



Board Minutes
Thursday, November 17 2016
Noon; Main Street Guymon office, 116 NE Fifth

Members Present: Kayla Reid, Kayla McCarter, Vonda Wilkins, Elgie Davis, JuliAnn Graham, Monica Ronne, Nick Tuttle, Melyn Johnson-Director

Members Absent: Susan Barias, Soila Medina, Jada Breeden*

**Ex-officio member*

Monica Ronne called the meeting to order.

October Meeting Minutes – Kayla McCarter moved to accept the minutes of the October meeting as amended to say ‘no report’ under Promotions Committee. Seconded by JuliAnn Graham and approved.

Reviewed the financial report.

Committee Reports

Design Committee – A donation for another bench has been received. It will be installed by RC Party and More. The City of Guymon has approved anchoring the benches to the sidewalk.

Business Development Committee – Career Focus ended with awesome evaluations.

Organizational Committee – Taco Dinner & Bingo Night was a success. The transformers has started meeting and that is going well. Policies are still under review.

Promotions Committee – Small Business Saturday slated for Nov. 26 at 9 a.m. at Main Street.

Office Chairs – Elgie Davis motioned and Nick Tuttle seconded to purchase new office chairs for SPC. Kayla Reid abstained.

Resignation of Kayla McCarter – Kayla McCarter submitted her written resignation to the board. JuliAnn Graham moved, Elgie Davis seconded and motion carried to accept the resignation.

Director’s report – Melyn gave the report. Board reviewed and discussed a certified letter from the Oklahoma State Department of Health was received regarding a citizen complaint for a possible violation of the Smoking in Public Places and Indoor Workplaces Act. Vonda Wilkins will respond on behalf of the board.

Meeting adjourned.

Respectfully submitted by Melyn Johnson, Acting Secretary.

Main Street Guymon
Balance Sheet
As of November 17, 2016

	<u>Nov 17, 16</u>
ASSETS	
Current Assets	
Checking/Savings	
Main Street Guymon Checking	29,136.41
Money Market	9,791.28
Total Checking/Savings	38,927.69
Other Current Assets	
Petty Cash	239.00
Total Other Current Assets	239.00
Total Current Assets	39,166.69
Fixed Assets	
Furniture and Equipment	5,644.58
MSG Dr. Hayes Building	45,000.00
Total Fixed Assets	50,644.58
Other Assets	
Other Assets	547.97
Total Other Assets	547.97
TOTAL ASSETS	<u>90,359.24</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Payroll Liabilities	1,060.39
Total Other Current Liabilities	1,060.39
Total Current Liabilities	1,060.39
Total Liabilities	1,060.39
Equity	
Opening Balance Equity	94,882.53
Retained Earnings	-26,893.04
Net Income	21,309.36
Total Equity	89,298.85
TOTAL LIABILITIES & EQUITY	<u>90,359.24</u>

10:08 AM
 11/17/16
 Accrual Basis

Main Street Guymon

Profit & Loss

October 21 through November 17, 2016

	Oct 21 - Nov 17, 16
Ordinary Income/Expense	
Income	
Direct Public Support	
Gifts in Kind - Goods	293.58
Individ, Business Contributions	25.00
Direct Public Support - Other	25.00
Total Direct Public Support	343.58
Government Grants	500.00
Main Street Bucks Sales	260.00
Other Types of Income	
Miscellaneous Revenue	3,623.50
Total Other Types of Income	3,623.50
Program Income	
Membership Dues	5,200.00
Total Program Income	5,200.00
Total Income	9,927.08
Expense	
Contract Services	
Accounting Fees	70.83
Total Contract Services	70.83
Main Street Bucks	620.00
Maintenance	67.34
Miscellaneous	499.87
Operations	
Pest Control	35.00
Printing and Copying	97.41
Supplies	11.94
Telephone, Telecommunications	111.57
Total Operations	255.92
Other Types of Expenses	
Advertising Expenses	250.00
Insurance - Liability, D and O	87.75
Total Other Types of Expenses	337.75
Payroll Expenses	
Health Insurance	353.77
Work Comp Insurance	176.00
Payroll Expenses - Other	3,643.54
Total Payroll Expenses	4,173.31
Training	20.00
Utilities	200.25
Website maintenance	31.96
Total Expense	6,277.23
Net Ordinary Income	3,649.85
Net Income	3,649.85

