



Amended
Articles of Incorporation
and
Amended By-Laws
of
Jack Henry Post No. 1,
Incorporated
The American Legion
Department of Alaska

Ratified
May 5, 2022

Amended Articles of Incorporation Constitution

Preamble

For God and Country we associate ourselves together for the following reasons: To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our associations in all wars; to inculcate a sense of individual obligation to the community, state, and nation; to combat the autocracy of both the classes and masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom, and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

Article I – Name

Section 1. The name of this organization shall be Jack Henry Post No. 1, Incorporated, The American Legion Department of Alaska.

Section 2. Jack Henry Post No. 1, Inc. shall be a non-stock holding corporation.

Article II – Objects

Section 1. The objects and purpose of this Post shall be to promote the principles and policies as set forth in the foregoing preamble, and the National and Departmental Constitutions of The American Legion.

Article III – Nature

Section 1. The Post is a civilian organization and membership therein does not affect or increase liability for military or police service.

Section 2. This organization shall be absolutely non-political and shall not be used for the dissemination of partisan principles nor the promotion of candidacy of any person seeking political office or preferment.

Section 3. Rank does not exist in The American Legion; no member shall be addressed by his/her military or naval title in any meeting of this Post.

Section 4. This corporation shall commence upon execution and acknowledgment of these Articles of Incorporation and shall be perpetual.

Article IV – Membership

Section 1. Eligibility to membership in this Post shall be prescribed by the National Constitution of The American Legion.

Section 2. Application for membership shall be made in writing under such regulations as may from time to time be prescribed by the Post Executive Committee. No person may be a member of more than one (1) Post at a time.

Section 3. All applications for membership and/or transfers from another Post shall be acted upon at the next Post meeting following the making of such application, and shall be rejected, accepted, or referred for further investigation and consideration. If two (2) or more members cast their vote against the acceptance of a said application, then such applications shall be recorded as rejected. A rejected application shall not again be considered until after the expiration of one (1) month from the date of such rejection.

Section 4. Any member of this Post may be expelled for cause by a two-thirds (2/3) vote of the Executive Committee after charges are preferred under oath in writing and a fair trial had upon the same.

Section 5. A member who has been expelled or suspended from this Post for any cause may be reinstated to membership by a two-thirds (2/3) vote of the membership present in a Post meeting if the payment of dues for the year in which the reinstatement occurs is current.

Section 6. No person who has been expelled by another Post shall be admitted to membership in this Post without the consent of the expelling Post. If consent from the expelling Post has been denied, he/she may then appeal to the State Executive Committee of the Department of the expelling Post for permission to apply for membership in this Post and shall be ineligible for membership until such permission is granted.

Section 7. There shall be no form or class of membership except active membership. Membership shall be only through a Post and dues shall be paid annually or for life. A member will be considered “in good standing” if they are current on their Post dues.

Section 7A. HONORARY LIFE MEMBER. Honorary Life Member is not a form or class of membership, but a status in which the Post agrees to pay the member’s annual dues in recognition of the exceptional contributions the member has made to the Post and/or The American Legion at large. A member in good standing may nominate a candidate in writing to the Executive Committee, who will then provide a recommendation to the General Membership for voting. Upon approval of the status by majority vote of those in attendance at the General Membership meeting, the candidate’s annual membership dues shall be paid by the Post for life. The Post may suspend the Honorary Life Members status by the same process.

Section 7B. The written nomination for Honorary Life Member shall demonstrate the candidate's exceptional contributions to the enhancement of the Post facility and operations, finances, leadership development, programs, membership development, and/or other beneficial improvement in the interests of the Post community. A candidate will have exhibited a superior level of voluntary service to the Post community.

Section 7C. Members designated as Honorary Life Members prior to the adoption of these Articles of Incorporation are grandfathered in.

Article V – Officers

Section 1. The administrative affairs of this Post of The American Legion shall, except as may be otherwise provided by the By-Laws, be under the supervision of an Executive Committee, which shall consist of the elected officers/appointed officers of the Post. This Post may provide for other such standing committees as the business of the organization may require in its By-Laws.

Section 2. The officers of this Post shall be Commander, 1st Vice Commander, 2nd Vice Commander, Adjutant, Finance Officer, Chaplain, Service Officer, Historian, Judge Advocate, Sergeant-at-Arms, and Junior Past Commander, and such other officers as may be deemed necessary by this organization. These officers shall be nominated from the floor at the meeting preceding the annual election, with exception of the Adjutant who will be appointed at the pleasure of the Commander and approved by the Executive Committee.

