



OCMA - STRAIGHT TALK

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Coalition seeks Equitable Smoking Law

OCMA Director David A. George (Bell Music, Akron), a co-chair of the multi-organization Smoke Less Ohio coalition, proudly announced that their group submitted over 550,000 signatures of Ohio voters to the Secretary of State's office on Wednesday, August 9. (The signatures were from every one of Ohio's Eighty-eight counties.)

OCMA thanks those of you who circulated petitions. A special kudo is extended to Mr. George who spent a great deal of time and energy in traveling the state as a co-chair in helping to over-see this tremendous undertaking. The next step in this process requires the Ohio Secretary of State to verify the names of the registered voters who signed the petitions. In order to be assigned a place on the November 7th state-wide ballot, his office must verify that at least 330,000 are the signatures of properly registered Ohio voters.

As previously reported, in order to uphold the will of the majority of Ohioans and to protect countless Ohio businesses, the OCMA has joined and worked with many other entities to form Smoke Less Ohio - a coalition to expose and fight SMOKE-Free Ohio's totalitarian total ban approach to a legal product. (Other coalition members include: Allied Club and Charities of Ohio, American Petroleum Institute, Bowling Centers Association of Ohio, BT Bingo, Ohio Health Care Association, Ohio Licensed Beverage Association, Ohio Association of Retail Merchants, Ohio Grocers Association, Northfield Park, River Downs, Scioto Downs, Raceway Park, Ohio Restaurant Association, Small Business Coalition, Travel Centers of American, Pilot Truck Stops, etc.)

The Smoke Less Ohio coalition has been working with businesses and thousands of volunteers to place a reasonable/common sense proposal before voters on the November ballot. This proposal, if approved by the voters on November 7th, would ban smoking in the vast majority of businesses and other facilities, but would create exemptions for bars/taverns, restaurants with an enclosed area, bowling centers, bingo halls, race tracks, and veteran and fraternal organization facilities. Plus, it over-rides those smoking bans already enacted in local communities.

Polling data suggests that Ohioans want a reasonable policy. In fact, more than 60% prefer the moderate proposal being offered by Smoke Less Ohio when compared to the patchwork ordinances now existing and the overly-restrictive Smoke-Free proposal.

It is obvious to any unbiased/objective observer that Ohioans see the need to balance the rights of both smokers and non-smokers, as well as the numerous businesses that would be impacted, their employees and patrons.

OCMA will keep you informed as the process moves along. Once Smoke Less Ohio's proposed constitutional amendment is certified to appear on the November 7th Ohio state-wide ballot, another HUGE effort will be required to GET OUT THE VOTE on November 7th.

If you have any questions contact the OCMA office.

SERVICE

INTEGRITY

DEPENDABILITY

Jukebox License Renewals



AMOA's license agreement with the three performing rights organizations (PROs) that cover public performance rights on music played on CD and vinyl jukeboxes has been renewed through 2007.

The current agreement provides for an automatic one-year renewal when neither party (AMOA or the PROs, i.e., ASCAP, BMI, and SESAC) issues an advance notice to the other on its intention to terminate/negotiate. The deadline for such notification recently elapsed, triggering the automatic renewal provision. As a result, AMOA member operators will continue to receive a substantial discount on their jukeboxes through the Jukebox License Office (JLO) through 2007.

2006 Membership Roll of Honor

The following OCMA members have paid their 2006 membership dues and have been placed on the 2006 Membership Roll of Honor: (See Straight Talk November/December, 2005 & January/February, March/April, 2006 for Reports # 1, #2 & #3)

Report # 4

Automatic Music (Charles Kloss, Bridgeport)
B & B Music (Gregg & Evan Brown, Cleveland)
DeRossett's (Sam DeRossett, Sherwood)
Nick's Music & Games (Nicholas Veronica, Toledo)
Robison Music Services (Greg Robison, Newark)

EEOC Issues Update Guidelines

The Equal Employment Opportunity Commission ("EEOC") recently issued updated guidelines about workplace discrimination. The EEOC compliance manual does not change existing law, but it does provide the latest look at EEOC interpretations of current law and provide updated examples for courts, employers, employees and applicants to consider.

The new guidelines are available at: www.eeoc.gov.

Employers should be familiar with them and make any changes in HR policies or documents as needed.

