

BY-LAWS

**HOPEWELL MEMORIAL POST 146, Inc.
Hopewell, Virginia**



**THE AMERICAN LEGION
Department of Virginia**

As Amended and Revised – April 2021

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BY-LAWS
OF
THE AMERICAN LEGION
HOPEWELL MEMORIAL POST 146, INC.
DEPARTMENT OF VIRGINIA

All references to the masculine gender in these By-Laws refer to both genders.

ARTICLE I - NAME, OBJECTIVE AND FISCAL YEAR

SECTION 1. The Post existing under these By-Laws is known as Hopewell Memorial Post 146, The American Legion, Department of Virginia.

SECTION 2. The Post objective is set forth in the Post Constitution.

SECTION 3. The administration and financial year shall be from July 1, to June 30.

ARTICLE II – MANAGEMENT

SECTION 1. The government and management of this Post is entrusted to an Executive Committee.

SECTION 2. Leadership Positions.

- a. The Executive Committee shall consist of voting members known as the three Executive Committeemen, Commander, 1st Vice-Commander (Membership), 2nd Vice Commander (Americanism and Youth), 3rd Vice Commander (Fundraising), Finance Officer, Service Officer, Historian, Chaplain, Sergeant-at-Arms and the Immediate Past Commander.
- b. The Commander may only vote when the Executive Committee is deadlocked – his vote being used to break the tie.

- c. The Adjutant and Judge Advocate shall be appointed by the Commander and approved by the Executive Committee. The Adjutant and Judge Advocate are non-voting members.
- d. Past Commanders are welcomed as non-voting members unless elected as an officer of the Post.

SECTION 3. The Executive Committee shall meet regularly at the call of the Commander, but at least once each month. Special meetings shall be called at the request of the Commander or upon the joint written request of any three (3) members of the Executive Committee after first giving a three day notice thereof to each Executive Committee member.

SECTION 4. The quorum for any Executive Committee meeting shall consist of 51 percent of the voting members. The Adjutant shall record a summary of said meeting but in his absence, the Commander shall designate another member of the Committee to record a meeting summary.

SECTION 5. The Executive Committee shall require adequate bond for all persons having access to Post funds, shall hear reports of committee chairs, shall have charge of and is responsible for the management of the affairs of the Post.

SECTION 6. Financial Authorities.

- a. After consultation with the Budget, Finance and Audit Committee, the Executive Committee may authorize and approve normal expenditures of Post funds in an amount not to exceed twenty-five hundred dollars (\$2,500.00) in the normal operation of the Post. Any and all expenditures authorized by the Executive Committee shall be reported to the Post membership at the next regular meeting. Any expenditure exceeding twenty-five hundred dollars (\$2,500.00) shall be referred to the Post membership for a vote at a regularly scheduled meeting. Should an emergency occur during which the full Post membership is not be able to meet for a period of more than 30 days, the Executive Committee may obligate and expend the funds necessary to initiate and/or maintain Post operations (i.e., pay staff salaries/wages, purchase expendable and non-expendable supplies and equipment, make necessary repairs and improvements, and pay other bills, taxes and fees required to keep the Post operating). All spending made under this emergency authority shall be reported at the next convened General Membership Meeting.

- b. The Post Commander shall be authorized to make normal expenditures up to five hundred dollars (\$500.00) and emergency expenditures up to one thousand dollars (\$1,000.00) without prior approval, but must account for and report all expenditures by submitting a bill or invoice within five (5) days of the transaction to the Post Finance Officer for review. The transaction will be reported at the next scheduled Executive Committee meeting.
- c. The House Committee shall be authorized to make business expenditures and/or emergency expenditures up to and including one thousand dollars (\$1,000.00) monthly to purchase, repair, maintain or replace equipment necessary to the operation of the facility without prior approval, but must account for and report all expenditures by submitting a bill or invoice within five (5) days of the transaction to the Post Finance Officer for review. The transaction will be reported at the next scheduled Executive Committee meeting. The limit of the House Committee's expenditure authority may be changed at any time by the Executive Committee, but it may not exceed one thousand, five hundred dollars (\$1,500.00).
- d. The Social Quarters or Facility Manager shall be authorized to make business expenditures and/or emergency expenditures up to and including five hundred dollars (\$500.00) to purchase, repair, maintain or replace equipment or supplies necessary to the operation of the facility. All purchases must be justified, and sales receipt(s) or invoice(s) presented within five (5) days of the transaction through the House Committee to the Post Finance Officer for review. The transaction will be reported at the next scheduled Executive Committee meeting. The limit of the Social Quarters or Facility Manager's expenditure authority may be changed at any time by the Executive Committee, but it may not exceed seven hundred and fifty dollars (\$750.00).

