

1 **Ohio Revised Code » Title [45] XLV MOTOR VEHICLES - AERONAUTICS -**
2 **WATERCRAFT**
3 **Chapter 4582: PORT AUTHORITIES**
4 **Proposed Revision Notes**

5
6 List of Proposed Revisions
7

8 **4582.201-4582.99**

9 Changed "authorized purposes" and "purposes" to "authorized
10 projects" and "projects" per **4582.21(B)** to clarify the
11 distinction between the two terms. Some instances of "purpose"
12 or "purposes" thus remain unchanged being distinct from "project"
13 and "projects".
14

15 Added "tolls" and "fees" to most instances of "rentals" and
16 "other charges".
17

18 Added occasional paragraph breaks to increase clarity.
19

20 Added occasional posting options "on the port authority's website
21 and at Public Notices Ohio (<https://www.publicnoticesohio.com/>),
22 or in a newspaper of general circulation in the county or region
23 of the port authority, and in such other publications as the port
24 authority determines, unless the publications cease publishing
25 print versions of their newspapers anymore,".
26

27 *The port authority and Public Notices Ohio websites hosting*
28 *posts afford expanded coverage and serve as a backup to*
29 *print publications in case they cease publishing print*
30 *versions of their newspapers or go out of business.*
31

32 **7.16 Abbreviated publication refers to 125.182 State public**
33 **notice web site, of which Public Notices Ohio-**
34 **<https://www.publicnoticesohio.com/>**
35

36 *is the official public notice website operated and*
37 *maintained by the Ohio trade association that represents*
38 *the majority of newspapers of general circulation as*
39 *defined in 7.12 **Qualifications for newspapers publishing***
40 ***legal notices** for now.*
41

42 Added occasional "online and" as an option to written comments
43 filed with the port authority.
44

45 Changed "subdivision or subdivisions" that created, co-created,
46 or joined a port authority to "enabling body".
47
48

49 **4582.201 Application of provisions before and after 7-9-1982.**

50 Changed "82" in the section title to "1982".
51

52 Changed when a port authority is created, its enabling body can
53 restrict its powers and "designate its authorized projects and
54 faculties".
55
56

57 **4582.21 Newly created or adopting port authority definitions.**

58 **4582.21(B)(1)** was expended to include multiple mode of
59 distribution type infrastructures and other beneficial uses of
60 infrastructure rights of way.
61

62 **4582.21(E)** was expanded to include multiple facility types and
63 services by a port authority and third party persons.
64

65 **4582.21(F)** added branch offices to the principal port authority
66 offices.
67

68 **4582.21(K)** and **4582.21(L)** also excluded a regional transportation
69 improvement project as a "contracting subdivision" and
70 "governmental subdivision" respectively.
71

72 **4582.21(L)** changed "Governmental subdivision" to "Political
73 subdivision" because Governmental subdivision was not found in
74 4582 but Political subdivision was and it was assumed
75 Governmental subdivision equals Political subdivision.
76

77 **4582.21(M)** added "Enabling body" to consolidate one or more
78 political subdivisions that created, co-created, or joined a port
79 authority
80

81
82 **4582.22 Creation and dissolution of port authority.**

83 "Dissolution" was added to and "new" was deleted from the section
84 title.
85

86 **4582.22(E)** added a political subdivision that created a port
87 authority or joined an existing port authority shall not "create
88 or join with" any other "existing" port authorities "unless each
89 port authority initiates and administers separate projects and
90 facilities from each other".
91

92 **4582.22(A)** added that any sole or any combination of municipal
93 corporations, townships, or counties to create, and any of the
94 foregoing together with any other political subdivision or
95 subdivisions, could create a port authority, per **4582.22(E)**, –
96 even if – they were included with a port authority in existence
97 on 12-16-1964.
98

99 **4582.22(B)** added that the port authority enabling body could
100 additionally "designate the port authority's authorized projects
101 and facilities, require the granted powers be utilized, and
102 require the designated projects or facilities be initiated and
103 administered by specific dates and times".
104

105 **4582.22(C)** added that the port authority's enabling body could
106 "grant additional or restrict existing powers, designate
107 additional or restrict existing authorized projects or
108 facilities, change the utilization of its powers, or change the
109 specific dates and times of its projects or facilities to be
110 initiated and administered" so long as the powers, "projects, and
111 facilities" so granted do not exceed the powers, "projects, and
112 facilities" permitted pursuant to this chapter.
113