OCMA's 32nd Annual Meeting June 15th



Attendees listens intently to the latest info on the proposed Ohio statewide smoking ban



AMOA President (L) Jim Pietrangelo and OCMA President Dewey Laughlin take time to briefly discuss a few of the many issues confronting the industry.



Attorney Kurt Gearhiser (L) updates attendees on the latest info regarding skill games in Ohio.

Members taking notes for later review



Tax-Free Benefits for Your Employees!

If your company is not offering Section 125 Flexible Spending Accounts to your employees, you may be missing the boat. Here's a great way to offer a tax-saving benefit to your employees AND you can do it regardless of whether you offer a group health plan or not.

IRS Section 125 Flexible Spending Accounts (FSAs) have become very popular and are strongly encouraged by the government. "Flexible Spending Accounts were established under the tax code to provide incentives for better health care," says IRS Commissioner Mark W. Eversong. Now two important enhancements have made them more popular than ever. Recently the IRS stated that if an employer previously had elected the traditional "use-it-or-lose-it" constraint, it now has been loosened to allow participants to make claims for money in their accounts for up to 2 1/2 months after the end of the benefit year. The other ruling allows non-prescription medicines such as over the counter (otc) antacids, allergy medicines, pain relievers and cold medications to be paid for out of the account. With a lot of medicines, such as Claritin, now available over the counter, FSAs are making a big comeback as popular benefit programs.

These programs can be virtually "no cost" programs for you as an employer, as employees traditionally "redirect" some of their pre-taxed salary into an account that is "earmarked" for medical expenses the employee or any eligible family member has. As these expenses are incurred throughout the year, they are paid using tax-free dollars from the account. An additional feature that has made these programs even more hassle free is the allowance of debit cards to be used to pay for the expenses, so that the expense can be paid at the time of service. (In the past, time delays in getting reimbursement from the accounts made them more difficult for employees to see the value of the plans.)

The expense of setting up these plans are often negated by additional tax savings by you, the employer, as FICA taxes (7.65%) are saved on all "redirected" salary.

Some employers who cannot afford group health insurance plans are offering FSAs and adding employers contributions to each employee account as an incentive to attract and/or retain employees.

If your company wants more information on these plans, or on other Consumer Driven Health Plans such as Health Savings Accounts or Health Reimbursement Accounts, please call Tom Kostohryz at 1-800-333-5394.

Editor s Note: Periodically OCMA brings you timely information from Mr. Kostohryz who has been OCMA s' benefits consultant for over twenty years. It is in **YOUR** own best interest to regularly review **YOUR** insurance needs/plans in today s' ever-changing environment. Whether it be health, life, vehicle, pension/retirement, key personnel, etc., etc. a toll free call to Tom (1-800-333-5394) just may be the best one you vè made in a long time. Call even if all you want to do is compare rates. At least you will know if your current insurance provider is truly giving **YOU** the most competitive rates. You have nothing to lose and much to gain.

Use of Alcohol-Detecting Bracelets Spreading

According to the Associated Press, Electronic ankle bracelets that instantly detect whether a person has been consuming alcohol are being used increasingly by courts, probation officers and corrections agencies around Ohio on offenders whose freedom requires sobriety.

Launched in 2003, there are currently 5,525 bracelets in use in 36 states, including Ohio, Michigan, Tennessee and Wisconsin. The devices, called Secure Continuous Remote Alcohol Monitors, or SCRAMS, are usually used in drunken-driving offenders or in domestic violence cases where alcohol is a factor. The 8-ounce bracelets are placed on the offender's ankle and are worn around the clock. They are designed to be tamper-resistant and can check for the presence of alcohol at least hourly. Results are transmitted electronically and can be viewed online.

Court officials say the technology enables them to better enforce the no-drinking requirements that are often a condition of sentences or probation. Traces of alcohol can disappear before they can be detected with random testing or other methods.

Please advise the OCMA office if SCRAMS have been showing up in your area.



County Receives \$102,500 to Continue Helping Its Citizens to Stop Smoking

Medina County Commissioners announced June 19 that the Medina County Tobacco Information and Prevention Coalition received a \$102,500 grant to continue its prevention and quit-assistance programs throughout the county. The grant is part of \$3.6 million distributed statewide by the Ohio Tobacco Use Prevention and Control Foundation. The Foundation awarded monies to 43 state agencies including local health departments, hospitals, social service and non-profit organizations.

