

**CONSTITUTION**  
**EAST MONTGOMERY BASEBALL AND SOFTBALL, Inc.**  
(Last Amended – January 2013)

**Article I. NAME**

This organization will be named “EAST MONTGOMERY BASEBALL AND SOFTBALL, Inc.” and will consist of the following divisions:

- East Montgomery “T” Ball Baseball League (ages 4-6)
- East Montgomery Pre-Minors Baseball League (ages 7-8)
- East Montgomery Dixie Youth Minors Baseball League (ages 9-10)
- East Montgomery Dixie Youth Ozone Baseball League (ages 11-12)
- East Montgomery Dixie Boys Baseball League (ages 13-14)
- East Montgomery Dixie Pre-Majors Baseball League (ages 15-16)
- East Montgomery Dixie Majors Baseball League (ages 17-19)
- East Montgomery Dixie Sweeties Softball League (ages 4-6)
- East Montgomery Dixie Darlings Softball League (ages 7-8)
- East Montgomery Dixie Angels Softball League (ages 9-10)
- East Montgomery Dixie Ponytails Softball League (ages 11-12)
- East Montgomery Dixie Belles Softball League (ages 13-15)
- East Montgomery Dixie Debs Softball League (ages 16-18)

**Article II. PURPOSE**

The purpose of this organization shall be to provide baseball and softball programs for the youth of East Montgomery and, in doing so, promote the growth of the physical, mental, social, and spiritual well being of every participant.

**Article III. GOVERNMENT**

**Section 3.01** East Montgomery Baseball and Softball, Inc. shall be under the supervision of the elected officials and the Board of Directors. The Board of Directors will be as follows:

- Commissioner
- Commissioner – Elect
- Associate Commissioner – Dixie Youth
- Associate Commissioner – Dixie Boys/Majors
- Associate Commissioner – Dixie Softball
- Secretary
- Treasurer
- Concessionaire
- Director of Fundraising
- Schedule Director (Dixie Baseball)
- Schedule Director (Dixie Softball)
- Field Coordinator
- Player Agent – Dixie Baseball
- Player Agent – Dixie Softball
- Purchasing and Equipment Agent – Baseball
- Purchasing and Equipment Agent – Softball
- President – “T” Ball
- President – Pre-Minors
- President – Dixie Youth Minors
- President – Dixie Youth Ozone
- President – Dixie Boys
- President – Dixie Majors
- Director of Fundraising

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President – Dixie Sweeties  
President – Dixie Darlings  
President – Dixie Angels  
President – Dixie Ponytails  
President – Dixie Belles  
President – Dixie Debs  
Webmaster  
Assistant Treasurer

**Section 3.02** The EM Board of Directors will be elected annually for a one-year term (Jan1 – Dec 31) and eligible for reelection. The outgoing Board of Directors, under the direction of the Commissioner will select a nominating committee to nominate Board of Directors members for the next year. The outgoing Board of Directors will approve the new Board of Directors. The Nominating Committee shall include each Associate Commissioner or their designee. Each Associate Commissioner shall select at least one other Board Member to serve. The Commissioner shall serve if he/she desires to do so and may select members to serve.

**Section 3.03** All matters concerning policy will be determined by the Board of Directors of East Montgomery Baseball and Softball, Inc.

**Section 3.04** There shall be an Audit Committee, which shall have the responsibility and the authority to review all financial transactions at least quarterly. The Audit Committee shall be comprised of three Board Members nominated by the Commissioner and approved by the Board of Directors. They shall be appointed in January of each year and shall serve through December 31 of that year. All Associate Commissioners, the Treasurer and the Assistant Treasurer shall be ex-officio members of the Audit Committee.

