



# OCMA - STRAIGHT TALK

November/December, 2007

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## Some Local Health districts will no longer enforce smoking ban - Responsibility will be assumed by the state

After many months of consideration and discussion, the **Logan** County District Board of Health voted unanimously Wednesday afternoon to withdraw the agency's role as the county's designated enforcer of the statewide smoking ban.

The decision was made primarily because of financial concerns, at a time when the board is preparing to make possible budget cuts for 2009 if an operating levy does not pass next year.

"We are not provided with any money from the state to enforce the smoking ban," said Dr. Boyd Hoddinott, health commissioner.

The LCHD has been enforcing the smoking ban, which prohibits smoking in any "public place" or "place of employment," since May. However, it will now need to inform the state in writing that it no longer wishes to carry out enforcement, an option permitted under the law.

The majority of county health departments around the state have agreed to enforce the ban, but several, including agencies in **Ashtabula, Highland and Portage** counties, also have opted out of the obligation because of financial restraints, according to Cincinnati's WLWT-TV, [www.wlwt.com](http://www.wlwt.com).

Prior to its decision Wednesday, the LCHD received some revenue from the smoking ban in the form of fines from various establishments. However, Dr. Hoddinott said few fines were handed out because most complaints are from anonymous persons and are difficult to document.

Overall, the small amount of revenue the district received from fines did not balance the various expenses necessary to enforce the ban.

"Our primary expenses with enforcing the ban are in man hours," Dr. Hoddinott said. "Craig (Kauffman, director of environmental health) spends hours each week going out to look at complaints and writing up letters."

Although imposing the ban was taking agency time and money, board members said the health district did not have the resources at its disposal to carry out the law so that it was applied fairly to all county establishments. "I've had people tell me that we are overlooking some establishments in the county who are not complying with the smoking ban," said board member Robin Price. "I think we either need to fairly and thoroughly enforce the law or turn it back to the state."

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## Local Health Districts Continued from Page 1

OCMA will continue to monitor local health boards and their positions regarding the smoking ban. If you have information on this issue from your local health board, please inform the OCMA office.

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### News from Around the Nation

**Illinois** - Thanks to passage of Senate Bill 1011 redemption and crane games in Illinois can have a prize value of up to \$25 instead of \$5. Now operators will not have to be concerned about possible citations for hosting contests with coin-op games of skill.

In addition, House Bill 1124 which passed both houses and was then veto by the Governor, allowed skill-game tournament play. When it appeared the measure would again pass state officials reached out to an industry lobbyist for a compromise. The result - a ruling from the Illinois Liquor Commission which will have the same effect. The ruling states, "A person does not commit the offense of gambling when he plays a game involving 'offers of prizes, award or compensation to the actual contestants in any bona fide contest for the determination of skill, speed, strength or endurance ...' The outcome of these contests is determined not by chance, but by the skill of the players. As such, it is our opinion that coin-operated games of skill such as Golden Tee or trivia contests, as conducted as described above, fall within the exception to gambling"

**Oklahoma** - Ruling it is an unconstitutional infringement of free speech, a federal judge has permanently enjoined this state from enforcing a law that would ban the sale of violent video games to minors. The legislation was signed into law in 2006 and was set to take effect November 1, 2006. The law was challenged by the Entertainment Software Association (ESA).

**Pennsylvania** - State officials have allocated special funds to investigate illegal gaming machines that might be competing with legalized casinos. The money came from the Pennsylvania Gaming Control Board. The board awarded \$250,000 to the Allegheny County District Attorney, \$153,749 to the Washington County District Attorney, and \$43,836 to the Northern Regional Police Department for the prevention and prosecution of the use of illegal slot machines. The grants were among \$778,145 awarded statewide.

The legislation creating the regulated slot machine casinos in Pennsylvania provides for \$5 million annually statewide to go after illegal gaming machines in other locations. No plans have been announced as to how the money will be used.

**Washington, DC** - Here we go again! During this decade alone, state governments have increased sales tax on cigarettes 73 times. Now, we have been told that leading members of Congress are working on a bill to increase the current federal tax on a pack of cigarettes from 61¢ to \$1. Even though President Bush vetoed a similar bill in October, this time, congressional supporters believe they can modify the legislation sufficiently to attract a veto-proof majority.

## Ominous Economic Trends Continue to Burden Ohio

In addition to the tough economic times for Ohio's hospitality industry due to the statewide smoking ban, the "signs are certainly pointing" to state budget trouble. A new report shows a drop in tax collections while spending continues to outpace projections, according to Ohio's budget director.

Most of the blame goes to the sputtering Ohio economy, which Gov. Ted Strickland's Council of Economic Advisers says poses the greatest economic challenge for the state since early in the recovery from the 2001 recession.

Strickland already has announced budget cuts in recent weeks, including postponement of a planned restoration of dental benefits for low-income adults and the delay of planned increases in Medicaid reimbursements to hospitals and other health-care providers.

"I think we're beginning to see a time when we have got to be extraordinarily careful to ensure that we have the resources we need within the state to meet the needs of Ohioans and to ensure that we are meeting the promises of the Strickland administration," J. Pari Sabety, director of the Office of Budget and Management.

The state's financial report for November, released this month, showed that general-fund tax receipts were down \$117.2 million from projections while spending was \$188.3 million over estimates since the budget year began July 1.

State officials cautioned that the numbers are preliminary and can change from month to month. But the November decline in receipts accounted for nearly all of the year-to-date variance, driven mostly by a drop in personal income taxes and corporate franchise taxes.

"It certainly made us suck in our breath when we looked at the performance at the end of the month," Sabety said.