Section 3. All Post officers shall be elected annually and shall serve until the newly elected officers are duly installed or as otherwise provided. New officers will assume duties upon the next meeting following the annual elections. Installation is ceremonial and will be set for a date convenient for all parties that wish to participate (Post 1, Auxiliary Unit 1, S.A.L. Squadron 1, ALR Chapter 1, and any other organizations wishing to participate). If a date cannot be agreed upon, each organization will conduct their own Installation. In addition to the Post officers, three (3) Executive Committee Members will serve on the Executive Committee. Any officer or executive committee member may be removed by the Executive Committee, two-thirds (2/3) vote of said committee is necessary to affect such removal.

Section 4. Every member of this Post in good standing shall be eligible to hold office in this Post.

Section 5. The duties of officers and Executive Committee Members shall be those usually appertaining to such officers or committeepersons and as further provided in the By-Laws.

Article VI – Finance

Section 1. The revenue of the Corporation shall be derived from annual dues, income from club operations, pull tabs, bingo, raffles, or any item covered under state gaming regulations, building and grounds, gifts, bequests, and other sources as may be approved by the Post Executive Committee.

Section 1.A. The Post financial year shall be from January 1 through December 31.

Section 2. The amount of such membership fees and the amount of such annual Post dues shall be fixed and determined by this Post.

Section 3. The Post shall pay to Department headquarters the National and Department annual membership dues for every member of the Post.

Section 4. INVESTMENTS. This Corporation may contract with financial services organization(s) that assist not-for-profit organizations. They may provide procedures to accept donations and employ successful operational margins for long-term and current operating and maintenance expenses in accordance with Internal Revenue Service regulations.

Article VII – Charter Members

Section 1. Members who joined this Post prior to November 11, 1919 (or members who joined this Post prior to the issuance of charter) shall be known as charter members.

Article VIII – American Legion Auxiliary

Section 1. The Post recognizes an auxiliary organization to be known as the Auxiliary Unit 1 of Jack Henry Post No. 1, The American Legion.

Section 2. Membership in the Auxiliary shall be prescribed by the National and the Department of Alaska, Constitution and By-Laws of The American Legion Auxiliary.

Article IX – Real Property

Section 1. Real property owned by the Post may be sold, leased, or otherwise disposed of, where control of said property is involved (after first complying with the Department and National Constitution and following the procedures provided by the Department Adjutant) at any regular meeting by a vote of two-thirds (2/3) of the Post members attending a regular meeting. The proposal shall be submitted in writing, after approval by a majority of the Post Executive Committee, and read at the preceding regular General Membership meeting of the Post. Advance notice shall be given to all members by U.S. Postal mail or electronic communication at least fifteen (15) days in advance of the date when the proposal will be voted upon. Notice shall also be given in the local press and radio and posted on the Post bulletin board in the same time limits

prior to the actual voting on the proposal.

Section 2. No real estate owned by this Post will be sold or used as collateral for a loan without the approval of the Post Executive Committee

Section 3. Upon cancellation or revocation of the charter of this Post, the Department Executive Committee is authorized, empowered, and directed, by and through its duly authorized agents, to take possession, custody, and control of all the records, property and assets of the Post. Furthermore, the Department Executive Committee will take all necessary and proper steps and proceedings to conclude and close the affairs of the Post and transfer any remaining Post members into appropriate neighboring Posts willing to accept them.

Article X – Programs

Section 1. This Post may sponsor a Sons of The American Legion (S.A.L.) Squadron. Such Squadron, once formed, shall be known as S.A.L. Squadron 1, Jack Henry Post 1, The American Legion. S.A.L. Squadron 1 shall be subject to the rules, regulations and supervision of this Post as may be promulgated by the Executive Committee and ratified by the Post General Membership, which shall not be in conflict with the rules and regulations set up for the Sons of The American Legion by the National Executive Committee, The American Legion.

Section 1A. S.A.L. Squadron 1 may adopt its own Constitution and By-Laws, subject to approval of same by the Post Executive Committee. Until S.A.L. Squadron 1 adopts its own Constitution and By-Laws, it shall be governed by this Post rules and regulations, and by the recommended Constitution and By-Laws of a S.A.L. Squadron 1 as has been approved by the Post Executive Committee.

Section 1B. Once created, this Post may cease its sponsorship of S.A.L. Squadron 1 for good cause, such as failure to maintain a minimum membership of at least ten (10) members, failure to function, participating in activities illegal, immoral, or opposed to our form of Government and the American way of life, and in the discretion of the Post Executive Committee, subject to ratification by the Post General Membership.