**Section 3.05** Any individual serving on the Board of Directors shall be eligible to serve on the Disciplinary Committee of the Board of Directors. When the need arises for the Disciplinary Committee to take action, the Committee shall be comprised of five members, including the Associate Commissioner (if available) and League President who have responsibility for the individual appearing before the Disciplinary Committee. The League President shall be responsible for selecting the additional members of the Disciplinary Committee. The League President shall only vote in the case of a tie. If the individual appearing before the Committee is a player, the Player Agent must be a member of the Committee. The Committee shall meet before the individual's next scheduled ball game. Any action taken by the Disciplinary Committee may be appealed to the Board of Directors.

**Section 3.06** The reigning Board of Directors may fill, by appointment, unexpired vacancies in the officers and directors.

**Section 3.07** Where there is a conflict between this Constitution and the Organization's By-laws, this Constitution shall be the governing document.

**Article IV. MEETING**

**Section 4.01** At a minimum, 2 meetings of the Board of Directors shall be conducted between January and December. Additional meetings may be called at the direction of the Commissioner. Each member (other than Life Members) shall attend more than 60% of all Board Meetings to maintain their voting privileges. Absences may be excused by a majority vote of the Board.

**Section 4.02** The Commissioner shall call a meeting when requested by five (5) or more members of the Board of Directors. The meeting shall be called within seven days.

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**Section 4.03** At a minimum, two (2) days notice of a meeting will be given to all members of the Board of Directors, excluding inactive Life Members, unless that right is waived.

**Section 4.04** A majority of the members (50 percent of the members plus one member) of the Board of Directors shall constitute a quorum and a majority of those present shall govern.

**Section 4.05** Robert's Rules of Order (newly revised) shall govern the proceedings of all meetings except when conflict exists with this Constitution.

**Section 4.06** Associate Commissioners shall call meetings of their individual leagues as deemed necessary.

**Section 4.07** League Presidents may call managers/coaches meetings.

**Article V. MANAGERS AND COACHES**

**Section 5.01** Managers and coaches of all teams will be annually selected by the Associate Commissioner and the League President.

**Section 5.02** The Board of Directors will approve all managers and coaches.

**Section 5.03** All managers will be certified by an organization approved by the Board of Directors prior to the first regularly scheduled game.

**Article VI. FINANCIAL POLICY**

**Section 6.01** The Board of Directors shall oversee all matters pertaining to finances of the Organization. All funds shall be placed in a common treasury and expenditures will give no division or individual team an advantage over the others with regard to equipment, uniforms, etc. The Board of Directors shall annually establish appropriate spending limits for the Commissioner, Purchasing Agents, and Concessionaire for non-recurring purchases. The Secretary will cause the approved spending limits to be recorded in the minutes of the Board Meeting where they are approved. Any single transaction, or series of related transactions, in excess of these limits must be approved in advance by the Board.

**Section 6.02** The Board of Directors shall not permit the contribution of funds to individuals or teams by the league, but may solicit same for the common treasury of the Organization. This regulation is to discourage favoritism among teams and to endeavor to equalize the benefits of all leagues. Any solicitation with sponsors shall be done through the Board of Directors.

**Section 6.03** The Board of Directors shall determine annually the amount of registration fees and the amount of sponsor fees to be assessed.

**Section 6.04** No money will be refunded after the date of the first scheduled game. Exceptions to this rule must be approved by the Commissioner and the appropriate Associate Commissioner.

**Section 6.05** All checks drawn on the East Montgomery Baseball and Softball, Inc. account will be signed by the Treasurer and by the Commissioner or his designated alternate.

**Section 6.06** Tournament teams are permitted to solicit funds to be utilized for the players/team benefit. These funds will be placed into the East Montgomery account and only utilized for the tournament team responsible for raising the funds. Contributions that are not utilized by the tournament team will be utilized for team expenses incurred by East Montgomery.

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**Article VII. RULES**

**Section 7.01** The official playing rules, regulations, and by-laws of each league shall be binding. Any changes to the by-laws of an individual league shall be approved by the board of directors prior to the drafting of teams. Once teams are drafted, any additional amendment of by-laws must be approved by a majority of the Board.