114 **4582.22(D)** added "the area of jurisdiction of a port authority
115 would include all of the territory of the enabling body unless
116 the enabling body designates specific territories within the
117 enabling body as the area of jurisdiction of the port authority.
118 The enabling body may designate the specific territory upon which
119 a port authority project or facility is located as the area or as
120 additional area of the jurisdiction of the port authority,
121 regardless of whether all of the territory of the project or
122 facility is located within the jurisdiction of the enabling
123 body."
124

125 **4582.22(F)** was created nearly verbatim from the former **4582.25(B)**
126 and added to the creation section for efficiency.
127

128 **4582.22(G)** was added to allow the general public residing within
129 the jurisdiction of the port authority enabling body to vote
130 whether the port authority should be dissolved.
131

132
133 **4582.23 [Repealed].**

134 **4582.23** was eliminated.
135

136
137 **4582.25 Appropriation and expenditure of public funds for port**
138 **authority.**

139 **4582.25(A)** was changed to allow any municipal corporation,
140 township, county, or other political subdivision to appropriate
141 and expend public funds to finance or subsidize the operation and
142 authorized projects or facilities of a port authority regardless
143 of whether they co-created or joined the port authority or not.
144

145 **4582.25(B)** was moved nearly verbatim to **4582.22(F)** for
146 efficiency.
147

148
149 **4582.26 Contiguous political subdivision may join port authority.**

150 If one or more political subdivisions desires to join a port
151 authority and passes an ordinance or resolution proposing
152 joinder, and the port authority enabling body agrees upon the
153 terms and conditions pursuant to which such political subdivision
154 or subdivisions are to be joined, the joinder will then be
155 effective "immediately" eliminating the port authority board of
156 director's ability to vote whether to accept or reject the
157 joinder.

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However if the existing port authority has authority under 4582.40 to levy a tax on property within its jurisdiction, then the voters in the one or more political subdivisions desiring to join the existing port authority must first vote to approve the joinder and to be additionally taxed. " ... including a county within which such port authority is located ... " was deleted for being redundant.

4582.27 Organization of board of directors.

Added the ability of the port authority enabling body to "impose certain qualifications upon all or specific members of a board of directors".

Changed the port authority board of directors from being able to determine if board of directors members shall be entitled to receive compensation for services as director and reimbursement for reasonable expenses in the performance of official duties to the "enabling body" making the determination.

4582.28 Port authority employees.

Replaced " ... vehicles and other equipment ... " with "aircraft or watercraft" thereby expanding the number of items the port authority special police could guard against being hijacked.

4582.30 Desired port authority project and facility initiation and administration issues

Deleted the section title "Area of jurisdiction."

Moved **4582.30(A)(1)** to **4582.22(D)**.

Deleted **4582.30(A)(2)** since **4582.22(A)** and **4582.22(E)** enable a municipality to create a port authority regardless of its population size and if it did not already join a county port authority.

Deleted **4582.30(A)(3)** since **4582.22(D)** enables a municipality, township, and county to restrict the jurisdiction area of the created port authority.

Deleted **4582.30(B)(1)** since **4582.22(A)** and **4582.22(E)** enable a political subdivision to create or join another port authority if the new port authority initiates and administers separate projects and facilities from the existing port authority.

Deleted **4582.30(B)(2)** since **4582.22(A)** and **4582.22(E)** enable a municipality to create or join another port authority if the new port authority initiates and administers separate projects and facilities from the existing port authority regardless of population size.

211
212 Deleted **4582.30(B)(3)** since **4582.22(A)** and **4582.22(E)** enable a
213 municipality and county to create a port authority if the new
214 port authority initiates and administers separate projects and
215 facilities from the existing port authority.
216
217 Changed the section title to **"Port authority projects and**
218 **facilities desired or undesired by the public."**
219
220 Added **4582.30(A)(1)** defining an "incumbent" existing port
221 authority for the section.
222
223 Added **4582.30(A)(2)** defining an "outside" existing port authority
224 separate from an incumbent port authority.
225
226 Added **4582.30(B)** that allows the general public within the
227 jurisdiction of an incumbent port authority to request its
228 enabling body to authorize the incumbent port authority to
229 initiate and administer one or more desired projects or
230 facilities within the jurisdiction of the incumbent port
231 authority that it may not already be initiating or administering.
232
233 Added **4582.30(C)** that allows the general public within the within
234 the jurisdiction of an incumbent port authority to request the
235 enabling body of an outside port authority contiguous to the
236 incumbent port authority to initiate, extend to, and administer
237 one or more desired projects or facilities within the
238 jurisdiction of the incumbent port authority if the incumbent
239 port authority's enabling body declines to require the incumbent
240 port authority to initiate and administer one or more desired
241 projects or facilities.
242
243 If the outside port authority's enabling body concurs with the
244 general public's request, the outside port authority would
245 initiate, extend to, and administer one or more desired projects
246 or facilities within the jurisdiction of the incumbent port
247 authority.
248
249 For the duration of the desired projects or facilities initiated,
250 extending to, and administered by the outside port authority, the
251 outside port authority would-
252
253 (Added) **4582.30(C)(1)** "enjoy and possess the same rights,
254 privileges, and powers within the territory of the incumbent port
255 authority";
256
257 (Added) **4582.30(C)(2)** "retain all of the revenues generated by
258 the initiated, extended, and administered projects or facilities
259 within the territory of the incumbent port authority if so
260 desired"; and
261