Section 2. This Post may sponsor an American Legion Riders (ALR) Chapter. Such Chapter, once formed, shall be known as American Legion Riders Chapter 1, Jack Henry Post 1, The American Legion. ALR Chapter 1 shall be subject to the rules, regulations and supervision of this Post as may be promulgated by the Post Executive Committee and ratified by the Post Membership.

Section 2A. ALR Chapter 1 may adopt its own Constitution and By-Laws, subject to approval of same by the Post Executive Committee. Until ALR Chapter 1 adopts its own Constitution and By-Laws, it shall be governed by Post 1 rules and regulations.

Section 2B. Once created, this Post may cease its sponsorship of ALR Chapter 1, for good cause, such as failure to maintain a minimum membership of at least five (5) members, failure to function, participating in activities illegal, immoral, or opposed to our form of Government and the American way of life, and in the discretion of the Post Executive Committee, subject to ratification by the Post membership.

Section 2C. The Director of ALR Chapter 1 must be a member in good standing of The American Legion, Auxiliary, or S.A.L.

Article XI– Amendments

Section 1. This Constitution is adopted subject to the provisions of the National Constitution of The American Legion and the Department Constitution of the Department of Alaska, The American Legion. Any amendments to the National Constitution or Department Constitution which conflicts with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution to the extent of such conflict.

Section 2. The amendment process requires two steps. First, the initiation of a proposed amendment must be an approved motion at a regular or special General Membership meeting. The second step is approval by the Post membership. This step requires a presentation of the information that a proposed amendment to the Post's Constitution is being considered. This shall be accomplished by a written announcement in the Department newsletter referring Post members to the Post website and the Post Adjutant for details.

Section 2A. After these public announcements, the written proposed amendment shall be presented at two (2) consecutive monthly General Membership meetings where discussion of the changes incorporated in the amendment shall be allowed.

Section 2B. At the next monthly General Membership meeting, the proposed amendment shall be voted on. If the proposed amendment receives a two-thirds (2/3) favorable vote, the amendment is approved and effective immediately. If the proposed amendment receives less than two-thirds (2/3) favorable vote, the proposed amendment fails.

Corporation Officers

The following Jack Henry Post No. 1, Incorporated officers were duly elected or appointed at the annual General Membership meeting held at Post No. 1, on March___/___, and properly installed. Attached are the minutes of the election meeting.

Commander - _____

1st Vice Commander - _____

2nd Vice Commander - _____

Adjutant - _____

Finance Officer - _____

Chaplain - _____

Service Officer - _____

Historian - _____

Judge Advocate - _____

Sergeant at Arms - _____

Executive Committeemen 1 - _____

Executive Committeemen 2 - _____

Executive Committeemen 3 - _____

Junior Past Commander - _____

We, the undersigned, do attest that this is a true copy of the Amended Articles of Incorporation of Jack Henry Post No. 1, Incorporated, Department of Alaska, The American Legion. Amended and ratified on _____ by majority vote.

Commander

Adjutant

Subscribed and sworn before me on this ___ day of _____ in the year of _____.

Notary Public (signature)

(Notary's printed name)

My commission expires: _____

Amended By-Laws of Jack Henry Post No. 1

Article I - Purpose

Section 1. The Post existing under these By-Laws is to be known as Jack Henry Post No. 1, Incorporated, The American Legion, Department of Alaska.

Section 2. The objects of this Post are set forth in the Constitution.

Article II – Management

Section 1. The government and management of the Post is entrusted to an Executive Committee of 14 members, as described in “Article III – Executive Committee.” All subsequent committees will report to the Executive Committee. The Executive Committee shall consist of the annually elected or appointed officers of the Post and three (3) Executive Committee Members.

Section 2. STAFF. The Executive Committee or delegated authority shall hire a Club Manager to manage the staff required for operation of the Post, who shall report to the Commander and work in concert with the House Committee. Additional staff positions will be determined as the budget permits and as appropriate for the professional exercise of all Post and Club operations, as approved by the Executive Committee. Recruitment of candidate personnel shall be the responsibility of the Club Manager and the House Committee. The Club Manager will manage an open recruitment process and may make recommendations to the House Committee as to hiring options, but not to the Executive Committee. The House Committee will make up to three (3) recommendations to the Executive Committee for its review and final approval. The recruitment, hiring, retention, and termination of all employees shall be governed by provisions within these By-Laws, the Post Policy Manual, relevant job descriptions, and all applicable local, state, and federal labor laws.