**Section 7.02** East Montgomery will assess a protest fee of \$25. This fee is intended to discourage protests that are without merit. In order to have a protest considered, the manager must comply with all requirements as detailed in the official playing rules, and additionally, pay the protest fee. If the protest committee rules in favor of the protesting team, the fee shall be refunded. Otherwise, the fee is forfeited and shall be deposited in the League treasury. The protest fee shall not be waived for any reason. The Associate Commissioner, with the agreement of the Commissioner, may refund the protest fee of a failed protest.

**Section 7.03** Player rosters shall remain full, if at all possible. The Player Agent must be consulted before a player can be dropped from the team roster.

**Section 7.04** Player Assignment:

- (a) All drafts that are held at East Montgomery Baseball and Softball, Inc. will be conducted in such a manner that is fair to all players in accordance with the rules of Dixie Baseball and Dixie Softball.
- (b) Only the team manager may retain their son/daughter and this player will try-out and be ranked by all managers to determine what round that player will be drafted. If a decision cannot be determined by the managers, then the League President, Associate Commissioner, and Player Agent will determine what position in the draft the player will be taken. A team manager who does not have a child playing may have a designated player if approved by the League President and Associate Commissioner with input from the Player Agent.
- (c) If a manager does not wish to coach a son/daughter, that player will be placed in the draft and cannot be drafted by the father/mother.
- (d) Brothers/sisters moving into each league will be assigned to the brothers/sisters team unless their parents request otherwise. This request must be made in writing before the draft is held. The team receiving the brother/sister will lose a draft selection to be determined by the player agent and the league president (if there are multiple siblings, the team will lose each subsequent selection until all are drafted). If no decision can be reached by the above, then the brother/sister will be picked in the 4<sup>th</sup> round. In the event the brother/sister moving up is the son/daughter of the manager then sub-section 7.04(b) above takes precedence. In the event a parent requests the brother/sister not be on the same team, the team affected will not be allowed to select the player.
- (e) The Player Agent, with the assistance of the League President and approval of the Associate Commissioner, has the right to freeze (exempt from the draft) and assign any player to ensure equal amount of talent on each team.
- (f) No player will change teams once he/she has been assigned to a team. Exceptions to this rule must be initiated through the Player Agent and then approved by the Board of Directors. Each case will stand on its own merit and not on precedent.

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- (g) All players will play with their appropriate age group. Exceptions to this rule must be initiated through the Player Agent and approved by the Commissioner.

**Section 7.05** Practice dates, scheduling, time limits, and game play will be determined by the Board of Directors.

**Section 7.06** The official scorekeeper will be the authority in matters dealing with the starting time, time remaining, etc., and will make such information known to the plate umpire. The scorekeeper timepiece will be official and he/she will log the game starting time on the official score sheet.

**Section 7.07** Officers or Directors Serving as Coaches and Managers:

- (a) The Commissioner (and Commissioner – Elect) of East Montgomery Baseball and Softball, Inc. shall not manage or coach any team during his/her term as Commissioner (or Commissioner – Elect).
- (b) The Associate Commissioner of any subdivision of East Montgomery Baseball and Softball, Inc. shall not manage or coach any team which plays within the subdivision over which the Associate Commissioner has authority or influence.
- (c) A League President or other member of the Board of Directors of East Montgomery Baseball and Softball, Inc. shall not manage or coach any team which plays within the subdivision under the authority or influence of the Associate Commissioner to whom that League President or other member of the Board of Directors reports.
- (d) An Associate Commissioner, League President, or other member of the Board of Directors who, for whatever reason, wishes to manage or coach a team (under the restrictions imposed in (b) and (c) above), may do so only after presenting such a request to the Board of Directors and after the Board of Directors, by majority vote, approves such a request.