10:08 AM

11/17/16

Accrual Basis

Main Street Guymon Profit & Loss Detail

October 21 through November 17, 2016

Type	Date	Num	Adj	Name	Memo	Debit	Credit	Balance
Ordinary Income/Expense								
Income								
Direct Public Support								
Gifts in Kind - Goods								
General Journal	11/01/2016	In-Kind		Epic, JM, L&M			158.58	158.58
General Journal	11/01/2016	In-Kind		Dahl & PTCI			35.00	193.58
General Journal	11/01/2016	In-Kind		Dahl & PTCI			100.00	293.58
Total Gifts in Kind - Goods						0.00	293.58	293.58
Individ, Business Contributions								
Deposit	10/26/2016			Shirley Wilkins	Deposit		25.00	25.00
Total Individ, Business Contributions						0.00	25.00	25.00
Direct Public Support - Other								
Deposit	11/16/2016			Shirley Wilkins	Deposit		25.00	25.00
Total Direct Public Support - Other						0.00	25.00	25.00
Total Direct Public Support						0.00	343.58	343.58
Government Grants								
Deposit	10/26/2016			Panhandle Couseli...	Deposit		500.00	500.00
Total Government Grants						0.00	500.00	500.00
Main Street Bucks Sales								
Deposit	10/26/2016			Susan Barias	Deposit		180.00	180.00
Deposit	11/03/2016	1897		Erin Moore	Deposit		50.00	230.00
Deposit	11/16/2016	17508		Guymon Chamber ...	Deposit		30.00	260.00
Total Main Street Bucks Sales						0.00	260.00	260.00
Other Types of Income								
Miscellaneous Revenue								
Deposit	11/03/2016	6537		Donna Riffel	Bench sales		300.00	300.00
Deposit	11/03/2016	3034		Elgie Jeffus	mugs		170.00	470.00
Deposit	11/03/2016	2717...		Seaboard Foods, L...	Fiesta shirt sales		989.50	1,459.50
Deposit	11/16/2016	7335		Clark Jett	Deposit		25.00	1,484.50
Deposit	11/16/2016	2280		Mike Shannon	Deposit		10.00	1,494.50
Deposit	11/16/2016	701		Arlene Winfrey	Deposit		21.00	1,515.50
Deposit	11/16/2016	702		Arlene Winfrey	Deposit		25.00	1,540.50
Deposit	11/16/2016	1304		sandra Maudin	Deposit		10.00	1,550.50
Deposit	11/16/2016	7588		Debra Hamill	Bingo		4.00	1,554.50
Deposit	11/16/2016	1153		Juliann Graham	Deposit		15.00	1,569.50
Deposit	11/16/2016	1227		Maria Villa	Deposit		28.00	1,597.50
Deposit	11/16/2016	3264		Missy Cartwright	Deposit		42.00	1,639.50
Deposit	11/16/2016	2281		Mike Shannon	Deposit		30.00	1,669.50
Deposit	11/16/2016			Cash	Bingo		405.00	2,074.50
Deposit	11/16/2016			Cash	Deposit		702.00	2,776.50
Deposit	11/16/2016			Cash	Deposit		847.00	3,623.50
Total Miscellaneous Revenue						0.00	3,623.50	3,623.50
Total Other Types of Income						0.00	3,623.50	3,623.50
Program Income								
Membership Dues								
Deposit	10/26/2016			Victory Center	Deposit		200.00	200.00
Deposit	10/26/2016			Wolf Creek Mall	Deposit		100.00	300.00
Deposit	10/26/2016			Wolf Creek Mall	Deposit		100.00	400.00
Deposit	10/26/2016			Parkview Pharmacy	Deposit		100.00	500.00
Deposit	10/26/2016			Wise Guys Bar & ...	Deposit		200.00	700.00
Deposit	10/26/2016			OPSU	Deposit		200.00	900.00
Deposit	10/26/2016			Wirtz Lumber & Su...	Deposit		200.00	1,100.00
Deposit	10/26/2016			G&G Electronics	Deposit		200.00	1,300.00
Deposit	10/26/2016			TEL Oil & Gas	Deposit		400.00	1,700.00
Deposit	10/26/2016			Apollo Medflight, L...	Deposit		200.00	1,900.00
Deposit	10/26/2016			Garrison Insurance	Deposit		200.00	2,100.00
Deposit	11/03/2016	46387		Christine Ansley	Deposit		200.00	2,300.00
Deposit	11/03/2016	1977		Guymon Physical ...	Deposit		200.00	2,500.00
Deposit	11/16/2016	1052		Harana MedSpa	Deposit		200.00	2,700.00
Deposit	11/16/2016	134084		City of Guymon Ok...	Deposit		2,500.00	5,200.00
Total Membership Dues						0.00	5,200.00	5,200.00
Total Program Income						0.00	5,200.00	5,200.00
Total Income						0.00	9,927.08	9,927.08

