

USA Gymnastics

Get Ready for the Government
Boogie Man Before You Ever See or
Hear Him Coming!

John R. Valencia, Esq.
Wilke Fleury, LLP
400 Capitol Mall, 22nd Floor
Sacramento, CA 95814
jvalencia@wilkefleury.com
USA Gymnastics Legislative Counsel



Not if, But When... Government Comes Calling

- Business Licenses
- Taxes
- Equipment Regulation
- Personnel/HR
- Adult Interaction with Children
- Business Designation

Government... In Your Business at Every Turn Especially When You Diversify 2017

- L.A. County – “Rebound Tumbling Business”
- VA – Wage & Hour Dispute (Employee or Independent Contractor?)
- NJ – Child Care Ads, Summer Camp Ads... = Child Care Agency Visits
- GA – Summer Day Camp & PNO/PMO Programs... = Child Care Agency Visits
- TX – Sales Tax Audits – Amusement or Gymnastics?
- ALL States – Youth Concussion Protocols

Government... In Your Business at Every Turn

More Examples Late 2016

- NJ – Meet Judges – Taxable as “Employees”
- ALL States – ADA Accessibility Accommodations
- CA – Child Care Site Audit
- Multistate – Gymnastics. Then What’s Ninja Warrior and Parkour?
- TX – Active Shooter Response Program

Why Do I Need A **USAG** Lobby Day? Because It's "When" – Not "If"

- MO – State tax audits led to taxing “sports instruction” as amusement & recreation – **overturned by club-supported legislation!**
- TX – Taxes BD parties, open play and tix to competitions
- NY – Clubs penalized as “health studios” subject to big \$\$ bond minimums, client contract requirements & private lawyer lawsuits
- IL (& others) – Clubs are “child care” centers
- AZ – Clubs may be trampoline parks
- CA – Olympic \$\$ winnings proposed tax-free & vaccines proposed to be required

What is the **USA Gymnastics** 2017 Legislative Lobby Day?

- Lobby Day is an annual, “signature” event organized by USAG club members from around the state to take place locally, at the district level, near your place of business.
- Lobby Day creates visibility for club members as a business force to be reckoned with by public officials. Lobby Day will build an effective platform for ongoing regular, local district meetings with your state Senator and Assemblymember.
- Lobby Day is an important, focused event happening statewide – but locally – on the same date to concentrate local advocacy in a series of in-person, district-office meetings with your elected representatives.
- An annual Lobby Day enhances USA Gymnastics’ political profile. **“We are willing to take time from our businesses to meet with you on priority issues that matter to us.”**

What is a Lobby Day?

- Simple - Lobby Day is a one-day, statewide series of in-person, in-district meetings on issues or legislation that matter to you the state's clubs the most! An in-person meeting is still one of the most effective tools to educate legislators about issues and policies that impact your club, your state chapter, and USA Gymnastics.
- “Be at the Table, or Be Lunch!”

Where do we start?

- Because this type of advocacy can be so positive and impactful, it is important to carefully plan for a successful Legislative Lobby Day.
- Let's review the key elements for organizing an effective, statewide USA Gymnastics Lobby Day in **Your** area.

1. Identify an Appropriate Date (or Dates if need be)

- Set your date early when your legislature is “out of session” to catch legislators at home for a by-appointment meeting that all area club members can attend.

2. Set Your Meetings Locations

- Your meetings – one Senate, one Assembly - will be at your representatives' nearest district office to your business (some have several based on district size). Info is online.
- Every successful Lobby Day begins with a “Lobbying 101” training session. USA Gymnastics will help.
- Club member advocates – **you** – will learn about the issues to raise, receive materials to use, and get guidance on the best way to conduct a meeting with your legislator.
- There's real strength in numbers, so let's form teams of club members from your area for this effort.

3. What Issue(s) will you Lobby?

- **You** will determine priority issues for your meetings.
 - *Narrow this to one or two top priority bills or regulatory issues.*
- Be sure to follow the most current status of the bill(s) you select. USA Gymnastics will help keep you current.

4. Lobby Day Packet Materials

- Club advocates will be armed with the tools you'll need to guide you through your meetings.
- Lobby Day Packets will include:
 - The Do's & Don'ts of a Legislative Meeting.
 - Master calendar of state meeting times and locations
 - Talking Points
 - Concise educational information to leave behind with your legislator ←
 - Support/Opposition letter (if applicable) to leave behind with your legislator ←
 - “State Fact Sheet” on the impact of gymnastics: state and district numbers on athletes, coaches, employees, economic impact, history of champions to leave behind ←
 - Legislator biographies to study

5. Who Will You Meet?

- Legislators are always more responsive to their own constituents – club member teams will meet with your state Senator and Assemblymember.
 - You'll need contact info for club members who volunteer to attend.
- Is there a specific bill or regulatory problem you'll be lobbying?
 - Understanding where a bill is in the legislative process is key in developing your materials used in your appointments.
- Know if your legislators are in leadership roles, or lead key delegations (e.g., Latino, API, LGBT, Black “caucuses”).

6. Setting Appointments

- Identify club leaders to make the appointments. This task will take time and organization. Be patient. **START EARLY!**
- Many legislators have a process for scheduling appointments – sometimes requests must be submitted by fax or email. Call now and find out.
- Understand the legislator may have a schedule and you may be asked to meet with staff instead. Start early, and mention the numbers planning on attending. That will help prioritize the meeting for the Legislator.

7. Conducting Meetings with Our Legislators?

- Identify a lead team speaker before the meeting
- Introduce yourselves, your clubs & USA Gymnastics
- Briefly discuss your clubs and your roles as owners and/or instructors
- Discuss issues or bills that concern you. Clearly specify the impact on you as club owners/operators
- Offer yourselves as resources for future contacts. Bring & leave business cards at each meeting
- Thank them for their time. If they haven't visited before, now is the time to invite them to visit several of the businesses. Send a follow-up note as soon as you get back to your club

8. Coordinating with USA Gymnastics

- Key tips to help the Lobby Day run smoothly
- Key roles and planning activities:
 - Appointment scheduler(s) – let your fellow club members & USA Gymnastics know times/locations
 - Participate in the “Lobbying 101” session organized by USA Gymnastics ahead of time
 - Help develop materials & packets you’ll use
 - Designate team leaders for meetings
 - KEEP THE APPOINTMENTS

9. Debrief & Follow-Up

- Send a quick wrap-up summary after each meeting via e-mail to USA Gymnastics at lobbyday@usagym.org
- Send those thank you notes!
- Share feedback & information from the visits with those who couldn't make it.
- Opportunities for follow up? Club visits invitations? State or regional competition attendance invitations? How about just organizing a coffee get-together with a group of club owners?
- Keep notes to share in a detailed review at your next local, state chapter and/or regional meeting, or even next Congress.



Questions?