



THE AMERICAN LEGION POST 18  
PO BOX 39161  
NINILCHIK, AK 99639

03-09-2018

Alcohol & Marijuana Control Office  
ATTN: LICENSING  
550 W 7<sup>th</sup> Ave, Suite 1600  
Anchorage, AK 99501-3567

RE: REQUEST FOR REINSTATEMENT  
Liquor License Renewal 2018-19  
License # 3080 / Club

We are respectfully requesting REINSTATEMENT of our Liquor License and would like your consideration of issuance of a Temporary License.

The American Legion Post #18 is an integral part of our small community in Ninilchik. It is a gathering place for our Service Members (past & present) where they can have a hot meal, a "toddy" or glass of wine, socialize, and play pull tabs for entertainment. This is important especially in the winter when outdoor activities are minimal. A majority of our Veterans are retired (age 60+) and have limited mobility. We provide transportation for them to enjoy the company of others and meals. The loss of our license has impacted our local Veterans negatively and has produced some disorder within our community.

**BACKGROUND:**

We mailed our renewal application 12/29/2017. **We believed the packet was complete.** It was received in the AMCO 01/02/2018.



On 02/13/2018 we received a Notice of Violation by USPS Certified Mail regarding a Notification of Change of Officers. We contacted alcohol.licensing@alaska.gov via email to figure out what we needed to do.

*On 05/09/2017, Board Elections were held. The Change of Officers was reported to the Division of Corporations on 05/19/2017 when our Secretary filed the Biennial Report that was due 07/02/2017. We were not aware that we needed to notify the AMCO of that change. We are Compliant with the Division of Corporations (please see attached).*

Following are excerpts from the email correspondence:

On Wed, 14 Feb 2018 19:27:01 +0000, "Alcohol Licensing, CED ABC (CED sponsored)" wrote:

Good morning,  
We would need a stamped copy of that form submitted to CBPL within 10 days of the change to avoid any NOVs.

Thank you,

**Carrie Craig**

Occupational Licensing Examiner  
State of Alaska DCCED  
Alcohol & Marijuana Control Office  
550 W 7<sup>th</sup> Ave, Ste. 1600  
Anchorage, AK 99501

On Thu, 15 Feb 2018 17:38:33 +0000, "Alcohol Licensing, CED ABC (CED sponsored)" wrote:

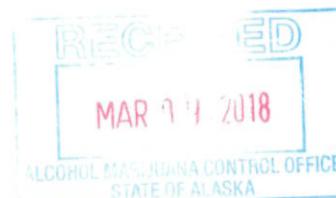
Good morning, April!

If we do not have a completed application by February 28<sup>th</sup>, the license will be expired and then you would be required to file a new application and follow that process - in meantime the club would not be able to legally serve alcohol. I would advise completing the renewal process and when you have elections in May to notify us of any officer changes.

Thanks,

**Carrie Craig**

Occupational Licensing Examiner  
State of Alaska DCCED  
Alcohol & Marijuana Control Office  
550 W 7<sup>th</sup> Ave, Ste. 1600  
Anchorage, AK 99501



On Friday, 2/15/2018, a Notice of Change of Officers was sent Priority Mail to the Division of Corporations along with the \$25.00 filing fee. Our check cleared the bank on 2/23/2018; however, the Division of Corporations has not posted that to the online records, because **it was not necessary**.

On Monday, 2/26/2018, a follow-up email was sent to [alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov) to check on the status of our application.

The Notice of Change of Officers was mailed to the Division of Corporations on 2/16/2018. (unsigned copy is attached). The check cleared the bank Friday 2/23/18 but the Notice has not yet been posted online. I know we are getting close to the Deadline. I wanted to let you know our progress.  
Thank you!

On Tuesday, 2/27/2018, a message was left on the AMCO's alcohol licensing voicemail. We received no response.

On Wednesday, 2/28/2018, we obtained the Certificate of Compliance from the Division of Corporations and forwarded that to [alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov). Later that afternoon, we were contacted by Mr. Jason Davies, AMCO Enforcement, about the Notice of Violation received 2/13/2018. All email correspondence was forwarded immediately following the conversation. Mr. Davies thanked us for taking care of that, so **we believed that our application was complete**.

On Thursday, 3/01/2018, prior to unlocking the Post, we called Mr. Davies again to verify if we had a Temporary License. It was at that time we were told that Ms. Carrie Craig was no longer working in Licensing. Mr. TJ Zielinski told us that we needed the Fingerprints & Background Checks on Tony Rea (Vice President) and Ray DeMoss (new President) to complete our application. This was not mentioned in any of the prior conversations nor in any emails.

Since then, we have submitted all the required paperwork as instructed. As of this morning, 03/09/2018, we have been told our Application Packet is Complete.

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We, along with our Veterans and their families, appreciate your expedited consideration in this matter.

For God and Country,



Tony H Rea  
Vice President



Alaska Entity #4428D

State of Alaska  
Department of Commerce, Community, and Economic  
Development  
Corporations, Business, and Professional Licensing

## Certificate of Compliance

The undersigned, as Commissioner of Commerce, Community, and Economic Development of the State of Alaska, and custodian of corporation records for said state, hereby issues a Certificate of Compliance for:

**AMERICAN LEGION, NINILCHIK POST NO. 18, THE**

This entity was formed on April 27, 1959 and is in good standing. This entity has filed all biennial reports and fees due at this time.

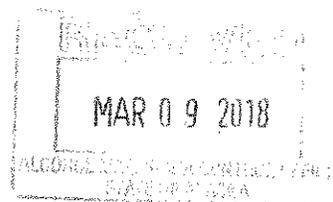
No information is available in this office on the financial condition, business activity or practices of this corporation.