262 (Added) **4582.30(C)(3)** "remain exempt from any real and personal
263 taxes and rentals, tolls, fees, and other charges that may be
264 assessed by the incumbent port authority".
265

266 Added **4582.30(D)** that allows an incumbent port authority not
267 initiating and administering one or more projects or facilities
268 desired by the general public within its jurisdiction to later
269 initiate and administer those desired projects or facilities
270 within its jurisdiction, whereupon the outside port authority
271 would cease initiating, extending to, and administering those
272 desired projects or facilities within the jurisdiction of the
273 incumbent port authority.
274

275 The outside port authority would then convey any existing
276 initiated and administered projects and facilities to the
277 incumbent port authority, although those existing initiated and
278 administered projects and facilities would be subject to clawback
279 by the outside port authority for the duration of the project or
280 facility if the incumbent port authority fails to initiate and
281 administer the project or facility to the full satisfaction of
282 the outside port authority.
283

284 Both the incumbent and outside port authorities may later agree
285 to jointly initiate and administer those desired projects or
286 facilities within the jurisdiction of the incumbent port
287 authority.
288

289 Added **4582.30(E)** that allows the general public within the within
290 the jurisdiction of an incumbent port authority to vote to
291 require the incumbent port authority's enabling body to initiate
292 and administer one or more desired projects or facilities the
293 incumbent port authority may not already be initiating or
294 administering.
295

296 Added **4582.30(F)** that allows the general public within the within
297 the jurisdiction of an incumbent port authority to request its
298 enabling body to authorize the incumbent port authority to cease
299 initiating and administering one or more projects or facilities
300 within the jurisdiction of the incumbent port authority that it
301 may already be initiating or administering.
302

303 Added **4582.30(G)** that allows the general public within the within
304 the jurisdiction of an incumbent port authority to vote to
305 require the incumbent port authority's enabling body to cease
306 initiating and administering one or more projects or facilities
307 the incumbent port authority may already be initiating or
308 administering.
309

310 ***4582.30 Port authority projects and facilities desired or***
311 ***undesired by the public enables more public control over***
312 ***port authority enabling bodies, port authority board of***
313 ***directors, and port authority officers that per the***

314 existing **ORC 4582** can become too far removed from public
315 oversight.
316

317
318 **4582.31 Powers of port authority.**
319 Added to **4582.31(A)(14)** where any such rule shall be posted at no
320 less than five public places in the port authority's offices,
321 projects, and facilities, as determined by the board of
322 directors, "on the port authority's website and at Public Notices
323 Ohio (<https://www.publicnoticesohio.com/>), or in a newspaper of
324 general circulation in the county or region of the port
325 authority, and in such other publications as the port authority
326 determines, unless the publications cease publishing print
327 versions of their newspapers anymore,".
328

329 *The port authority website hosting rule changes affords*
330 *expanded coverage of a rule change, and serves as a backup*
331 *to print publications in case they cease publishing print*
332 *versions of their newspapers or go out of business.*
333

334
335 **4582.32 Plan for development of port authority maritime projects and**
336 **facilities.**

337 Added "... maritime projects and facilities." to the section title
338 to better reflect specific maritime-type projects and facilities.
339

340 Deleted **4582.32(B)** referring to deleted sections **4582.32(B)(1)** to
341 **(2)**.
342

343 Deleted **4582.32(B)(1)** since "Maritime facilities" was previously
344 defined in **4582.21(E)**.
345

346 Deleted **4582.32(B)(2)** since "Notice by publication" was defined
347 elsewhere throughout the chapter.
348

349
350 **4582.33 Modification of port authority maritime projects and**
351 **facilities development plan.**

352 Added "... maritime projects and facilities." to the section title
353 to better reflect specific maritime-type projects and facilities.
354