10:08 AM

11/17/16

Accrual Basis

Main Street Guymon
Profit & Loss Detail
 October 21 through November 17, 2016

Type	Date	Num	Adj	Name	Memo	Debit	Credit	Balance
Expense								
Contract Services								
Accounting Fees								
General Journal	11/01/2016	In-Kind			Jackie Monk \$70.83 mo...	70.83		70.83
Total Accounting Fees						70.83	0.00	70.83
Total Contract Services						70.83	0.00	70.83
Main Street Bucks								
Check	10/24/2016	3238		Carter's Market		140.00		140.00
Check	10/24/2016	3239		Carter's Market		480.00		620.00
Total Main Street Bucks						620.00	0.00	620.00
Maintenance								
Check	10/26/2016	3260		Banker's Bank		67.34		67.34
Total Maintenance						67.34	0.00	67.34
Miscellaneous								
Check	10/26/2016	3260		Banker's Bank		25.75		25.75
Check	10/26/2016	3260		Banker's Bank		2.90		28.65
Check	10/26/2016	3262		Urban Bru		28.74		57.39
Check	10/26/2016	3265		SPC Office Supply		126.01		183.40
Check	11/03/2016	3277		Arlene Winfrey		45.00		228.40
Check	11/03/2016	3277		Arlene Winfrey	Photo for Library project	100.00		328.40
Check	11/03/2016	3278		Urban Bru	Career focus	86.22		414.62
Check	11/16/2016	3279		Banker's Bank	transformers	85.25		499.87
Total Miscellaneous						499.87	0.00	499.87
Operations								
Pest Control								
General Journal	11/01/2016	In-Kind			Dahl Pest Control	35.00		35.00
Total Pest Control						35.00	0.00	35.00
Printing and Copying								
Check	10/26/2016	3265		SPC Office Supply		97.41		97.41
Total Printing and Copying						97.41	0.00	97.41
Supplies								
Check	11/16/2016	3280		Melyn E Johnson		11.94		11.94
Total Supplies						11.94	0.00	11.94
Telephone, Telecommunications								
Check	10/26/2016	3264		PTCI		11.57		11.57
General Journal	11/01/2016	In-Kind			PTCI	100.00		111.57
Total Telephone, Telecommunications						111.57	0.00	111.57
Total Operations						255.92	0.00	255.92
Other Types of Expenses								
Advertising Expenses								
Check	10/26/2016	3261		Guymon Daily Her...		250.00		250.00
Total Advertising Expenses						250.00	0.00	250.00
Insurance - Liability, D and O								
General Journal	11/01/2016	In-Kind			Long & McKinnon/\$87....	87.75		87.75
Total Insurance - Liability, D and O						87.75	0.00	87.75
Total Other Types of Expenses						337.75	0.00	337.75
Payroll Expenses								
Health Insurance								
Check	10/26/2016	3263		Melyn E Johnson		353.77		353.77
Total Health Insurance						353.77	0.00	353.77
Work Comp Insurance								
Check	11/16/2016	3281		Comp Source		176.00		176.00
Total Work Comp Insurance						176.00	0.00	176.00