IN TESTIMONY WHEREOF, I execute the certificate and affix the Great Seal of the State of Alaska effective February 28, 2018.



*Mike Navarre*

Mike Navarre  
Commissioner





Alaska Alcoholic Beverage Control Board

**Form AB-17: 2018/2019 Renewal License Application**

**What is this form?**

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing liquor license that will expire on December 31, 2017. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

**This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete.**

**Section 1 – Establishment and Contact Information**

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	American Legion Post #18	License #:	3080
License Type:	Club	Statute:	AS 04.11.110
Doing Business As:	American Legion Post #18		
Premises Address:	16340 Sterling Highway (Ninilchik)		
Local Governing Body:	Kenai Peninsula Borough		
Community Council:	None		

Mailing Address:	P.O. Box 39161				
City:	Ninilchik	State:	AK	ZIP:	99639

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual must be a licensee who is required to be listed in and authorized to sign this application.

Point of Contact:	TONY REA		
Contact Phone:	907-953-6848	Business Phone:	907-567-3918
Contact Email:	tonyhrea1@gmail.com		

Seasonal License?  Yes  No

If "Yes", write your six-month operating period: \_\_\_\_\_





Alaska Alcoholic Beverage Control Board

**Form AB-17: 2018/2019 Renewal License Application**

**Section 2 – 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:

**Section 3 – Sole Proprietor Ownership Information**

This section must be completed by any sole proprietorship who is applying for license renewal. 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:				
Mailing Address:				
City:		State:		ZIP:
Email:				
Contact Phone:				

This individual is an:  applicant     affiliate

Name:				
Mailing Address:				
City:		State:		ZIP:
Email:				
Contact Phone:				





Alaska Alcoholic Beverage Control Board

**Form AB-17: 2018/2019 Renewal License Application**

**Section 4 – Entity Ownership Information**

This subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). You may view your entity's status or find your CBPL entity number by using the following site: <https://www.commerce.alaska.gov/cbp/main/search/entities>  
 Partnerships may skip to the second half of this page. Sole proprietorships should skip to Section 5.

Alaska CBPL Entity #:	4428 D
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You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.

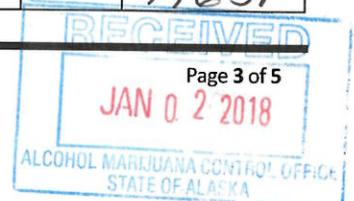
This subsection must be completed by any community or entity, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- 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 Name:	RAY DEMOSS			
Title(s):	PRESIDENT	Phone:	907-567-3918	% Owned: N/A
Mailing Address:	PO Box 39161			
City:	Niulchik	State:	AK	ZIP: 99639

Entity Official Name:	TONY REA			
Title(s):	VICE PRESIDENT	Phone:	907-567-3918	% Owned: N/A
Mailing Address:	P.O. Box 39161			
City:	Niulchik	State:	AK	ZIP: 99639

Entity Official Name:	DAVID BEHM			
Title(s):	SECRETARY	Phone:	907-567-3918	% Owned: N/A
Mailing Address:	P.O. Box 39161			
City:	Niulchik	State:	AK	ZIP: 99639





Alaska Alcoholic Beverage Control Board

**Form AB-17: 2018/2019 Renewal License Application**

**Section 5 – License Operation**

Check a single box for each calendar year that best describes how this liquor license was operated:	2016	2017
The license was regularly operated continuously throughout each year, for 8 or more hours each day.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
The license was regularly operated during a specific season each year, for 8 or more hours each day.	<input type="checkbox"/>	<input type="checkbox"/>
The license was only operated to meet the minimum requirement of 30 days each year, 8 hours each day. <i>If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.</i>	<input type="checkbox"/>	<input type="checkbox"/>
The license was not operated at all or was not operated for at least the minimum requirement of 30 days each year, 8 hours each day, during one or both of the calendar years. <i>If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement.</i>	<input type="checkbox"/>	<input type="checkbox"/>

**Section 6 – Violations and Convictions**

Applicant violations and convictions in calendar years 2016 and 2017:	Yes	No
Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2016 or 2017?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2016 or 2017?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

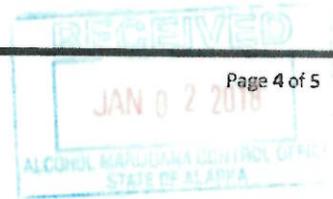
If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.

**Section 7 – Alcohol Server Education**

This section must be completed only by the holder of a beverage dispensary, club, or pub license or conditional contractor's permit. The holders of all other license types should skip to Section 8.

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

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as required under AS 04.21.025 and 3 AAC 304.465.





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-17: 2018/2019 Renewal License Application**

**Section 8 – Certifications**

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

- |   |          |
|---|----------|
|   | Initials |
| I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.  |          |
| I certify that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.   |          |
| I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently on file with the Alcoholic Beverage Control Board. |          |
| I certify on behalf of myself or of the organized entity 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.   |          |

As an applicant for a liquor license renewal, 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. I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Signature of licensee

Signature of Notary Public

DAVID H BEHM  
 Printed name of licensee

Notary Public in and for the State of Alaska

My commission expires: Sept 10, 2021

**ROBERT E. CROSBY**  
 Notary Public, State of Alaska  
 Commission # 170910002  
 My Commission Expires  
 September 10, 2021

Subscribed and sworn to before me this 21 day of December, 2017.

License Fee:	\$ 1200.00	Application Fee:	\$ 200.00	TOTAL:	\$ 1400.00
Late Fee of <b>\$500.00</b> – if received or postmarked after 01/02/2018:					
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					