Section 2A. This section does not apply to the recruitment, hiring, retention, or termination of contractors for services including, but not limited to, bookkeeping, accounting, tax preparation and filing, relevant reporting, and investment advice or services.

Section 3. POST POLICY MANUAL. The Post will maintain a Post Policy Manual enumerating pertinent processes and procedures of Post operations. These include, but are not limited to, any process involving Post finances, audit procedures, handling of personal identifiable information, and employee relations. The creation and maintenance of the Post Policy Manual shall be the responsibility of the Executive and House Committees. It is the responsibility of the Post Commander and Judge Advocate to ensure these policies adhere to any lawful requirement and are reviewed frequently for updates.

Article III – Executive Committee

Section 1. The Executive Committee shall consist of the Commander, 1st Vice Commander, 2nd Vice Commander, Adjutant, Finance Officer, Chaplain, Service Officer, Historian, Judge Advocate, Sergeant-at-Arms, and Junior Past Commander, and three (3) Executive Committee Members.

Section 2. All vacancies existing in the Executive Committee, or in any office of the Post from any cause other than the expiration of the term, shall be filled by a majority vote of the remaining members of the Executive Committee, and a person so appointed shall hold office for the unexpired term of the member of the committee or office whom he/she succeeds. A vacancy shall exist when a member or officer has an unexcused absence from three (3) consecutive meetings, either regular or Executive Committee meeting, or combination of both.

Section 3. The Executive Committee shall meet at the call of the Post Commander within one (1) month after the election of new officers. Thereafter, the Executive Committee shall meet at the call of the Commander at least every month and as often as the Commander may deem necessary. The Commander shall call a meeting of the Executive Committee upon the joint written request of three (3) or more members of the Executive Committee; six (6) members of the Committee shall constitute a quorum thereof.

Section 4. The Executive Committee shall authorize and approve all expenditures, shall require adequate bonds from all persons having the custody of Post funds, shall hear the reports of Post committee chairs, and shall have charge of and be responsible for the management of the affairs of the Post.

Section 5. The Executive Committee shall not be permitted to extend funds or convey assets of the Post in excess of two thousand dollars (\$2,000.00) unless authorized by the members at a regular or special General Membership meeting, nor shall the Executive Committee be empowered to render the Post liable by contract in an amount exceeding the sum of five thousand dollars (\$5,000.00) unless authorized by a majority vote of members present at a regular or special General Membership meeting.

Article IV – Duties of Officers

Section 1. POST COMMANDER. The Post Commander shall have general supervision over Post business affairs and shall be regarded as the Chief Executive Officer. The Commander is an ex-officio member of all Post committees, except that he/she will preside over the Executive Committee and General Membership meetings. The Post Commander shall prepare an annual report to the General Membership, summarizing the administrative and financial health of the Post for the previous year, and make recommendations for the following year. The annual report will be read at the Post annual meeting and a copy will be immediately forwarded to the Department Adjutant. The Commander has ultimate responsibility for adherence to the Post

Constitution and By-Laws, and the Post Policy Manual. The Post Commander will appoint committee chairs as they see fit, unless otherwise provided for in this Constitution and By-Laws.

Section 2. 1st VICE COMMANDER. The 1st Vice Commander will assume the duties of the Commander in the event the Commander is incapacitated, is otherwise unable to perform the Commander's duties, or when called upon by the Commander to do so. The 1st Vice Commander is responsible for Post membership maintenance and development. The 1st Vice Commander will chair the Membership Committee.

Section 3. 2nd VICE COMMANDER. The 2nd Vice Commander is responsible for Post social activities, entertainment, annual Post events, guest-sponsored events on Post property, celebrations-of-life, and other Post activities of importance to members and guests, and which may draw on Post resources and volunteers. In keeping with the tradition of internal Post community relations, the 2nd Vice Commander will coordinate with Auxiliary Unit 1, S.A.L. Squadron 1, and ALR Chapter 1. The 2nd Vice Commander will coordinate with the Club Manager for Club support as required.

Section 4. POST ADJUTANT. The Post Adjutant is responsible for generating and maintaining a full and correct record of the proceedings of all Post meetings. As such, the Adjutant will, at minimum, be considered a non-voting ex-officio member of every Post committee in order to fulfill those duties; he/she may serve as a voting member as determined by the Commander or the specific committee. The Adjutant may rely on volunteers from the committees to assist in this responsibility. The Adjutant will also maintain records and prepare reports as the Department and National offices may require. He/she is responsible for the prompt and accurate preparation of all membership renewal cards, transfer certificates, member contact information updates, and other membership activities which support a timely and responsive membership program. The Adjutant will also manage all incoming and outgoing correspondence and be responsible for maintaining the Post P.O. Box. Finally, he/she will coordinate with the Commander and Judge Advocate to ensure the Post Constitution and By-Laws, and Post Policy Manual are properly maintained.