SECTION 7. The Executive Committee shall perform such other duties not listed in this article as may be required by other articles of these By-Laws and the Post Constitution.

SECTION 8. Removal from Office.

- a. An officer or Executive Committeeman who misses three (3) or more consecutive Executive and/or Regular Post meetings without prior notification to the Commander or Adjutant will be considered for removal from office for inefficiency. When the reason for the absence is reported

to the Post Commander or Post Adjutant, the Commander may deem an Executive Committee member excused from the meeting.

- b. An officer or executive committeeman may be removed from office for inappropriate or unbecoming behavior. Behaviors such as personally abusive or profane speech, physical assault, and/or intoxication shall be grounds for removal from office. The Executive Committee has the option to reprimand, suspend or remove a member from office as deemed appropriate.
- c. A vote of two-thirds (2/3's) of the Executive Committee shall be required to reprimand, suspend or remove an officer or Executive Committeeman from office.

ARTICLE III - DUTIES OF OFFICERS

SECTION 1. Duties of the Post Commander. It shall be the duty of the Post Commander to preside at all meetings of the Post, have general supervision over the business and affairs of the Post, and be the Chief Executive Officer of the Post. He shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the Post which shall be presented at the annual meeting, and a copy thereof immediately forwarded to the Department Adjutant. He shall perform such other duties as directed by the Executive Committee.

SECTION 2. Duties of the 1st Vice Commander (Membership). The 1st Vice Commander (Membership) has the primary responsibility of chairing the Membership Committee and overseeing all aspects of membership, recruiting and retention, but may also have other duties as assigned by the Commander.

SECTION 3. Duties of the 2nd Vice Commander (Americanism and Youth). The 2nd Vice Commander (Americanism and Youth) has the primary responsibility of chairing the Americanism Committee, and overseeing all aspects of promoting patriotism and good citizenship. He also oversees patriotic and citizenship-related activities in the schools, and the Essay, Oratorical, Boys State and Youth Cadet Law Enforcement Programs; but may also have other duties as assigned by the Commander.

SECTION 4. Duties of the 3rd Vice Commander (Fundraising). The Vice Commander (Fundraising) shall be in charge of any and all gaming operations conducted at the Post. The 3rd Vice Commander (Fundraising) may hold the position of Gaming Manager, but holding that position is not required. A Gaming Manager may be appointed by the Post Commander with the appointment ratified by the Executive Committee. If a Gaming Manager is appointed, he is not a member of the Executive Committee. The 3rd Vice Commander (Fundraising) is the Gaming Manager's direct supervisor and responsible to supervise and monitor all gaming-related activity conducted by the Gaming Manager; and ensure that all Post activities follow applicable Virginia Charitable Gaming Commission Rules and Regulations.

SECTION 5. Duties of the Finance Officer. The Finance Officer shall ensure that moneys are correctly disbursed at the proper time. He shall issue checks upon authorization of the Executive Committee as set forth in these By-Laws. In the latter instance, all disbursements shall be subject to the approved budget. He shall see to it that a set of books is kept in as much detail as may be recommended by the Budget, Finance and Audit Committee and approved by the Executive Committee; submit a monthly financial statement for the membership at each monthly meeting and have the accounts available at that time for inspection by the Post membership. He shall implement recommendations of the Budget, Finance and Audit Committee and recommend a budget to the Executive Committee. He shall assure that all persons authorized to handle Post funds are properly instructed in the handling of such funds, the type and extent of paperwork or records to be kept, and the time and type of reports(s), if any, to be made to the Finance Officer, the Executive Committee or both. The Finance Officer shall have oversight responsibility for all Post funds.