10:08 AM

11/17/16

Accrual Basis

Main Street Guymon
Profit & Loss Detail
 October 21 through November 17, 2016

Type	Date	Num	Adj	Name	Memo	Debit	Credit	Balance
Payroll Expenses - Other								
Paycheck	10/21/2016	3259		Melyn E Johnson		1,692.31		1,692.31
Paycheck	10/21/2016	3259		Melyn E Johnson		104.92		1,797.23
Paycheck	10/21/2016	3259		Melyn E Johnson		24.54		1,821.77
Paycheck	10/21/2016	3259		Melyn E Johnson		0.00		1,821.77
Paycheck	10/21/2016	3259		Melyn E Johnson		0.00		1,821.77
Paycheck	11/04/2016	3276		Melyn E Johnson		1,692.31		3,514.08
Paycheck	11/04/2016	3276		Melyn E Johnson		104.92		3,619.00
Paycheck	11/04/2016	3276		Melyn E Johnson		24.54		3,643.54
Paycheck	11/04/2016	3276		Melyn E Johnson		0.00		3,643.54
Paycheck	11/04/2016	3276		Melyn E Johnson		0.00		3,643.54
Total Payroll Expenses - Other						3,643.54	0.00	3,643.54
Total Payroll Expenses						4,173.31	0.00	4,173.31
Training								
Check	11/16/2016	3279		Banker's Bank	webinar	20.00		20.00
Total Training						20.00	0.00	20.00
Utilities								
Check	10/31/2016	Debit		City of Guymon		65.11		65.11
Check	11/10/2016	Debit		Tri-Country Electric		135.14		200.25
Total Utilities						200.25	0.00	200.25
Website maintenance								
Check	11/16/2016	3279		Banker's Bank		31.96		31.96
Total Website maintenance						31.96	0.00	31.96
Total Expense						6,277.23	0.00	6,277.23
Net Ordinary Income						6,277.23	9,927.08	3,649.85
Net Income						6,277.23	9,927.08	3,649.85

Main Street Guymon
116 NE 5th Street
Guymon, OK 73942

Main Street Guymon Board,

I am submitting this correspondence to you as my resignation from the Main Street Guymon Board. My last day of service to the board will be November 17, 2016. Please accept this as my official non-profit board resignation.

I apologize for any inconvenience this may cause the board members of MSG. I am more than willing to assist in wrapping up my duties as MSG Promotions Committee Chair and helping my replacement get up to speed on the position. Should you need anything further from me, please feel free to contact me at (580)461-7657.

Thank you,

Kayla McCarter



Oklahoma State Department of Health
Creating a State of Health

October 28, 2016

CERTIFIED MAIL: 7016 1370 0001 4505 7467

Main Street Guymon Board
P.O. Box 1393
Guymon, OK 73942

Melyn Johnson
Main Street Guymon Director
116 NE 5th Street
Guymon, OK 73942

RE: Smoking in Public Places and Indoor Workplaces Act

The Oklahoma State Department of Health received a citizen complaint regarding a possible violation of the Smoking in Public Places and Indoor Workplaces Act (hereinafter referred to as "Act"). This Act became effective in 2003 and prohibits smoking inside public places, indoor workplaces and in public transportation, with the exception of a few limited exemptions specified in law.

Allegation:

"The director, Melyn Johnson continues to smoke in the building. The TSET grantee has been contacted directly about multiple complaints. Ms. Johnson has been educated on the clean indoor act law by the TSET coordinator."

Please respond in writing within ten (10) calendar days as to whether your establishment believes this to be a valid complaint and if so, how the condition has been or will be resolved, or with documentation showing that the establishment qualifies as exempt. All responses may be sent by email or mail to:

EMAIL: PhillipJ@health.ok.gov
MAIL: Consumer Protection Division: Phillip Jurina
Oklahoma State Department of Health
1000 NE 10th Street
Oklahoma City, OK 73117

Failure to respond, or further complaints related to this issue, may result in further investigation of this matter by the Department.

A copy of the Act is also enclosed for your reference. We stand ready to support you in achieving compliance with these laws to protect the health of Oklahomans. If you have questions or would like to discuss this matter further you may email or call me at (405) 271-5243. Thank you for your cooperation.

Respectfully,

Phillip Jurina, RPS/RPES
Programs Manager, Consumer Protection Division
Oklahoma State Department of Health

Enclosures: Title 63 § 1-1521
Title 310: Chapter 355 - Smoking in Public Places and Indoor Workplaces

Title 310 - Oklahoma State Department of Health
Chapter 355 - Smoking in Public Places And Indoor Workplaces

Subchapter 1 - General Provisions

310:355-1-1. Purpose and scope

This Chapter implements the Smoking in Public Places and Indoor Workplaces Act and the Clean Air in Restaurants Act (CARA). This Chapter specifies how compliance with the Act and CARA will be accomplished. All definitions and other provisions in the Act and CARA apply to this Chapter.