**Section 7.08** The Board of Directors of East Montgomery Baseball and Softball Inc, reserves the right to refuse registration to any player or family. Such refusal to register shall be initially approved by the Commissioner, who shall report said refusal to the full Board no later than the next Board Meeting. The Board may reverse the decision of the Commissioner by a majority vote of the members present and voting at the meeting where the refusal is reported.

**Article VIII. CONDUCT**

**Section 8.01** League Officials, managers, coaches, players and spectators will be expected to display conduct exemplifying good sportsmanship at all times, in accordance with the Organization's Constitution and By-laws. Violators shall be brought to the attention of the Board of Directors immediately. The Board's decision will be final. A manager or coach who is ejected from a game shall be suspended until that manager or coach appears before the Disciplinary Committee to explain his/her actions. The Disciplinary Committee shall determine whether the manager or coach should be reinstated immediately, suspended for up to 3 games, or removed.

**Section 8.02** A manager or coach, who is ejected from a second game, during the same season, shall be suspended indefinitely. The manager or coach must appear before a meeting of the Board of Directors to be reinstated. If reinstated, the manager or coach shall serve a mandatory two game suspension. A manager or

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coach who is suspended indefinitely in one league year shall be required to appear before the Board of Directors before being reinstated in a subsequent league year.

**Section 8.03** A player who is ejected from a game shall be suspended until that player and his parent/guardian appear before the Disciplinary Committee to explain his/her actions. The Disciplinary Committee shall determine whether the player should be reinstated immediately, suspended for up to 3 games, or expelled from the League. A player, who is ejected from a second or subsequent game, during the same season, shall be suspended indefinitely. The player and his parent/guardian must appear before a meeting of the Board of Directors to be reinstated. The player shall serve a mandatory two game suspension. A player who is A) suspended indefinitely and not reinstated; or B) expelled; in one league year shall be required to appear before the Board of Directors before being allowed to register and participate in a subsequent league year.

**Section 8.04** Those individuals serving on the Board of Directors shall at all times, where they are representing East Montgomery Baseball and Softball, or where their presence or actions could be construed as representing East Montgomery Baseball and Softball, conduct themselves in a professional, dignified and sportsman like manner. Any member of this Board who fails to conduct him or herself appropriately shall appear before a called meeting of this Board of Directors to explain their behavior. Inappropriate behavior will not be tolerated. We must lead by example.

**Article IX. DUTIES OF THE BOARD MEMBERS**

**Section 9.01** Commissioner:

- (a) The executive officer of the Organization. He/she presides over all regular and special meetings and directs the work of each committee appointed. He/she shall have direct supervision over all the league officials being sure to follow the chain of command.
- (b) Signs all written contracts approved by the Board of Directors.
- (c) Responsible for the purchase of bodily injury and property damage insurance for the leagues.
- (d) Causes records and files to be properly maintained on all matters pertaining to the Organization. He/she shall maintain an up-to-date player boundary map.
- (e) Make all necessary arrangements for qualified umpires to officiate all regular season and tournament games, with the approval of the Board of Directors.
- (f) Attend all league drafts and tournament team selection meetings.
- (g) Perform the duties of Purchasing and Equipment Agent in his/her absence.
- (h) Conduct registrations.
- (i) Submit annual franchise forms and fees to the District, State, and National Headquarters.
- (j) To perform the duties of the concessionaire in his/her absence.

**Section 9.02** Commissioner – Elect:

- (a) Duties assigned by the Commissioner. Such individual is directly responsible to the Commissioner of East Montgomery Baseball and Softball, Inc. for duties and tasks assigned.

**Section 9.03** Associate Commissioner:

- (a) Directly responsible for all activities of the leagues to which he/she is assigned.
- (b) He/she is the executive officer of the leagues and directly responsible to the Commissioner of East Montgomery Baseball and Softball, Inc.