Section 5. FINANCE OFFICER. The Post Finance Officer shall have authority and responsibility over all Post operational funds, act in a fiduciary nature for the Post, and shall acquire expert advice in formulating and administering Post financial policy. He/she shall chair the Finance Committee and Investment Committee. In the absence of a Finance Committee or an Investments Committee, the Executive Committee will serve in its place. It is essential the Finance Officer maintain accurate financial records for all Post operations and activities.

Section 5A. In the absence of a Finance Officer, the Post Commander shall act as Finance Officer until a new Finance Officer is elected. The Finance Officer shall report monthly to the Executive Committee and the General Membership the condition of all Post finances, including but not limited to, bank account balances, loan balances, the status of financial services accounts, a month-ending profit & loss statement, and the

status of tax filings. The Finance Officer shall also report the status of, when appropriate, the Post charitable gaming licensing, liquor licensing, and business licensing renewals, adherence to relevant reporting deadlines, the status of liability insurance coverage, and compliance with other regulatory mandates.

Section 5B. The Finance Officer shall manage all cash assets according to professional standards provided by Certified Public Accountants and/or as prescribed in the Post Policy Manual. He/she shall prepare deposits, operational funds transfers, and review and approve for payment all invoices and other claims found to be in order, and shall issue bank checks accordingly. The Finance Officer may be assisted in these routine banking activities by the Club Manager. The Finance Officer shall also keep a current list of post officers authorized to sign bank checks. No more than five (5) authorized post officers are to be eligible to sign checks at any one time, and any two (2) of these five (5) shall sign each check issued. The Finance Officer shall furnish security bonds in such sums as shall be fixed by the Executive Committee. Security bonds will be issued for those officers and employees who handle cash assets or are otherwise in positions of trust over cash assets. The Finance Officer will also arrange for liability insurance coverage for directors and officers (D & O).

Section 5C. The Finance Officer shall annually prepare, or cause to be prepared, an operations budget and a capital improvement budget for review and acceptance by the Executive Committee and the General Membership no later than the first meeting following the installation of officers.

Section 6. POST HISTORIAN. The Post Historian is responsible for collecting, managing, and preparing for proper storage of the historical records of the Post. This includes written records, electronic records, photographs, film, artwork, reports, and other materials of an archival nature. In pursuit of this responsibility, the Post Historian will coordinate with the Post community; Auxiliary Unit 1, S.A.L. Squadron 1, and ALR Chapter 1.

Section 7. POST CHAPLAIN. The Post Chaplain is charged with the spiritual welfare of the Post community. In carrying out this responsibility, the Post Chaplain will offer divine but non-sectarian services during events, which may include dedications, funerals, celebrations-of-life, blessings at meetings and other events, and other appropriate public functions. He/she will adhere to the ceremonial rituals as recommended by the Department or National offices of The American Legion.

Section 8. SERVICE OFFICER. The Post Service Officer is responsible for communicating to Post veterans and their dependents their service-connected rights and benefits granted by law, as administered by either the federal Department of Veterans' Affairs or the state Department of Military and Veterans' Affairs. The Service Officer may refer applicants to more highly trained personnel, as appropriate. The Post Service Officer will attend to the welfare of Post veterans in need, to the extent customarily provided by the Post. The Post Service Officer will chair the Post Graves Registration and Memorial Committee, if one exists, and may be considered for

appointment to the Municipality of Anchorage's Memorial Park Advisory Board (Downtown Cemetery Commission).

Section 9. JUDGE ADVOCATE. The Post Judge Advocate shall advise Post officers on legal matters, including development and interpretation of the Post Constitution and By-laws, Department and National By-Laws and regulations, and shall serve as Post Parliamentarian. The Post Judge Advocate may perform other duties customarily associated with this office and as otherwise prescribed in the Post Constitution and By-Laws.

Section 10. SERGEANT-AT-ARMS. The Post Sergeant-at-Arms shall preserve order at all meetings and shall perform other duties as may be assigned to him/her by the Post Executive Committee. The Post Sergeant at Arms shall have charge of the Post Colors and shall not display or permit them to be displayed without specific authority of the Post Commander.

Section 11. EXECUTIVE COMMITTEE MEMBERS. The Post Executive Committee Members are voting members of the Executive Committee. Their duties are to assist in the affairs and decision-making of the Post. They shall assist in other Post business matters as designated by the Commander.