Fred Church, deputy director of the Ohio Department of Taxation, said the November numbers are a concern. But he noted that collections in previous months were on target or ahead of projections, so it's too soon to call it a trend.

Even so, Ohio lost 11,500 jobs during the 12 months since October 2006, and with jobless claims and energy prices rising and problems in the housing market continuing to ripple through the economy, budget analysts are worried.

There's particular concern about Medicaid because it's such a large part of the budget. Caseloads have exceeded estimates for four consecutive months, driving Medicaid spending \$50.2 million over budget so far, the report said.

Strickland has ordered Sabety and her staff to prepare best-case and worst-case scenarios for all future state spending. But the governor's council has downgraded its projection for national economic growth for the last quarter of calendar-year 2007 and the first half of 2008 to 1.6 percent from 3 percent -- and Ohio's numbers have lagged the nation's.

"It's a fact that Ohio's economic performance ranks among the lowest in the country," said Ken Mayland, president of ClearView Economics, near Cleveland.

## 2008 Membership Roll of Honor

The following OCMA members have paid their 2008 membership dues as of December 21st and have been placed on the **2008 Membership Roll of Honor**:

**B J Novelty, Inc.** (Jeff Reed, Covington, KY)  
**Bremer Vending** (Jim & John Bremer, Toledo)  
**City Amusement Enterprises** (Richard Webb, Portsmouth)  
**M & G Vending** (Mel Cohen, Toledo)  
**Nick's Music & Games Co.** (Nicholas Veronica, Toledo)  
**Ohio Vending Machine** (Roy Fankhauser, Elyria)  
**Pioneer Vending** (Bill Westerhaus, Cincinnati)  
**Point Vending** (Darrell Wolford, Huntsville)  
**W-K Music & Vending** (Jim Woodland, Columbus)

**\*\*Pool and Dart Charterholders - PLEASE REMEMBER - 2008 Membership Dues MUST be paid in full NO LATER THAN March 23rd in order for teams to participate in the 2008 tournaments.**

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## 2008 Dart & Pool League Charter Applications Due!!

Have you submitted your 2008 Dart & Pool League Charter Applications? If not, we urge you to do so today! Time is fast running out and your teams/players don't want to be left behind. If you have questions, please contact Kim or David Corey at the OCMA office (614-784-9772).

The Dart tournament will be held April 4-6 and the Pool tournament April 24-27. Both will take place at the Canton Civic Center.

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## Tobacco Prevention Foundation Announces 25,000 Tobacco Users Helped by Hotline



The Ohio Tobacco Prevention Foundation announced November 8, 2007 that more than 25,000 Ohioans have now quit tobacco by utilizing Ohio Tobacco QUIT LINES's, 800-QUIT-NOW, telephone coaching services.

The foundation designated a combined smoker and chew tobacco user from Toledo as its 25,000th case. "We are celebrating an amazing milestone with the 25,000 Ohioans who have called it quits for good," said Mike Renner, the Ohio Tobacco Prevention Foundation executive director. "The support we have received from healthcare provider referrals continues to drive this success. We will continue to offer the most personalized support possible for Ohio tobacco users who are ready to end their addiction for good."

## 2007-2008 OCMA Officers/Board of Directors



**(Seated L-R) David A. George, 2nd VP; James Bremer, 1st VP, Rodney Stebelton, Treasurer, Michael Fowler, President, and Andy Shaffer, Secretary.**

**(Standing L-R) Directors Phillip Elum, Sean Richards, Kerry Schaffer and Michael Zappa, and OCMA Exec. VP, David P. Corey. Absent from photo are Board Chair Dewey Laughlin and Directors Jim Comella, Larry Van Brackel, and Bill Westerhaus.**

In accordance with OCMA's Code of Regulations, the OCMA Board of Directors, at its first regularly scheduled meeting following the Annual Meeting, met and elected the following officers for 2007-08:

<b>President</b>	<b>Michael Fowler</b>	<b>W-K Music &amp; Vending, Columbus</b>
<b>1st Vice President</b>	<b>James Bremer</b>	<b>Bremer Vending, Toledo</b>
<b>2nd Vice President</b>	<b>David George</b>	<b>Bell Music Co., Akron</b>
<b>Secretary</b>	<b>Andy Shaffer</b>	<b>Shaffer Services, Columbus</b>
<b>Treasurer</b>	<b>Rodney Stebelton</b>	<b>Stebelton Music &amp; Vending, Lancaster</b>

**Dewey S. Laughlin will serve as Board Chair.**

In addition, Sean Richards (Hughes Music Co., Springfield) was elected to fill the board vacancy created by Dewey Laughlin becoming Board Chair.

## Tax Time Will Soon Be Here!

May we suggest that you write that much needed check to the **OCMA Scholarship Fund**. The scholarship fund is an IRS-approved 501(c)(3) entity—thus making it eligible to receive both **corporate** and **personal donations**. **All donations are fully tax deductible**. Donations should be sent to:

OCMA Scholarship Fund  
3757 Indianola Ave.  
Columbus, OH 43214-3753



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**Executive Committee**

Michael Fowler	President
James Bremer	1st Vice President
David A. George	2nd Vice President
Andy Shaffer	Secretary
Rodney Stebelton	Treasurer
Dewey Laughlin	Board Chair

**Directors**

James Comella	Phillip Elum
Sean Richards	Kerry Shaffer
Larry Van Brackel	William Westerhaus
Michael Zappa	

**Staff**

David Corey	Executive Vice President
Judith Martin	Executive Director
Kimberly Corey	Administrative Assistant
Marjorie Rough	Secretary

**Wishing you and yours  
a very Merry Christmas  
and a Wonderful Holiday  
Season!**



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