310:355-1-6. Definitions

The following words and terms, when used herein, shall have the following meaning, unless the context clearly indicates otherwise:

"**Act**" means the Oklahoma Smoking in Public Places and Indoor Workplaces Act [63:1-1521 *et seq.*].

"**Building**" means an entire free standing structure enclosed or predominantly enclosed by exterior walls.

"**Department**" means the Oklahoma State Department of Health.

"**Eating establishment**" means an establishment licensed by the Department under Chapter 256 or any Chapter adopted to replace Chapter 256 that is primarily engaged in preparing and selling food, exclusive of low-point beer and alcoholic beverages, for immediate consumption on or off the premises, based upon gross receipts of the establishment.

"**Nonsmoking area**" or "**nonsmoking space**" means a smoke free area or space.

"**Public transportation**" means *transportation services, facilities and equipment with multiple passenger capabilities, available to the public on a scheduled or demand basis including intercity, regional and city bus, minibus, van pool, car pool and taxicab services, and commuter rail services.* [69:4005]

"**Recirculate**" means movement of air or smoke from one area to another either mechanically by way of the heating, air conditioning and ventilation system or by other means of circulation, drifting, transfer or migration.

"**Restaurant**" means *any eating establishment regardless of seating capacity.* [63:1-1522.7]

"**Secondhand smoke**" means the aerosol produced from combustion of tobacco products---consisting of a combination of many different gases, types of particulate matter, and semi-volatile organic compounds, visible and invisible, odorless and with odors---including smoke exhaled by smokers, smoke from the burning tip of a cigarette or other tobacco product, and materials escaping through cigarette paper.

"**Smoke**" means smoke from combustion of tobacco products, including secondhand smoke.

"**Smoke free area**" or "**smoke free space**" means an area or space within or outside a building where smoking is prohibited. Within a building that is not entirely exempt from the Act [63:1-1521 *et seq.*], if smoking is permitted anywhere in the building, the air in the smoke free areas inside the building is protected from secondhand tobacco smoke from the smoking spaces by a combination of direct exhaust from the smoking spaces to the outside, full enclosure surrounding the smoking spaces, and sufficient negative air pressure in the smoking spaces relative to the smoke free areas to prevent the escape of smoke from the smoking spaces to any smoke free areas.

Subchapter 3 - Smoking Prohibitions and Exemptions

310:355-3-1. Indoor prohibition and exemptions

To protect the health of nonsmokers, no smoking shall be permitted inside public places or indoor workplaces except under certain limited situations specifically provided in 63:1-1523.

310:355-3-2. Public transportation prohibition

No smoking shall be permitted in any vehicle used to provide public transportation.

310:355-3-3. Outdoor prohibitions at restaurants

No smoking shall be permitted outside, including on a deck or patio, within 15 feet of an exterior public doorway to a restaurant or any air intake to a restaurant

310:355-3-4. Outdoor prohibitions at educational facilities

No smoking shall be permitted outside on the premises of a public or private educational facility offering any programs for students from early childhood education or kindergarten through grade 12, except as allowed in 63:1-1523.B.

Subchapter 5 - Situations in Which Smoking may be Permitted

310:355-5-1. Smoking spaces

Smoking spaces are those spaces where smoking is permitted as provided in 63:1-1523, including (1) smoking rooms within restaurants, (2) smoking rooms in other public places and indoor workplaces, and (3) exempted places as listed in 63:1-1523(G) that elect to permit smoking, provided such exempted places either occupy an entire building or meet the requirements for a smoking room under subchapters 7, 9, 11, 13 and 15 of this Chapter with respect to any nonsmoking spaces within the same building.

310:355-5-2. Requirements for smoking spaces

Smoking rooms, as well as other smoking spaces, must meet the conditions in subchapters 7, 9, 11, 13 and 15 of this Chapter.

310:355-5-3. No required smoking

No public place or indoor workplace is required to permit smoking. Any such place may prohibit all smoking.

The direction of airflow through an open doorway to a smoking room can be observed, with airflow into the room indicating negative air pressure with respect to the nonsmoking areas. The rate of airflow required into a smoking room or other smoking space shall comply with sections 9-2, 11-1, 11-2, 11-3, and 13-1 of this Chapter.

