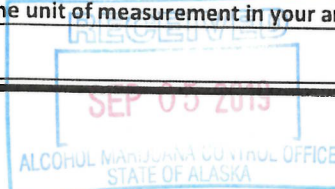
The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

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.

800 ft.

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.

900 ft.





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Form AB-01: Transfer License Application

Section 4 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 5.
 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:	

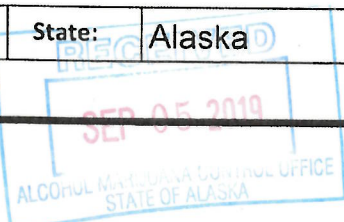
Section 5 – Entity Ownership Information

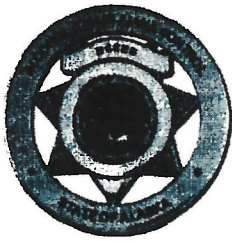
This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 6.

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:	Richard F. Hutchinson → <i>RAF 9-3-19</i>				
Title(s):	Owner/Sole Member	Phone:	907-773-1222	% Owned:	100
Address:	P.O. Box 1				
City:	Circle	State:	Alaska	ZIP:	99733





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

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

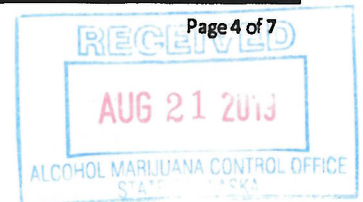
Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

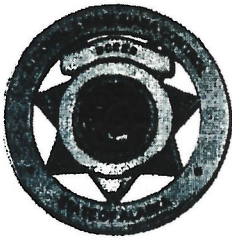
This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	10109630	AK Formed Date:	07/15/2019	Home State:	Alaska
Registered Agent:	Richard F. Hutchinson		Agent's Phone:	907-773-1222	
Agent's Mailing Address:	P.O. Box 1				
City:	Circle	State:	Alaska	ZIP:	99733

Residency of Agent: Yes No

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





Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 6 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named as a transferee 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):

Section 7 – 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:

Derek R. Averett - attorney representing Richard F. Hutchinson as personal representative of the estate of Earla Hutchinson.





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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 8 – Transferor Certifications

Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

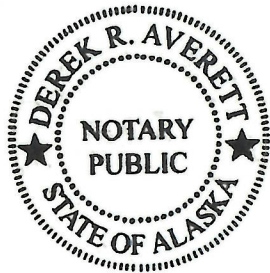
I declare under penalty of perjury that the undersigned represents a **controlling interest** of the current licensee. I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approve of the transfer of this license, and find the information on this application to be true, correct, and complete.

Richard F. Hutchinson
Signature of transferor

Richard F. Hutchinson, PR of the Estate of Earla Hutchinson

Printed name of transferor

Subscribed and sworn to before me this 29 day of July, 2019.



Derek R. Averett
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 02/18/23

Signature of transferor

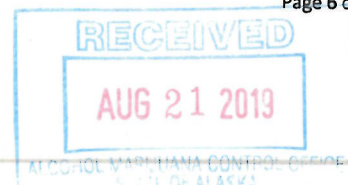
Printed name of transferor

Subscribed and sworn to before me this ____ day of _____, 20 ____.

Signature of Notary Public

Notary Public in and for the State of _____

My commission expires: _____





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Alaska Alcoholic Beverage Control Board
Form AB-01: Transfer License Application

Section 9 – Transferee 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.

RA

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

RA

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.

RA

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.

RA

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

RA

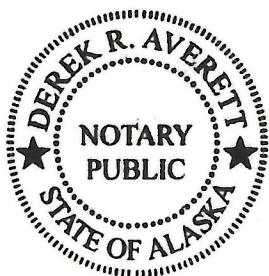
As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.

Richard F. Hutchinson
 Signature of transferee

Richard F. Hutchinson, Sole Member of Hutchinson Commercial, LLC

Printed name

Subscribed and sworn to before me this 29 day of July, 2019.



Derek R. Averett
 Signature of Notary Public

Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 02/18/23





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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:	Hutchinson Commercial, LLC	License Number:	4665		
License Type:	Package Store				
Doing Business As:	Hutchinson Commercial, LLC				
Premises Address:	Mile 161 Steese Highway				
City:	Circle	State:	Alaska	ZIP:	99733





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.