355
356 **4582.34 Port authority maritime projects and facilities development**
357 **plan final.**

358 Added "... maritime projects and facilities." to the section title
359 to better reflect specific maritime-type projects and facilities.
360

361
362 **4582.35 Private enterprise participation.**
363 Deleted **4582.35**.
364

365 *Eliminates an arbitrary bias countering the goals of equal*
366 *open access to all qualified persons, modal equality, mixed*

367 *but balanced free enterprise/government markets, reduction*
368 *of public and private monopolies, and the sovereignty of*
369 *the State's real property, right of way, and public*
370 *infrastructures and facilities.*

371
372
373 **4582.36 Effect on other laws.**

374 **4582.36(B)** was changed to standardize developing or improving
375 "port and terminal" to "port authority projects and facilities".
376

377
378 **4582.37 [Repealed].**

379 Deleted **4582.37**.

380
381
382 **4582.40 Levying taxes.**

383 Relocated from **4582.401** that a new port authority "created by the
384 exclusive action of an enabling body and is located partially or
385 fully within the jurisdiction of an existing port authority
386 created by an enabling body may levy a tax for a project or
387 facility under section 4582.40 of the Revised Code only if the
388 existing port authority has not initiated and is administering
389 the same or similar project or facility and has no such tax levy
390 in effect for the same or similar project or facility".

391 Deleted from **4582.401** that "unless the existing port authority
392 created by the county subsequently levies a tax under section
393 4582.40 of the Revised Code, one-half of the proceeds, or such
394 percentage as is agreed to by the boards of both port
395 authorities, from any tax levied under the authority of this
396 section by a municipal port authority shall be distributed to the
397 existing port authority created by the county within which the
398 municipal port authority is located, to be used by the existing
399 port authority created by the county for the purposes established
400 under section 4582.40 of the Revised Code".

401
402
403
404 **4582.401 Levying taxes by municipal port authority.**

405 Deleted **4582.401** which was moved to and revised at the fourth
406 paragraph of **4582.40**.

407
408
409 **4582.43 Rentals, tolls, fees, or charges - cooperation for**
410 **construction of projects and facilities.**

411 Added "tolls", "fees", and "projects" to the section title.

412 Deleted "If the services are furnished in the jurisdiction of the
413 port authority by a public utility or a common carrier, charges
414 by the port authority for the services shall not be less than the
415 charges established for the same services furnished by a public
416 utility or common carrier in the port authority jurisdiction."
417

418

419 *Eliminates an arbitrary bias countering the goals of equal*
420 *open access to all qualified persons, modal equality, mixed*
421 *but balanced free enterprise/government markets, reduction*
422 *of public and private monopolies, and the sovereignty of*
423 *the State's real property, right of way, and public*
424 *infrastructures and facilities. Furthermore, few if any*
425 *public utilities and common carriers would be willing to*
426 *publicly divulge their unbundled charges for an apples-to-*
427 *apples comparison to a port authority's provision of*
428 *similar public projects and facilities.*

429
430

431 **4582.431 Contract powers - acquiring property.**

432 Revised **4582.431(B)** to add that if a port authority enters into
433 an agreement with one or more contracting subdivisions, then the
434 port authority or any contracting subdivision can undertake and
435 is authorized by the port authority or a contracting subdivision
436 to exercise any power, "implement and administer any project or
437 facility", perform any function, or render any service on behalf
438 of the port authority or a contracting subdivision.

439

440 The exercise of those powers, "implementation and administration
441 of any project or facility", performance of those functions, and
442 rendering of those services by the port authority or any
443 contracting subdivision shall be governed by any procedures
444 applicable to the port authority or contracting subdivision on
445 behalf of which the powers are being exercised, "the projects or
446 facilities are being implemented and administered", the functions
447 are being performed, or the services are being rendered. Any such
448 agreement shall not suspend the possession by the port authority
449 or a contracting subdivision of, or its authority to exercise,
450 any powers, "its authority to implement and administer any
451 project or facility", or its authority to perform any function or
452 render any service.

453

454

455 **4582.46 Real and personal property taxes.**

456 Deleted the section title "**Port authority property exempted from**
457 **taxes.**"

458

459 Added the section title "**Real and personal property taxes.**"

460

461 Added **4582.46(A)** where a person who leases and occupies and uses
462 port authority property for economic development, housing,
463 recreation, education, governmental operations, culture, or
464 research purposes, of which that property would be exempt from
465 taxes under Chapter 5709, would not be required to pay any real
466 and personal taxes on that port authority property.