SECTION 6. Duties of the Service Officer. The Post Service Officer shall assist all veterans in obtaining information concerning their rights and benefits as a veteran and will assist in community affairs-related actions. He shall be responsible for bringing to the attention of all veterans and their dependents, the rights and benefits granted to them by law.

SECTION 7. Duties of the Post Historian. The Post Historian shall be charged with recording and preserving significant events, programs, activities and happenings of importance to the Post and Post members, and

shall perform such other duties as may properly pertain to the office as determined by the Post Commander or the Executive Committee.

SECTION 8. Duties of the Post Chaplain. The Post Chaplain shall be charged with the spiritual welfare of Post members and offer divine but nonsectarian service in the event of dedications, funerals, public functions, etc., and adhere to such ceremonial rituals as are recommended by National or Department Headquarters. The Post Chaplain is also responsible for annual Post Everlasting and Four Chaplains Memorial Ceremonies.

SECTION 9. Duties of the Sergeant-at-Arms. The Sergeant-at-Arms is the sentinel or guardian of the Post. It is his responsibility to see that no one enters Post meetings without proper identification. He shall be responsible for safekeeping, and bringing to Post meetings, the colors, rifles, and other ritualistic materials; the posting of colors at meetings, funerals and other ceremonies at which the Post is represented; the initiation of new members and Post Everlasting. He shall count and transcribe the attendance at each meeting and report the same to the Adjutant. He shall be responsible for the distribution and collection of ballots at all special elections. He shall be available to assist the Commander at all meetings. The Commander may appoint one or more Assistant Sergeants-at-Arms when he deems it necessary to assist the Sergeant-at Arms or to assist the Commander. The duties of an Assistant Sergeant-at-Arms will be assigned by the Commander. Assistant Sergeants-at Arms will not be considered officers of the Post and will not be members of the Executive Committee.

SECTION 10. Duties of Executive Committeemen. There are three (3) Executive Committeemen who shall hold terms of one (1), two (2) and three (3) years during the Legion year. Usually, one Executive Committeeman shall be elected each year for a three-year term. The Commander may appoint Executive Committeemen to chair special committees or working groups, or be assigned special tasks as the Commander may direct.

SECTION 11. Duties of the Post Adjutant. The Adjutant shall have charge of and keep a full and correct record of the proceedings of all Executive Committee and Post Membership meetings. He will keep such records as the Department and National Organization may require, render required reports annually or when called upon at a meeting, and under the direction of the Commander, handle all correspondence of the Post. The Adjutant shall, at the end of the Legion year, turn over to the Historian those

documents no longer deemed necessary to the Post. The Adjutant will also create an electronic or digital copy of the summaries of all Post meetings held in the previous year to be filed in addition to, but separate from, paper copies. The Adjutant will annually certify and send to Department the eligibility and membership status of newly elected officers. He will also annually compile reports of the Post activities and forward them to the District and Department Awards Committee; and serve as custodian of all official documents of the Post, such as contracts and articles of incorporation, except when the documents would be more appropriately placed in the possession of the Historian or the Judge Advocate. He will perform other such duties as designated by the Post Commander.

SECTION 12. Duties of the Judge Advocate. The Judge Advocate shall supply advice in the conduct of Post business. He is the guardian of the constitutional form of Post government. He is responsible for ensuring that correct parliamentary procedure is used in all Post meetings. The Judge Advocate shall have general supervision over all legal questions arising in the Post, including preparation/revision of the Constitution and By-Laws, and amendments thereto, contracts, deeds, and leases. He shall serve as Chairman of the Constitution and By-Laws Committee.

SECTION 13. Duties of the House Committee.

