

*Constitution
Of*

Morgan Hill Pony Baseball

A franchise member of PONY BASEBALL Inc., a non-profit Pennsylvania Corporation

(As adopted September 7, 1993)

ARTICLE I: NAME

Section 1. The League shall be known as Morgan Hill Pony Baseball or MHPB

ARTICLE II: PURPOSE & OBJECTIVE

Section 1. The purpose of the League shall be to organize and supervise the playing of baseball under specialized rules and regulations, to secure suitable and adequate financial backing for these purposes, and to own, lease, or otherwise provide suitable playing facilities and equipment for these purposes.

Section 2. The objective of the League shall be to implant firmly in the players of the community the ideals of good sportsmanship, honesty, loyalty, courage, and respect, so that they may be well-adjusted, stronger and happier children and will grow to be good, decent, healthy, and trustworthy individuals.

Section 3. To achieve this objective, the League (all directors, officers, and members) shall bear in mind that the attainment of exceptional athletic skills or the winning of games is secondary, and the molding of future individuals is of prime importance.

ARTICLE III: STATEMENT OF POLICY

Section 1. It shall be the policy of this League to conduct its activities so that the physical and moral welfare of the young people for whose benefit it is organized shall remain paramount and all matters of policy shall be determined on that basis.

Section 2. No person who is a member of or who is employed by or who is in any way connected with the League shall receive any personal financial benefit therefore beyond the reasonable value of the services in carrying out the purpose for which the League has been organized.

Section 3. In order to secure suitable and adequate financial backing to carry out the purpose of the League, it shall be the policy of the League to permit only such sponsorship as is consistent with the purpose for which the League is organized and to select sponsors who are interested in the League primarily or principally as a means of contributing to the welfare of young people.

Section 4. It shall be the policy of the League to decline any direct advertising of alcoholic beverages or tobacco related products in connection with the League or any of its programs.

ARTICLE IV: MEMBERSHIP

Section 1. Player members: Any child meeting the requirements of Pony Baseball, Inc. baseball age regulations, and who resides within the authorized boundaries of the League shall be eligible to compete in the League, but shall have no rights, duties, or obligations in the management or property of the League. Eligible players shall reside within the boundaries as provided by Pony, Inc., the national organization determining said boundaries.

Section 2. Voting members: Parents or legal guardians of registered players, volunteer adult leaders, managers, coaches, and other interested adults actively supporting League activities (as determined by a statement of such effect by the Board of Directors) shall compose the League membership.

ARTICLE V: BOARD OF DIRECTORS

Section 1. The Board of Directors shall be those persons elected by the voting members of the League at the annual meeting for the terms and/or in the manner provided by for in the By-Laws of the League.

Section 2. In recognition of the general powers of the Board of Directors exercised by virtue of their office, they shall have the power to purchase or otherwise acquire and manage for the League any property, right or privilege which the League is authorized to acquire. Such acquisition shall be at such price or consideration and upon such terms as the Board of Directors may deem expedient. The board of directors shall have the poser to appoint, remove, or suspend subordinate agents or volunteers; to determine their duties and fix their salaries; to determine who shall be authorized, on behalf of the League, to sign bills, notices, receipts, acceptances, endorsements, checks, releases, contracts, and any other instruments; to delegate any powers of the Board of Directors to any standing committee or any officer or agent of the League, with any powers as the Board of Directors may see fit to grant, and to generally do all such lawful acts and take actions as may be necessary and proper.

ARTICLE VI: OFFICERS

Section 1. The officers of the League shall consist of a President, Vice President, Secretary, Treasurer, and Player Agent. They shall collectively comprise the Executive Committee (AKA Executive Board). The President shall serve as the Chair of this Committee.

ARTICLE VII: ADMINISTRATION

Section 1. The administration of the League shall be under the direct supervision of the League officers and the Board of Directors.

Section 2. All rules governing the playing of baseball, the legality of players and related questions, shall be in accordance with the current version of Morgan Hill Pony Baseball Rules and Regulations, and when not sufficiently clarified therein, shall be in accordance with the current version of PONY BASEBALL Inc. Rules and Regulations, and when not sufficiently clarified therein, shall be in accordance with the current version (annually updated) of the Sporting News “Official Baseball Rules”.

Section 3. In the event of conflict, the order of precedent shall be in the order stated above (Article VII, section 2.)

ARTICLE VIII: INDEMNIFICATION

Section 1. The organization shall indemnify and hold harmless, officers, directors, and other persons acting on behalf of the organization, for monetary damage including judgments and/or liens, and amounts paid in settlement for any action taken or any failure to take any action, whether or not the indemnified liability arises or arose from any threatened, pending or complete action by or in the right of the organization unless the officer, director or other person has breached or failed to perform the duties of his/her office and the breach constitutes self dealing, willful gross misconduct, or wanton recklessness; provided that the indemnification will not be provided for any responsibility or liability under criminal statute or for the payment of taxes pursuant to local, state, or federal law.

Section 2. The indemnification and advancement of expenses provided by, or granted pursuant to this article shall, unless otherwise provided when authorized or ratified, continue as to a person who has ceased to be an officer, director, or other person and shall inure to the benefit of the heirs, executors and administrators of such person.

Section 3. Indemnification shall not be made under Section 1, where the act or failure to act giving rise to the claim has been determined by a court to have constituted gross misconduct or wanton recklessness.

Section 4. This organization shall have the authority to create a fund of any nature, or otherwise secure or insure in any manner, its indemnification obligations under this constitution, its By-Laws or otherwise, including but not limited to, securing malpractice liability insurance covering the officers, Board of Directors, and other persons as the Board of Directors shall authorize to conduct League business or activities, in amounts determined and approved by the Board.

ARTICLE IX: BY-LAWS

Section 1. Any By-Laws, not inconsistent with this Constitution, embodying additional provisions for the government of the organization, shall be adopted and may be amended by the board of directors of the League by a majority vote.

ARTICLE X: DISSOLUTION

Section 1. Upon the dissolution of the organization, the Board of Directors shall, after paying or making provisions for the payments of all the liabilities of the organization, distribute all assets of the organization exclusively for the purpose of the organization, to such other organizations organized and operated exclusively for charitable, educational, or youth sports purposes as shown at the time to qualify as an organization or organizations described in Section 501 (c) (3) of the Internal Revenue Code of 1954, as amended.

ARTICLE XI: AMENDMENTS

Section 1. This Constitution may be amended only by a three-quarters (3/4) majority vote of the Board of Directors at a board meeting, an annual meeting of the League membership, or a special meeting of the League membership called for that purpose.

Section 2. Proposed amendments brought by the membership shall be in the form of a resolution petition with at least 10% or 100 signatures of voting members, whichever is greater.

Approved by a vote of the Board of Directors on this 7th day of September 1993.

Signed

Roy Jackson, President

Roger Epperson, Secretary