467

468 Added **4582.46(B)** where a person who leases and occupies and uses
469 port authority property for economic development, housing,
470 recreation, education, governmental operations, culture, or
471 research purposes, of which that property would not be exempt

472 from taxes under Chapter 5709, would be required to pay any real
473 and personal taxes on the port authority property.
474

475 Added **4582.46(C)** where a person leasing port authority right of
476 way for the installation and administration of the person's own
477 mode of distribution project infrastructure would be exempt from
478 real property taxes upon the port authority right of way, but
479 would be required to pay any personal property taxes upon the
480 person's own mode of distribution project infrastructure.
481

482 *Example – a private railroad that builds and operates its*
483 *own rail line upon port authority-owned right of way would*
484 *be required to pay any personal property taxes upon the*
485 *rail line assets.*
486

487 Added **4582.46(D)** where a port authority leasing port authority
488 right of way to a person for the installation and administration
489 of the person's own mode of distribution project infrastructure
490 where the person is the sole provider of the mode of distribution
491 project type of infrastructure by agreement with the port
492 authority would be required to pay any real property taxes upon
493 the right of way.
494

495 *Example – if a port authority authorizes one private*
496 *railroad to build and operate its own rail line upon port*
497 *authority-owned right of way, and the port authority*
498 *prohibits other railroad companies from similarly building*
499 *and operating their own rail lines upon port authority-*
500 *owned right of way even though there is enough right of way*
501 *to accommodate multiple rail lines, then the port authority*
502 *would be assessed real property taxes upon its right of way*
503 *for arbitrarily sanctioning artificial monopolization of*
504 *the port authority's (public) right of way.*
505

506 Also where the person is the sole provider of a mode of
507 distribution project type of infrastructure on port authority
508 right of way due to capacity restraints of the port authority's
509 existing right of way, or due to the unavailability of additional
510 right of way that the port authority cannot acquire and provide,
511 the port authority would be required to pay any real property
512 taxes upon its right of way.
513

514 Added **4582.46(E)** where a person leasing port authority
515 infrastructure for the installation and administration of the
516 person's own mode of distribution project personal property would
517 be exempt from personal property taxes upon the port authority
518 infrastructure but would be required to pay any personal property
519 taxes upon the person's own mode of distribution project personal
520 property.
521

522 *Example – a private railroad's own track scale (used to*
523 *weigh train vehicles) built and operated upon port*

524 *authority-owned rail infrastructure would be required to*
525 *pay any personal property taxes upon the asset.*
526

527 Added **4582.46(F)** where a port authority leasing port authority
528 infrastructure to a person for the installation and
529 administration of the person's own mode of distribution project
530 personal property where the person is the sole provider of the
531 mode of distribution project type of personal property by
532 agreement with the port authority would be required to pay any
533 personal property taxes upon its infrastructure.
534

535 *Example – if a port authority authorizes one private*
536 *railroad to build and operate its own track scale upon a*
537 *port authority-owned rail line, and the port authority*
538 *prohibits other railroad companies from similarly building*
539 *and operating their own track scales upon the port*
540 *authority-owned rail line even though there is enough rail*
541 *infrastructure to accommodate multiple track scales, then*
542 *the port authority would be assessed personal property*
543 *taxes upon the rail infrastructure for arbitrarily*
544 *sanctioning artificial monopolization of the port*
545 *authority's (public) rail line.*
546

547 Also where the person is the sole provider of the mode of
548 distribution project type of personal property on port authority
549 infrastructure due to capacity restraints of the port authority's
550 existing infrastructure, or due to the unavailability of
551 additional infrastructure that the port authority cannot acquire
552 or initiate and provide, the port authority would be required to
553 pay any personal property taxes upon its infrastructure.
554

555 Added **4582.46(G)** where a person leasing port authority real
556 property for the installation and administration of the person's
557 own mode of distribution project user facility would be exempt
558 from real property taxes upon the port authority real property
559 but would be required to pay any personal property taxes upon the
560 person's own mode of distribution project user facility.
561

562 *Example – a private railroad builds and operates its own*
563 *maintenance facility upon port authority-owned real*
564 *property but not upon port authority-owned right of way or*
565 *infrastructure would be required to pay any personal*
566 *property taxes upon the asset.*
567

568 Added **4582.46(H)** where a port authority leasing port authority
569 real property to a person for the installation and administration
570 of the person's own mode of distribution project user facility
571 where the person is the sole provider of the mode of distribution
572 project type of user facility by agreement with the port
573 authority would be required to pay any real property taxes upon
574 its real property.
575