Section 12. JUNIOR PAST COMMANDER. This position is a full participant in the Executive and House Committees until he/she is replaced by the most current Past Commander. He/she will ensure a smooth transition of leadership, mentor other officers, be available for advice, and serve on any committees the Commander chooses.

Article V – Department Convention Delegates

Section 1. Delegates and alternates to a Department convention shall be elected by ballot by the Post at a regular General Membership meeting of the Post held at least 30 days prior to the date of the convention. However, the Post, by two-thirds (2/3) vote of members present at the General Membership meeting may authorize the Commander to appoint the delegates. The Commander shall, immediately upon the election or appointment of the delegates and alternatives, designate the Chairman. Alternates for delegates shall have all the privileges of registered delegates except that of voting. A registered delegate is one who has received his/her credentials after his/her registration fee has been paid.

Section 2. The convention fees shall be reimbursed by the Post up to the number of delegates vote on by the General Membership. Convention fees, additional fees, airfare, cab, hotel, and food shall be considered to be reimbursed by the Post; General Membership shall designate specifically what will be paid for when deciding on how many delegates to send. Delegates will submit to the Post proof of expenses prior to reimbursement.

Section 3. The Delegate Chairman will assign delegates to the committees of the Department Convention, ensure the delegate strength fee is paid, lead the Post's caucus, and deliver a vote for the Post for the entire Post delegation.

Article VI – Committees

Section 1. The Post Commander, immediately upon taking office each year, shall appoint standing committees as the Commander deems necessary for the efficient operation of the Post. The following list of committees shall not be considered all-encompassing, and the Commander reserves the right to appoint other committees he/she finds to be necessary. The chairs of the committees shall be designated by the Commander and confirmed by the Executive Committee. The committees shall consist of Post members, but appointment of Auxiliary Unit 1, S.A.L. Squadron 1, or ALR Chapter 1 committee members may be allowed if approved by majority vote of the Executive Committee. In such an event, the Executive Committee will also determine if the appointees will be voting or non-voting members.

Section 2. HOUSE COMMITTEE. The House Committee shall consist of five (5) members: the 2nd Vice Commander, the Junior Past Commander, and three (3) members appointed by the Commander subject approval by the Executive Committee. All actions of the House Committee are subject to approval by the Executive Committee. The Chair of the House Committee will be appointed by the Commander and approved by a majority vote of the Executive Committee.

Section 2.A. Jack Henry Auxiliary Unit 1, S.A.L. Jack Henry Squadron 1, and ALR Chapter 1 shall be allowed to each have one non-voting liaison representative sit with the House Committee.

Section 2B. The duties of the House Committee are to advise the Executive Committee on the management of the Post Club operation and completion of general maintenance of the building and grounds (up to \$2,500). They shall ensure all documents necessary to comply with State and Federal laws concerning the Post Club, building, and grounds are filed, completed, and maintained appropriately as required by the aforementioned laws. The House Committee, in coordination with the Judge Advocate, will be responsible for drafting and maintaining policies and procedures within the Post Policy Manual pertaining to membership conduct within the Post Club. They will comply with any other duties that may be requested by the Post Commander or Executive Committee.

Section 3. MAJOR MAINTENANCE COMMITTEE. The Major Maintenance Committee will report to the Post Commander and the Executive Committee. It should be composed of maintenance and engineering professionals, though other individuals may serve as required and/or appointed by the Post Commander and approved by the Executive Committee. The threshold for a major maintenance project is above two thousand five hundred dollars (\$2,500.00); below that will be considered a general maintenance project for the House Committee.

Section 3A. The Major Maintenance Committee will be an advisory group to the Executive Committee, prepare contracts and solicit bids for major maintenance projects, and serve as Project Managers on Executive Committee approved projects. The Committee will maintain a Capital Improvements Projects (CIP) list of building and ground needs and wishes, and prioritize them on the basis of life/safety, urgency of need, potential cost efficiency improvements to the overall building and grounds, actual cost of the project, and whether the project is a want or a need. The Major Maintenance Committee will then coordinate with the Finance Committee to budget for future projects on the CIP, as approved by the Executive Committee.

Section 3B. The Committee may help develop routine maintenance contracts for the House Committee on an as needed basis.

Section 4. FINANCE COMMITTEE. The Finance Committee shall be charged with the administration of financial policy, preparing the annual Post budget recommendations and supervision of receiving, disbursing, and accounting of all Post funds. Committee members will act in a fiduciary nature for the Post.