- a. The House Committee shall consist of a chairman and at least two members in good standing of American Legion Post 146, appointed by the House Committee Chairman, with approval of the Post Commander and ratification by the Executive Committee.
- b. The House Committee shall have the primary coordinating responsibility, subject to the approval of the Executive Committee, for the operation and maintenance of the physical facilities of the Post, and monitor the performance of the Social Quarters or Facility Manager. The House Committee shall set prices for beverages and food; set Club Room operating hours; oversee the preparation of monthly reports that accurately reflect the financial condition of Club Room operations; monitor the performance of a quarterly inventory of bar snacks and beverages; and in general, see that the conditions of the Social Quarters or Facility Manager's contract are being fulfilled. The House Committee shall also have primary coordinating responsibility for the day-to-day maintenance, repair, and cleaning of the Post building and grounds, and shall annually inventory all Post property prior to the installation of officers.

- c. The House Committee shall have the primary responsibility to oversee all employee personnel policies and procedures, to include setting salaries and wages; and the employment, evaluation, discipline, and separation of Post staff members.
- d. The House Committee Chairman shall serve as liaison between the Social Quarters or Facility Manager and the Executive Committee. He shall meet at least monthly with and advise the Executive Committee, but shall not be an additional member thereof; will have no vote nor will he be counted in determining a quorum. However, a current Executive Committee member may be appointed House Committee Chairman as an additional responsibility. The House Committee Chairman shall provide a monthly House Committee activity report to the Post Executive Committee.
- e. The House Committee shall investigate any reports of alleged infractions by members or their guests of the House Rules and Regulations, and shall make a report to the Executive Committee with recommendations for disposition.

ARTICLE IV – DELEGATES

SECTION 1. All delegates and alternates to a Department Convention shall be elected by vote at the Executive Committee meeting in June. The number of delegates and alternates elected shall comply with Department regulations. The nominee(s) shall express an intent to attend the Department Convention and special meetings. In the event a delegate or alternate is unable to attend the Department Convention or a special meeting, the Commander shall be notified so that he may appoint an alternate member to attend.

SECTION 2. All delegates and alternates shall continue to function as delegates of the Post for any election or other specially called convention that the Department may find to be necessary between the time of their election and the election of new delegates and alternates.

SECTION 3. Any Post member in good standing shall be eligible as a candidate for delegate to the Department Convention.

ARTICLE V – ELECTIONS

SECTION 1. Nominations

- a. The Commander shall appoint, with the approval of the Executive Committee, a special Nominating Committee of one (1) or more past or current Post Executive Committee members and two (2) general members in good standing. Their duty shall be to provide interested and willing nominees for the elected offices of the Post and the Executive Committeemen. The Commander shall appoint the members of such committee no later than the February General Membership Meeting. The nominating Committee will recommend one person for each position.
- b. Not being selected by the Nominating Committee does not preclude anyone from being nominated from the floor at the April General Membership Meeting. Nominees shall be presented to the Post at the April General Membership Meeting each year. Nominees will acknowledge acceptance of their nomination (either verbally when nominated or in writing if not present at the time of nomination), whether their name is presented by the Nominating Committee or from the floor.
- c. Candidates may be nominated from the floor by any member in good standing at the April General Membership Meeting. This shall preclude the nomination of any candidates not nominated by the end of the April meeting; providing that at the general membership meeting for elections there are nominees for all offices that are subject to election. If, at the time of elections, there is no nominee for an office or offices, then nominations may then be made from the floor.
- d. Nothing in this section shall be interpreted as prohibiting the Commander or other current elected officers from serving on the Nominating Committee.

SECTION 2. The election of all Post officers and Executive Committeemen, except the Post Adjutant and Judge Advocate, shall be held each year at the May General Membership meeting; except that the membership, by a majority vote of those present at the April General Membership Meeting, may provide for a period of time immediately prior to the May meeting for voting by ballot, and establish a time for opening and closing the polls.