576 *Example – if a port authority authorizes one private*
577 *railroad to build and operate its own maintenance facility*
578 *upon port authority-owned real property, and the port*
579 *authority prohibits other railroad companies from similarly*
580 *building and operating their own maintenance facilities*
581 *upon port authority-owned real property even though there*
582 *is enough real property to accommodate multiple maintenance*
583 *facilities, then the port authority would be assessed real*
584 *property taxes upon its asset for arbitrarily sanctioning*
585 *artificial monopolization of the port authority's (public)*
586 *real property.*

587
588 Also where the person is the sole provider of the mode of
589 distribution project type of user facility on port authority real
590 property due to capacity restraints of the port authority's
591 existing real property, or due to the unavailability of
592 additional real property that the port authority cannot acquire
593 and provide, would be required to pay any real property taxes
594 upon its real property.

595
596 Added **4582.46(I)** that "Nothing in this section eliminates the
597 lessor's or the lessee's obligation to comply with other
598 provisions of the Revised Code to obtain an exemption for such
599 property." which was verbatim to the last sentence in the deleted
600 **4582.46 Port authority property exempted from taxes.**

601 *See also the discussion in the subsequent Remaining Issues*
602 *section regarding the taxation of existing and potential*
603 *mode of distribution scenarios.*

604
605
606
607 **4582.47 Loans for acquisition and construction of projects and**
608 **facilities.**

609 Added "projects and" to the section title.

610
611
612 **4582.57 Changing location of public road, state highway, railroad, or**
613 **public utility project or facility.**

614 Added "project or" to the section title.

615
616
617 **4582.58 Journalization of final actions - public records.**

618 Added to **4582.58(A)** that the journal and the records of the port
619 authority would be open to public inspection "on the port
620 authority's website and at the port authority office" at all
621 reasonable times.

622
623
624 **4582.60 Meeting by interactive video conference or teleconference.**

625 Deleted from **4582.60(A)(1)** the port authority board establishing
626 a "primary" meeting location.

627

628 *"Primary" infers the meeting site is the permanent meeting*
629 *site, when port authorities and other political*
630 *subdivisions often meet at various sites and post agendas*
631 *prior to the meetings noting the meeting location. The*
632 *videoconference is inferred to also be accessible to the*
633 *public who should be able to access it from their own*
634 *remote locations.*

635
636 Added to **4582.60(A)(5)** that meeting-related materials are to be
637 distributed to the port authority board "in advance of and"
638 during a board meeting.

639
640 Added to **4582.60(A)(7)** that the minutes of the port authority
641 board meeting identify which board members remotely attended the
642 meeting by interactive video conference or teleconference "and
643 their remote location".

644
645 Deleted from **4582.60(B)(2)** that a minimum number of board members
646 must be established to be physically present in person at "the
647 primary" meeting location if the port authority board conducts a
648 meeting by interactive videoconference or teleconference.

649
650 *"Primary" infers the meeting site is the permanent meeting*
651 *site, when port authorities and other political*
652 *subdivisions often meet at various sites and post agendas*
653 *prior to the meetings noting the meeting location.*

654
655 Deleted **4582.60(B)(4)**.

656
657 *Remote videoconferencing and teleconferencing participants*
658 *are expected to be accessible worldwide, and restricting*
659 *the geographic location would be counter-intuitive to the*
660 *capabilities of the technologies.*

661
662 Renumbered **4582.60(B)(5)** to **4582.60(B)(4)**.

663
664 Renumbered **4582.60(B)(6)** to **4582.60(B)(5)**.

665
666 Added to **4582.60(B)(5)** that the port authority board would
667 establish a method for verifying the identity "and location" of a
668 board member who remotely attends a meeting by teleconference.

669
670
671 **4582.71 Program fund loans for research and development costs.**

672 Deleted **4582.71(A)(5)** for being redundant.

673
674 Renumbered **4582.71(A)(6)** to **4582.71(A)(5)**.

675
676 Renumbered **4582.71(A)(7)** to **4582.71(A)(6)**.

677
678 Renumbered **4582.71(A)(8)** to **4582.71(A)(7)**.

679
680 Renumbered **4582.71(A)(9)** to **4582.71(A)(8)**.

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Renumbered **4582.71(A)(10)** to **4582.71(A)(9)**.

4582.99 [Repealed].

Deleted **4582.99**.