Section 5. INVESTMENT COMMITTEE. This committee shall oversee the management of any Post intangible asset investments, serve as the contact point for coordinating with a financial services contractor, and act in a fiduciary nature. A financial services contractor must be duly licensed to operate within the State of Alaska. Post operational bank accounts are specifically excluded from the committee's responsibilities. The committee shall have five members: the Post Commander, the 1st Vice Commander, the Junior Past Commander, the Finance Officer, and a member in good standing who has experience in financial and/or investment activities. This member shall be appointed by the Commander and be approved by a majority of the Executive Committee. The Investment Committee shall meet at the call of the Commander, who shall serve as the Chair. The committee shall make decisions pertaining to the deposits, transfers, conversions, and withdrawals of funds held by financial services contractors, including endowed and non-endowed accounts. Where unrestricted donations for investment are received but not designated with an investment option, the committee shall make a final determination for those deposits. The committee shall also have authority to determine the distribution of any gains realized by investments of intangible assets. The Investment Committee shall report to the Finance Committee on a quarterly basis.

Section 6. GRAVES REGISTRATION AND MEMORIAL COMMITTEE. The duties of this committee involve recording of grave sites and complete information on veterans' burial in cemeteries assigned to the Post. Special assistance can be given to the Service Officer providing flags, headstones, or proper interment in national cemeteries. The appointee to the Municipality of Anchorage's Memorial Park Advisory Board (Downtown Cemetery Commission) will serve on this committee if one exists.

Section 7. MEMBERSHIP COMMITTEE. The Membership Committee has charge of all matters pertaining to membership of the Post, including the recruitment of new members, reinstatements, transfers, and eligibility of members. They should work closely with the House Committee on matters that concern membership such as the Early Bird party, or other events aimed at enhancing Post membership.

Section 8. PUBLIC RELATIONS COMMITTEE. The Public Relations Committee shall be charged with promotion of the Legion's programs by establishing proper contact with The American Legion Magazine, Department and National Legion news services, and by local publicity of Post programs and activities. The committee will manage the Post's social media and utilize it to promote events, communicate with members, and share the Post's community involvement.

Article VII – Resolutions

Section 1. All resolutions of Department or National scope presented to this Post by a member or reported to this Post by a committee shall embody the opinion of this Post on the subject and copy of same shall be forwarded to the Department headquarters for its approval before any publicity is given or action other than passage by the Post is taken.

Article VIII – Meetings

Section 1. The regular General Membership meeting of the Post shall be held at 840 W. Fireweed Ln. Anchorage AK. 99503 or as otherwise designated by the Post Commander on the first (1st) Wednesday of each month. This meeting will cover any business that needs to be brought forward for General Membership approval and/or discussion. The General Membership shall approve the minutes of the previous General Membership meeting. These meetings may be converted into entertainment meetings, as may be deemed advisable by the officers of the Post. Procedure at the regular meeting shall comply with the current Manual of Ceremonies.

Section 1A. Votes will be cast by the individual members in attendance at the meeting unless electronic voting with virtual or electronic video is provided. There is no proxy voting; all votes must be cast by the individual member by electronic method or in person.

Section 2. The regular business meetings of the Post shall be as determined by the Post. Other business or social meetings may be held as directed by the Post Commander and the Executive Committee.

Section 3. The Commander may call a special meeting for a specific purpose that cannot wait for the regular monthly meeting of the Executive Committee or the General Membership.

Section 4. A request via text message, email, or handwritten letter by six (6) Post members may request a special meeting of the Executive Committee to consider a time-sensitive, single-purpose issue that needs action prior to the monthly meetings. The Commander shall review the proposal and determine within three (3) days if the proposal is an appropriate agenda item and that it does not require further investigation or information before a call for an Executive Committee meeting should be considered.

Section 5. If the Commander determines that the written request does not meet the requirements for a special meeting, the Commander shall respond to the requesting members within three (3) days. Furthermore, the Commander will add the request to the agenda at the next regular General Membership meeting.

Section 6. If the Commander determines that a call for a special meeting of the Executive Committee is necessary, he/she shall instruct the Adjutant to schedule the meeting to be held within three (3) days. Special meetings of the Executive Committee may conduct business other than the agenda item that is the result of the members' request. If the Executive Committee determines the requested issue needs to be discussed by the General Membership prior to the monthly meetings, the Adjutant shall schedule a special General Membership meeting to be held within seven (7) days and communicate that to the Membership via multiple communication methods, such as social media and email.