SECTION 3.

a. Election Committee: The Commander shall appoint a committee of Post members in good standing, none of which may be a nominated officer or Executive Committeeman, or any other nominee for office that may appear on the ballot, to serve as an Election Committee. The Election Committee shall:

1. Prepare the ballots
2. Conduct a head-count
3. Ascertain that each person voting is qualified to vote
4. Distribute the ballots to members qualified to vote
5. Count the ballots (any discrepancy in the ballot and head-count will result in a new or second vote)
6. Close the polls
7. Tally the votes for each nominee or member receiving votes, and make a report to the Commander
8. The Commander shall announce the results of the voting and resolve any reported irregularities
9. If any office remains unfilled after the first ballot, the election process should be repeated for that office after required notice

b. Conducting Elections:

1. Voting shall be by secret ballot unless decided otherwise by a vote of at least two-thirds (2/3's) of the members present at the April meeting.
2. No votes shall be allowed after the Election Committee Chairman has declared the polls closed or after the established time for closing of the polls. However, the polls shall not close at the established time if there are members waiting to vote, and will not close until all such members have voted.
3. To be elected, a candidate must receive a simple majority (51% or more) of all votes cast.
4. In case of a tie vote between candidates for a single office, the Elections Committee Chair shall announce the tie and direct members to re-vote for candidates for that office only. Standing election procedures will be used for all re-votes/tie-breaking votes.
5. The voting on election day shall only be for validly nominated and qualified candidates. Write-in votes shall not be allowed or accepted.

SECTION 4. Vacant Positions

- a. Determining a Vacancy. A vacancy shall exist when an Executive Committeeman or officer resigns or is absent from his position for a period considered detrimental to the best interest of the Post by a two-thirds (2/3's) vote of the Executive Committee in accordance with Article II, Section 8, of these By-Laws.
- b. Electing a Replacement Officer. All vacancies existing in the Executive Committee or in any office of the Post from any cause other than the expiration of the term of office shall be filled by a majority vote of the members in good standing present at the next General Membership Meeting of the Post. The member so elected shall hold office for the remainder of the term of the Executive Committeeman or Officer he succeeds. The nominee(s) shall express an intent to attend all regularly scheduled and special meetings.
- c. Appointing a Replacement Officer. If, upon resignation or absence, an office becomes vacant and there is less than six (6) months left in the term of that office, the Post Commander may nominate a replacement to complete the term of office. The nomination must be approved by majority vote of the Executive Committee. If the nomination is rejected by the Executive Committee, the Post Commander may choose to nominate another person for the position, accept a nomination for the position from the Executive Committee or leave the position vacant.

SECTION 5. All elected Post Officers and Executive Committeemen shall be sworn-in following procedures established by The American Legion Department of Virginia. Newly elected officers will assume their duties on 01 July of each year.

ARTICLE VI – APPOINTMENTS

SECTION 1. Each year, upon taking office, the Post Commander shall appoint an Adjutant, Judge Advocate, a House Committee Chairman, the members of the Budget, Finance and Audit Committee, and other such committees as may be necessary. Standing committees shall consist of those members as hereafter set forth. Other committees may be established, and membership appointed by the Commander or the respective committee

chairman. Committees shall meet at such times as may be required or necessary.

ARTICLE VII – COMMITTEES

DEFINITIONS: The Post shall use two types of committees, standing committees and temporary committees.

- a. Standing committees are those having a continued existence, formed to do assigned, on-going work.
- b. Temporary or ad hoc committees are those formed for a specific task or objective, and are dissolved after the completion of the task or achievement of the objective.

Most committees (other than the standing committees) are of the ad hoc type. Temporary committees are identified with an asterisk (*) in this document and may or may not be operational.

SECTION 1. Membership Committee. The Membership Committee shall have charge of all matters pertaining to the membership of the Post, including recruiting, reinstatement, and determining eligibility of members. The Membership Committee shall be chaired by the 1st Vice Commander and shall have two (2) or more members.