689 Remaining Issues

690

691 **4582.30 Desired port authority project and facility initiation and**
692 **administration issues.**

693 If sections **4582.30(B)**, **4582.30(C)**, or **4582.30(E)** do not achieve
694 the general public's desire for an incumbent port authority to
695 initiate and administer one or more projects or facilities, then
696 a potential **4582.30(H)** could be added where the general public
697 within the incumbent port authority's jurisdiction area could
698 vote to force the incumbent port authority's enabling body to
699 create a new port authority to initiate and administer one or
700 more projects or facilities wholly or partially within the
701 incumbent port authority's jurisdiction.

702

703 The incumbent port authority would be restricted from initiating
704 and administering the same projects or facilities to be initiated
705 and administered by the new port authority. Conversely the new
706 port authority would be restricted from initiating and
707 administering the same project or facilities being or that have
708 already been initiated and administered by the new port
709 authority.

710

711 The general public could vote to determine what directors should
712 serve on the new port authority. The general public could also
713 vote to have the existing port authority join the incumbent port
714 authority if the general public is satisfied with any future
715 changes occurring with the incumbent port authority.

716

717

718 **4582.31 Powers of port authority.**

719 In **4582.31(A)(7)**, should the net indebtedness incurred by a port
720 authority never exceed two per cent (2%) of the total value of
721 all property within the territory comprising the port authority
722 as listed and assessed for taxation, or could the value be
723 raised? Are there other Ohio Constitution or ORC restrictions
724 upon it being raised?

725

726

727 **4582.431 Contract powers - acquiring property.**

728 Even with added project, facility, implementation, and
729 administration terms, **4582.431(B)** is still too complex and must
730 be revised.

731

732

733 **4582.46 Real and personal property taxes.**

734 **4582.46** added divisions that need checked against most real world
735 mode of distribution scenarios. In theory, if a market is
736 naturally or artificially monopolized, its properties should be
737 taxed or should be taxed at higher rates than an equally and
738 openly accessible non-monopolized market, which in his case would
739 be the mode of distribution being considered the particular
740 market. A reduction in or elimination of property taxes upon
741 naturally or artificially monopolized mode of distribution

742 markets indicates the government is sanctioning such monopolized
743 markets vs. promoting more competitive markets.

744
745 The subsequent section examines existing and potential mode of
746 distribution scenarios though is subject to revisions.

747

748 **Mode of Distribution and Facility Taxation**

749 Mode of distribution and facility types
750 Airport Facility and Interexchange
751 Rail Facility and Interexchange
752 Harbor/Port Facility and Interexchange
753 Pipeline Gathering
754 Pipeline Transmission
755 Pipeline Distribution
756 Pipeline Interexchange
757 Intermodal and Elevator Transloading and Interexchange
758 Wireless Telecommunications – Public Networks
759 Wireline Telecommunications – Public Networks
760 Telecommunications - Interexchange
761 Electric Gathering
762 Electric Transmission
763 Electric Distribution
764 Electric Interexchange

765

766 **Airport Facility and Interexchange**

767 Description
768 Duplex airway terminals and interchanges
769 Mode of Distribution Infrastructure Related
770 Network Operation Centers
771 Hangers
772 Cargo Transload/Intramodal
773 Terminals
774 Counters
775 Baggage Processing
776 Waiting Rooms
777 Gates
778 Mode of Distribution Services
779 Vehicles
780 Storage
781 Service
782 Refueling
783 Repairs
784 Customs
785 Passengers
786 Restrooms
787 First aid
788 TSA
789 CVB
790 Food Court Seating
791 Other
792 On-premise
793 Warehouses
794 Restaurants

795 Hotels
796 Convenience Stores
797 Other
798 Off-premise
799 Economic Development
800

801 **Rail Facility and Interexchange**

802 Description
803 Duplex rail and rail type-related terminals and
804 interexchanges
805 Mode of Distribution Infrastructure Related
806 NOCs
807 Stations
808 Ticket Offices
809 Waiting Rooms
810 Checked Baggage Processing
811 Platforms
812 Terminals
813 Yards
814 Team Tracks
815 Transload/Intramodal
816 Yard Offices
817 Mode of Distribution Services
818 Vehicles
819 Storage
820 Service
821 Refueling
822 Repairs
823 Customs
824 Passengers
825 Restrooms
826 First aid
827 TSA
828 CVB
829 Food Court Seating
830 Other
831 On-premise
832 Warehouses
833 Restaurants
834 Hotels
835 Convenience Stores
836 Other
837 Off-premise
838 Economic Development
839

840 **Harbor/Port Facility and Interexchange**

841 Description
842 Duplex waterway terminals and interexchanges
843 Mode of Distribution Infrastructure Related
844 NOCs
845 Mooring Docks
846 Land-Water Slips
847 Cargo Transload/Intramodal