Section 7. The presence of three (3) members shall constitute a quorum for any regular or special meetings of the General Membership. Quorum requirements for other committee meetings shall be one (1) member present greater than 50% of the total number of committee members assigned.

Section 8. Members in good standing may attend any regular or special General Membership meeting. A member in attendance may move, second, and vote on any proposal brought up for action. If the motion is to amend the Post Constitution or By-Laws, the Adjutant shall ensure the written motion is clearly stated as to intent of the original motion and in the format require by the Article(s) on Amendments of the proposed documents to be amended.

Section 9. A member in good standing may attend any committee meeting as a non-voting guest, unless the committee is in an executive session.

Article IX – Notices

Section 1. Every member shall furnish and keep current with the Post Adjutant his/her address, email, and phone number for contact purposes.

Section 2. The Post Adjutant shall cause notice of annual elections to be given at least two (2) weeks prior thereto.

Section 3. STATEMENT OF NONDISCRIMINATION. The Post does not discriminate based on race, religion, color, national origin, gender, sex, or disability in accordance with Title VI of the Civil Rights Act of 1964, as amended.

Section 4. WHISTLEBLOWER PROTECTION POLICY. Neither the Post Commander, Post Officers, or members of Executive Committee shall unlawfully retaliate against any member for bringing a grievance or complaint under these By-Laws.

Section 5. CONFLICT OF INTEREST POLICY. Neither the Post Commander, Post Officers, or members of the Executive Committee may benefit personally from a decision he/she could make.

Section 6. DOCUMENTATION RETENTION. Any member that possesses or maintains sensitive Post information is required to take reasonable measures to protect against unauthorized access to or use of the information in connection with its disposal. In addition, the Sarbanes-Oxley Act of 2002 requires that records be retained for all audits and legal proceedings.

Section 6A. RECORD TYPES AND RETENTION PERIODS:

- (1) Accounts Payable/Receivable Ledgers – 7 years
- (2) Audit Reports of Accounts – Permanently
- (3) Bank Statements – 7 years
- (4) Contracts and Leases – Permanently
- (5) Correspondence (Legal) – Permanently
- (6) Insurance Records – Permanently
- (7) Tax Returns – 7 years
- (8) Training Manuals – Permanently

Section 7. IRS AUTHORITY TO REQUEST INFORMATION (PUBLIC DISCLOSURE POLICY). The Post must make available for public inspections IRS annual returns and applications for exemption, and must provide copies of the returns and applications to individual who request them. Copies must be provided as soon as practical, but no later than 30 days of the requests. The tax-exempt organization may charge a reasonable copying fee plus actual postage, if any.

Section 8. IRS 990 COMPLIANCE POLICY. The IRS Form 990 must be filed annually by the 15th day of the 5th month after the close of the tax year. The Pension Protection Act requires the IRS to revoke the tax-exempt status of any organization that fails to meet its annual filing requirement for three (3) consecutive years.

Section 9. REVIEW OF FORM 990 BY EXECUTIVE COMMITTEE. The Post Finance Officer will create a timeline for compliance in following the previous tax year. Data will be gathered to complete the IRS Form 990 and shared with the Executive Committee no later than the Executive Committee meeting prior to the due date. The Executive Committee will review the completed IRS Form 990 annually before it is sent to the IRS.

Article X – Rules of Order

Section 1. All proceedings of this Post shall be conducted under and pursuant to the latest edition of Robert's Rules of Order, except as herein otherwise provided.

Article XI – Limitations of Liabilities

Section 1. This Post shall not incur, or cause to be incurred, liability or obligations which shall subject any other Post, subdivision, members of The American Legion, or other individuals, corporations, or organizations.

ARTICLE XII – AMENDMENTS

Section 1. Proposed amendment(s) to these By-Laws shall be submitted in writing to the Executive Committee for review. Upon review, the amendment(s) will be presented to the General Membership at the next three (3) regular meetings. At the third meeting, the General Membership will vote on the proposed amendment(s), to which the amendment(s) shall be adopted by a two-thirds vote of approval. Further, the Adjutant must provide written notice to all members at least fifteen (15) days in advance of the meeting when the amendment(s) is to be voted upon. Approved amendment(s) shall be effective immediately.

We, the undersigned do attest that this is a true copy of the Amended By-Laws of Jack Henry Post No. 1, Incorporated, Department of Alaska, The American Legion. Amended and ratified on _____ by majority vote.

Commander

Adjutant

Subscribed and sworn before me on the _____ of _____ in the year of _____.

Notary Public (signature)

(Notary's printed name)

My Commission expires: _____