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- (c) Responsible for assuring local, state, and national rules and regulations are adhered to.
- (d) Has direct supervision over all officers within his/her league.
- (e) Assigns duties to all officers within his/her league.
- (f) Calls meetings with all his/her league officers, managers, and coaches as necessary to ensure a good line of communication. The Commissioner will always be notified.
- (g) Responsible for having all protests handled correctly.
- (h) Supervises the selection of league tournament teams.
- (i) Arranges for necessary practices fields not located on the East Montgomery complex.
- (j) Assists the Commissioner in annual registration of league players. Also assists the annual draft and assignment of players to assure an equal amount of talent on all league teams.
- (k) Signs all releases with approval of the Commissioner and League President.

**Section 9.04** Presidents:

- (a) Directly responsible for the operation of his/her league. He/she is responsible to the Associate Commissioner for his/her league.
- (b) Seeks out, nominates, and appoints (subject to the approval of the Board of Directors) managers and coaches.
- (c) Contacts team sponsors to determine if they will remain active. In the event of a vacancy of a sponsor, he/she will secure a replacement (this responsibility is shared by all Board members).
- (d) Assists the Commissioner in the annual registration of league players. Also assists in the annual draft and assignment of players to assure an equal distribution of talent on all league teams.
- (e) Visits practice fields to ensure safety precautions are being observed and that each team is properly equipped.
- (f) Responsible for ensuring the concession stand is properly staffed at all times.
- (g) Collects, counts, and deposits all league concession receipts daily for their respective league.
- (h) Submits roster forms to the District, State, and National Associations.
- (i) Secures birth records for each tournament team for completion of the tournament roster. Is responsible for presentation to the District Director at the tournament credentials meeting.
- (j) Ensures all uniforms and equipment is turned in to the Purchasing and Equipment Agent immediately after the end of the playing season.
- (k) Ensures that all birth records and certification forms are turned into the league secretary as the end of the playing season.
- (l) Assists the Associate Commissioner in the selection of tournament teams.

**Section 9.05** Player Agent:

- (a) Ensures all teams have an equal opportunity in the selection of players.
- (b) Conducts all drafts with the assistance of the League President and under the supervision of the Associate Commissioners.
- (c) Assures each team maintains a full roster throughout the season, if sufficient players are available.
- (d) Investigates any reason for dropping a player by a team manager.
- (e) Responsible to the Commissioner of East Montgomery Baseball and Softball, Inc.

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- (f) Conducts the selection of tournament teams with the League President and under the supervision of the Associate Commissioner

**Section 9.06** Purchasing and Equipment Agent:

- (a) Purchases all playing equipment needed by the Organization as directed by the Commissioner.

**Section 9.07** Fund Raising Director

- (a) Recommends, supervises, and directs all fund raising activities approved by the Board of Directors
- (b) Schedules all workers as needed to carry out all fund raising activities.
- (c) Obtains all equipment and supplies, with approval of the Commissioner, as needed.
- (d) Collects and accounts for all funds raised and delivers funds to the treasurer for deposit.

**Section 9.08** Concessionaire:

- (a) Purchases supplies for all concession stands.
- (b) Ensures all concession stands are properly stocked at all times.
- (c) Coordinates with league concessionaires pertaining to rules and procedures for proper operation of the concession stands.

**Article X. AMENDMENTS**

This Constitution, or any section thereof, may be amended or repealed by a two-thirds votes of the Board of Directors present at any stipulated meeting, provided that notice of such proposed changes have been furnished to each member of the Board of Directors at least ten (10) days prior to the meeting at which such proposed change shall be submitted for vote.

*This Constitution was approved by a 13-1 vote with 2 abstentions at Montgomery, Alabama, this 24<sup>th</sup> day of January 2013.*

*There were present and voting 16 members of the Board of Directors.*

(s) Danny Martin\_\_\_\_\_

*Danny Martin  
Commissioner  
East Montgomery Baseball and Softball, Inc.*