The Foundation approved the County's grant request without modification and gave them the entire amount they requested. The grant will be used to continue programs like "Get Smart About Tobacco", a program that reaches all county sixth-grade students, and the "FreshStart" program, which has helped more than 500 expectant mothers end tobacco addiction.



OCMA thanks the several NEO operators who reported this development. If you have news of importance please send it to the OCMA office so it may be disseminated to all.

NEWS FROM AROUND THE NATION

Louisiana Smoking Ban Now Law

A statewide smoking ban in Louisiana restaurants and other public places was signed into law by Governor Kathleen Blanco on June 30th. The law will not apply to gambling venues and freestanding bars but does apply to bars attached to restaurants. The law will take effect January 1, 2007.

The bill bans smoking in offices that employ more than one worker, all public buildings, malls, retail stores, indoor sports arenas, schools, and other public buildings. The law does allow up to 50 percent of hotel rooms to be designated for smokers.

In other news from Louisiana, Hurricanes Katrina and Rita have impacted the state's video poker program that partners coin machine operators with the state. Before the storms there were 5,536 games in the parishes (counties) that have the games; now, there are 3,830 games. A total of 1,706 games were lost as a result of the storms.

A contract has been awarded to GTECH for a new central computer system for the state's video poker program which should be up and running by the end of the year. This transition period is scheduled for completion by February, 2007.

Minnesota's New Video Game Law Ruled Unconstitutional

U.S. District Judge James Rosenbaum, citing the First Amendment right of free speech, on July 30th issued a permanent injunction against Minnesota's new video game law, which would have restricted access to games with violent content to players ages 17 and up. The law was to have taken effect August 1. Minnesota's elected officials are expected to appeal the ruling.

NC To Shut Down Poker Games

North Carolina lawmakers have voted to shut down video poker machines over the next year. The state had licensed over 10,000 machines, which operated on a limited prize stakes. (Some industry members say there could be twice that many actually on location.) According to AMOA 1st VP and North Carolina operator Howard Cole, the state will not pull the plug on every game right away. Locations with three games will be limited to one game by March, 2007. But, by July, 2007 the last of the games will be pulled off the street. Operators feel the state's new lottery (implemented last year) helped seal the fate of poker games. But, the legality of the lottery is being tested in court and some operators feel they may still be able to work with the state on a system of games that provide tax revenues to the state.

Continued on Page 7

IOWA and TouchPlay

TouchPlay, a game that had poured \$30 million into the Iowa state coffers each year was ordered removed from locations by May 4th. (Lottery Board president Edward Stanek has affirmed there are no funds to supplement the lost \$30 million to the state. In a 9-month period (July through March 11), the machines took in \$242.6 million.)

The machines were developed by the Iowa State Lottery and earned approval by the Legislature, although lawmakers said later they had not realized the extent of the TouchPlay at the outset. (The machines had been placed in more than 2,800 businesses across the state.)

Operators argue that the State has breached their contract for a deal that allowed TouchPlays to be withdrawn over a five year period, thus allowing operators to earn back their investments. An estimated \$20 to \$40 million has been left un-recouped. There are two lawsuits pending against the state and operators are holding out for a possible compromise that would permit the machines in adult establishments and American Legion halls.

However, earlier this month (August) both the Iowa House and Senate voted overwhelmingly to ban the machines and on August 7th the Governor signed the bill into law, giving businesses 45 days to remove the machines. House Speaker Christopher Rants has stated that leaders have asked the Iowa Attorney General's Office to meet with TouchPlay investors to see if they can find a resolution before the dispute ends up in court.

Tax Reform Re-Emerges

Recently, the Ohio House of Representatives Ways and Means Committee (WMC) met to consider the feasibility of attempting to enact more tax reform in Ohio's archaic tax code. Under consideration are these two particular items: 1) accelerate the 21% reduction in the personal income tax rate and 2) speed-up the elimination of the tangible personal property tax.

Since the Ohio General Assembly is in recess until late fall, any action recommended by the WMC to the full 99-member House of Representatives would have to quickly pass, then go to the Ohio Senate for their input. If consensus is reached by both bodies and favorably voted upon, the measure will go to the Governor.

OCMA will be following this matter - and others - that may have impacts upon our industry. Your input, as always, is welcome. Please send your suggestions to the OCMA office in a timely manner.



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“Find a job you
like and you
don’t have to
work another
day in your life.”

-Confucius

2006 Calendar of Events

Sept. 27-29 AMOA Expo Las Vegas

POOL & DART ITEMS DUE

SERVICE

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