310:355-15-3. Detecting smoke by instrument

For purposes of measuring presence or absence of secondhand smoke by instrument, if necessary, an indicator of tobacco smoke widely accepted by the scientific community such as fine respirable suspended particles or nicotine measurements will be used

Subchapter 17 – Signage

310:355-17-1. Entrances to buildings where smoking is prohibited

All buildings that are public places and where smoking is prohibited inside the entrance pursuant to the Act shall have posted at each such entrance a conspicuous sign or decal at least 4" x 2" in size clearly stating that smoking or tobacco use is prohibited or that a smokefree environment is provided. Signs provided by the Department for this purpose shall meet this requirement

310:355-17-2. Entrances to smoking rooms

(a) The owner or operator of a place with a smoking room shall post outside each entrance to a smoking room a sign at least two inches by four inches identifying the space inside as a smoking room.

(b) Signs shall be in place within 30 days of the effective date of these rules.

310:355-17-3. Sign contents for entrances to smoking rooms

Signs outside smoking rooms shall be white text on red or other highly visible contrasting colors including at least the words "SMOKING ROOM" in letters at least 1/2 inch high.

310:355-17-4. Entrances to other smoking spaces within shared buildings

(a) The owner or operator of a place exempted from the Act, which shares a building with nonsmoking spaces and which elects to permit smoking within its exempted space, shall post outside each interior entrance from a nonsmoking space to its smoking space a sign at least two inches by four inches identifying the space inside as a space in which smoking is permitted.

(b) Signs shall be in place within 30 days of the effective date of these rules.

(c) Commencing 30 days after these rules become effective, as exempted places establish new smoking spaces inside buildings shared with nonsmoking spaces, this signage shall be in place prior to occupancy.

Subchapter 19 - Duties of Owner or Operator

310:355-19-1. Signage

For any indoor public place, the owner or operator shall see that signage is posted as required in Subchapter 17 of this Chapter.

310:355-19-2. Required intervention in public places

(a) When the owner or operator or an employee in a public place observes smoking in an area where smoking is prohibited, the owner, operator or operator's designee shall ask the smoker to refrain from smoking.

(b) When anyone reports smoking in violation of the Act to the owner, operator or an employee of an establishment, the owner, operator or operator's designee shall ask the smoker to refrain from smoking.

310:355-19-3. Compliance by employees

Employers shall be responsible for compliance by their employees with these rules.

Subchapter 21 – Compliance

310:355-21-1. Enforcement by political subdivisions

Any provision of these rules may, pursuant to 63 O.S. § 1-215, be enforced in the manner provided herein by any City/County Health Department. Cities and incorporated towns of the State of Oklahoma may, pursuant to the provisions of 63 O.S. § 1-209, incorporate these rules in their respective ordinances by reference.

310:355-21-2. Complaint resolution

(a) Any person who observes a violation of this Chapter may report the violation to the owner, operator or employee of the place where the smoking has occurred and/or may report the condition to the Department or local law enforcement.

(b) Complaints received by the Department may result in the issuance of a letter stating the nature and description of the complaint lodged and providing information regarding Oklahoma's laws on smoking and the health hazards related to secondhand smoke. The letter shall request that the responsible person respond to the Department within ten (10) calendar days with information as to how the condition causing or creating the complaint will be resolved.

(c) Based upon the complaint, the response received and any other evidence that may be available to the Department, the Department may determine whether a violation of this Chapter has occurred.

(d) If the Department determines that a violation has occurred, the Department may issue a warning letter to the responsible person and seek other remedial measures authorized by law.

310:355-21-3. Enforcement proceedings

The Department may initiate enforcement proceedings against any responsible party whom the Department has reason to believe is presently in violation of this Chapter or the Act, by imposing administrative penalties including fines, seeking injunctive relief in the district court, and/or by referring the complaint to the district attorney for criminal prosecution.

310:355-21-4. Administrative hearings and appeals

§63-1-1521. Short title.

This act shall be known and may be cited as the "Smoking in Public Places and Indoor Workplaces Act".

Added by Laws 1987, c. 151, § 1, eff. Nov. 1, 1987. Amended by Laws 2003, S.J.R. No. 21, § 2, eff. Sept. 1, 2003.

§63-1-1522. Definitions.