SECTION 2. Americanism Committee. The Americanism Committee shall be charged with the inspiration of patriotism and good citizenship by planning arranging and directing proper observances of patriotic occasions, encouragement of patriotic and civic phases of instruction in schools, including oratorical contests in the schools and Boys State, Americanization of aliens, combating anti-American propaganda by education of the general public in American ideals through public forums, etc., and activities for community and civic betterment. The Americanism Committee shall be chaired by the 2nd Vice Commander and shall have sufficient members as the committee chairman requires.

SECTION 3. Fundraising Committee.

- a. The Fundraising Committee shall have charge of and supervise all aspects of charitable gaming conducted at the Post. The Chair will ensure that all BINGO, Pull-Tab, and other gaming operations are conducted

following applicable Virginia Charitable Gaming Commission Rules and Regulations.

- b. The committee shall monitor the handling and accountability of all funds used and generated through charitable gaming events to ensure proper control and accountability of funds.
- c. The Fundraising Committee shall be chaired by the 3rd Vice Commander and shall have sufficient members as the committee chairman requires. The Post Gaming Manager is a permanent member of the Fundraising Committee.

SECTION 4. Budget, Finance and Audit Committee.

- a. The Budget, Finance and Audit Committee is appointed by the Post Commander and shall consist of two (2) or more members of the Post not connected with the disbursement of funds. The committee shall be charged with monitoring and assisting with the administration of financial policy, the preparation of budget recommendations, supervision of the receipt and expenditure of all Post funds at the direction of the Executive Committee, and the proper accounting of all funds and revenues of the Post.
- b. The committee shall review not less than annually all insurance and liability coverage in effect and recommend changes as appropriate.
- c. The committee shall initiate an annual financial audit conducted by itself or an auditing firm not later than thirty (30) days after the close of the Legion year. All books, accounts, and financial records of the Post shall be turned over to the committee which shall conduct the audit or deliver the records to the auditing firm contracted to conduct the audit. The committee shall make every effort to deliver the results of the audit to the Executive Committee within a reasonable time after the thirty (30) day delivery date given to the contracted auditing firm.
- d. The Budget, Finance and Audit Committee shall conduct periodic audits as required throughout the year.

SECTION 5. House Committee. The House Committee Chairman shall be appointed by the Commander. The Chairman may then appoint committee members as deemed necessary. In addition to duties and responsibilities detailed in Article II, Section 6, and Article III, Section 13, the House Committee shall be responsible to oversee all matters pertaining to scheduling and renting the hall, and the use and control of necessary

janitorial services insofar as halls, offices, kitchen, parking area and rest rooms are concerned.

SECTION 6. Communications/IT Committee*. The Communications/IT Committee is charged with the assembly, publication, and dissemination of the Post newsletter, and the promotion of the American Legion's programs through coordination with the American Legion Magazine, Department and National Legion news service. The committee shall also be charged with promoting public support for Legion programs through publicity of Post programs and activities in the local news media.

SECTION 7. Donations Committee*. The Donations Committee is responsible for the receipt, assessment and action recommendation concerning all donation requests the Post receives. The committee is tasked to evaluate donation requests using guidelines established in the Post's Policy for Planning and Making Donations.

SECTION 8. Visiting Committee*. The Visiting Committee is chaired by the Post Chaplain and shall be charged with visiting and comforting members and/or members' families when sick or bereaved, and visiting ex-servicemen in nearby hospitals. *[NEW]*

SECTION 9. Administration Committee*. The Administration Committee shall work to efficiently and effectively recruit, hire, and support capable and responsible people to carry out the work of the Post; manage the daily business functions of the Post Administrative Office, oversee facility use, provide administrative support for staff and leaders; and support effective communication across all components of the American Legion Family to meet the Post's stated mission, goals and objectives. The Post Adjutant is a permanent member of the Administration Committee and may serve as chairman, but is not required to be the chairman.

ARTICLE VIII – MEETINGS

SECTION 1. The Post's regular General Membership Meeting shall be no less than monthly, usually held at the Post on the third Tuesday of each month, at which time may be transacted such business as may properly be brought up for action. Such meetings may be converted into an

entertainment/social meeting as may be deemed advisable by the Executive Committee.