As used in this act:

1. "Educational facility" means a building owned, leased or under the control of a technology center school district or a public or private college or university;

2. "Health facility" means an entity which provides health services, including, but not limited to, hospitals, nursing homes, long-term care facilities, kidney disease treatment centers, health maintenance organizations and ambulatory treatment centers;

3. "Indoor workplace" means any indoor place of employment or employment-type service for or at the request of another individual or individuals, or any public or private entity, whether part-time or full-time and whether for compensation or not. Such services shall include, without limitation, any service performed by an owner, employee, independent contractor, agent, partner, proprietor, manager, officer, director, apprentice, trainee, associate, servant or volunteer. An indoor workplace includes work areas, employee lounges, restrooms, conference rooms, classrooms, employee cafeterias, hallways, any other spaces used or visited by employees, and all space between a floor and ceiling that is predominantly or totally enclosed by walls or windows, regardless of doors, doorways, open or closed windows, stairways, or the like. The provisions of this section shall apply to such indoor workplace at any given time, whether or not work is being performed;

4. "Meeting" means a meeting as defined in the Oklahoma Open Meeting Act;

5. "Public body" means a public body as defined in the Oklahoma Open Meeting Act;

6. "Public place" means any enclosed indoor area where individuals other than employees are invited or permitted;

7. "Restaurant" means any eating establishment regardless of seating capacity;

8. "Smoking" means the carrying by a person of a lighted cigar, cigarette, pipe or other lighted smoking device; and

9. "Stand-alone bar", "stand-alone tavern", and "cigar bar" mean an establishment that derives more than sixty percent (60%) of its gross receipts, subject to verification by competent authority, from the sale of alcoholic beverages and low-point beer and no person under twenty-one (21) years of age is admitted, except for members of a musical band employed or hired as provided in paragraph 2 of subsection B of Section 537 of Title 37 of the Oklahoma Statutes and

C. Nothing in this section shall be construed to prohibit educational facilities from having more restrictive policies regarding smoking and the use of other tobacco products in the buildings or on the grounds of the facility.

D. A private residence is not a "public place" within the meaning of the Smoking in Public Places and Indoor Workplaces Act except that areas in a private residence that are used as a licensed child care facility during hours of operation are "public places" within the meaning of the Smoking in Public Places and Indoor Workplaces Act.

E. Smoking is prohibited in all vehicles owned by the State of Oklahoma and all of its agencies and instrumentalities.

F. Veterans centers operated by this state pursuant to the provisions of Section 221 et seq. of Title 72 of the Oklahoma Statutes shall be designated nonsmoking effective January 1, 2015, at which time veterans centers may establish outdoor designated smoking areas for resident veterans only. Smoking shall only be allowed in designated outdoor smoking areas until January 1, 2018. Each veterans center described in this subsection shall be entirely nonsmoking no later than January 1, 2018.

G. An employer not otherwise restricted from doing so may elect to provide smoking rooms where no work is performed except for cleaning and maintenance during the time the room is not in use for smoking, provided each smoking room is fully enclosed and exhausted directly to the outside, in such manner that no smoke can drift or circulate into a nonsmoking area. No exhaust from a smoking room shall be located within fifteen (15) feet of any entrance, exit or air intake. If smoking is to be permitted in any space exempted in subsection H of this section or in a smoking room pursuant to subsection I of this section, such smoking space must either occupy the entire enclosed indoor space or, if it shares the enclosed space with any nonsmoking areas, the smoking space shall be fully enclosed, exhausted directly to the outside with no air from the smoking space circulated to any nonsmoking area, and under negative air pressure so that no smoke can drift or circulate into a nonsmoking area when a door to an adjacent nonsmoking area is opened. Air from a smoking room shall not be exhausted within fifteen (15) feet of any entrance, exit or air intake.

H. The Smoking in Public Places and Indoor Workplaces Act shall not prohibit smoking in:

1. Stand-alone bars, stand-alone taverns or cigar bars;
2. The room or rooms where licensed charitable bingo games are being operated, but only during the hours of operation of such games;
3. Up to twenty-five percent (25%) of the guest rooms at a hotel or other lodging establishment;
4. Retail tobacco stores predominantly engaged in the sale of tobacco products and accessories and in which the sale of other

May 7, 2001; Laws 2002, c. 96, § 2, eff. July 1, 2002; Laws 2003, S.J.R. No. 21, § 4, eff. Sept. 1, 2003; Laws 2007, c. 70, § 2, eff. Nov. 1, 2007; Laws 2012, c. 30, § 2, eff. Nov. 1, 2012; Laws 2014, c. 167, § 2, eff. Nov. 1, 2014; Laws 2015, c. 259, § 6.