SECTION 2. A total of six (6) members in good standing, that are not voting Executive Committee members attending a regular or duly called special meeting, plus the Commander or any Vice Commander to Chair the meeting, shall constitute a quorum.

SECTION 3. Any officer of this Post officially representing the Post at an officially recognized meeting or function of The American Legion (national organization), The American Legion Department of Virginia, The American Legion District 4 Council, and is therefore unable to attend an official meeting of the Post, shall be excused from that meeting.

SECTION 4. The regular meeting of the Executive Committee shall be no less than monthly, usually held at the Post on the first Tuesday of each month, at which time may be transacted such business as may properly be brought up for action. Of the eleven (11) voting members of the Executive Committee, six (6) must be present to constitute a quorum. Any member of the Executive Committee may be excused from an Executive Committee Meeting by notifying the Post Commander or Adjutant prior to the meeting.

SECTION 5. Reading the summary of regular meetings and Executive Committee meetings may be waived if the summaries are printed and made available to the membership prior to scheduled General Membership and Executive Committee meetings.

ARTICLE IX - RULES OF ORDER

SECTION 1. All proceedings of this Post shall be conducted under and pursuant to the Post Constitution and By-Laws; and all cases not otherwise provided for herein shall be governed by Robert's Rules of Order, newly revised.

ARTICLE X – SOCIAL QUARTERS

SECTION 1. Social Quarters. The club facilities, formerly known as the Social Quarters and now commonly regarded as the Club Room, shall be part of the social activities of the Post, and directed and operated by the Executive Committee. Club Room social activities shall be open to every member of Post 146 in good standing and their guests who are not under suspension; members of its auxiliary units in good standing, not under suspension and card-carrying, American Legion members in good standing from other Posts; subject to the posted House Rules and Regulations established by the Executive Committee.

SECTION 2. Building. The main activity hall (Legion Hall) may be rented to individuals or organizations for their use. No other part of the building, including the Club Room may be rented. The Post may grant occupancy to civic, religious, or patriotic organizations; The American Legion Auxiliary, Sons of the American Legion, and the American Legion Riders under the same conditions. All rentals and uses must be for legitimate purposes, none of which may be for purposes conflicting with the principles or policies of The American Legion. No rentals are to be granted if the event conflicts with any function of the Post. No conduct detrimental to the integrity of The American Legion and Post 146, such as loud, violent, or lewd behavior, use of illegal drugs, or public intoxication, shall be permitted.

ARTICLE XI - PAST COMMANDERS CLUB

SECTION 1. This Post recognizes an organization known as The Past Commanders Club. Membership shall consist of all Past Commanders in good standing of Hopewell Memorial Post No. 146, Inc. The chairman shall be elected by Past Commanders Club members. Term of office and other organizational procedures will be decided by Past Commanders Club members. The Past Commanders Club shall act as an advisory body to the Post Commander when so requested.

ARTICLE XII – AMENDMENTS


SECTION 1. These By-Laws may be amended at any regular Post General Membership Meeting by a vote of two-thirds of the members present and voting at such meeting, provided that the proposed amendment was submitted in writing and presented at a previous regular General Membership Meeting and acted upon at the next regularly scheduled meeting following the presentation. Notice of the proposed amendment(s) must be published and presented to all members at least fifteen (15) days in advance of the date that the proposed amendment is to be voted upon.

ARTICLE XIII - LIMITATIONS OF LIABILITIES


SECTION 1. This Post shall incur or cause to be incurred, no liability nor obligation whatever, which shall subject it to liability of any other Post, subdivision, group of men, members of The American Legion, or other individuals, corporations or organizations.

SECTION 2. No member shall purchase any article of merchandise, item of food or contract for any service or labor, or otherwise incur any liability in the name of this Post, except as authorized under these By-Laws, by the Executive Committee in the conduct of its duties, or by an official action of this Post at a regular meeting.

These By-Laws Approved by the General Membership and Attested to this 26th day of April, 2021.



David L. Harless
Commander



Robert H. Brown, Jr.
Adjutant