848 Equipment
 849 Apron Ramps
 850 Loading Docks
 851 Gates
 852 Desks
 853 Baggage Processing
 854 Waiting Rooms
 855 Mode of Distribution Services
 856 Vehicles
 857 Mooring Docks for Short Term Vehicle Storage
 858 Service
 859 Refueling
 860 Repairs
 861 Customs
 862 Passengers
 863 Restrooms
 864 First aid
 865 TSA
 866 Food Court Seating
 867 Other
 868 On-premise
 869 Warehouses
 870 Restaurants
 871 Hotels
 872 Convenience Stores
 873 Other
 874 Off-premise
 875 Economic Development
 876

Pipeline Gathering

877 Mode of Description
 878 Simplex wellsite, processing, and/or storage
 879 Transload to Transmission, Distribution, and/or
 880 Interexchanges
 881 Mode of Distribution Infrastructure Related
 882 NOCs
 883 Pumping Stations
 884 Mode of Distribution Services
 885 Temporary consist storage
 886 Other
 887 On-premise
 888 Off-premise
 889 Economic Development
 890

Pipeline Transmission

891 Description
 892 Simplex Long Haul Network
 893 Mode of Distribution Infrastructure Related
 894 NOCs
 895 Pumping Stations
 896 Mode of Distribution Services
 897 Temporary consist storage
 898
 899 Other
 900

901 On-premise
902 Off-premise
903 Economic Development

904

905 **Pipeline Distribution**

906 Description
907 Simplex middle and last mile network
908 Mode of Distribution Infrastructure Related
909 NOCs
910 Pumping Stations
911 Mode of Distribution Services
912 Temporary consist storage
913 Other
914 On-premise
915 Off-premise
916 Economic Development

917

918

919 **Pipeline Interexchange**

920 Description
921 Interexchange among simplex Transmission
922 Mode of Distribution Infrastructure Related
923 NOCs
924 Interexchange Hubs
925 Pumping Stations
926 Mode of Distribution Services
927 Temporary consist storage
928 Other
929 On-premise
930 Off-premise
931 Economic Development

932

933 **Pipeline Common**

934 Description
935 Simplex last mile distribution network
936 Gathering interexchange to last mile distribution network
937 Mode of Distribution Infrastructure Related
938 NOCs
939 Interexchange Hubs
940 Pumping Stations
941 Mode of Distribution Services
942 Temporary consist storage
943 Other
944 On-premise
945 Off-premise
946 Economic Development

947

948 **Intermodal and Elevator Transloading and Interexchange**

949 Description
950 Simplex Gathering to Long Haul, Transmission, Distribution,
951 and/or Interexchanges
952 Simplex Long Haul, Transmission, Distribution, and/or
953 Interexchange to Users

954 Duplex Long Haul, Transmission, Distribution, and/or
 955 Interexchanges to Long Haul, Transmission, Distribution,
 956 and/or Interexchanges
 957 Mode of Distribution Infrastructure Related
 958 NOCs
 959 Equipment
 960 Mode of Distribution Services
 961 Temporary vehicle storage
 962 Temporary consist storage
 963 Awaiting transloading
 964 Customs
 965 Other
 966 On-premise
 967 Off-premise
 968 Economic Development
 969
 970 **Wireless Telecommunications – Public Networks**
 971 Description
 972 Duplex Terminals and Interexchanges
 973 Mode of Distribution Infrastructure Related
 974 NOCs
 975 Freestanding Towers and Poles
 976 Facilities Hosting Towers and Poles
 977 Satellite Dish Farms
 978 Mode of Distribution Services
 979 Other
 980 On-premise
 981 Mini interexchange point
 982 Wireline and wireless private and public network POPs
 983 Off-premise
 984 User NOCs
 985 Datacenters
 986 Economic Development
 987
 988 **Wireline Telecommunications – Public Networks**
 989 Description
 990 Duplex Terminals and Interexchanges
 991 Mode of Distribution Infrastructure Related
 992 NOCs
 993 Mode of Distribution Services
 994 Other
 995 On-premise
 996 Mini interexchange point
 997 Wireline and wireless private and public network POPs
 998 Off-premise
 999 User NOCs
 1000 Datacenters
 1001 Economic Development
 1002
 1003 **Telecommunications – Interexchange**
 1004 Mode of Distribution Infrastructure Related
 1005 Interexchange
 1006 Access Point

1007 Mode of Distribution Services
1008 Other
1009 On-premise
1010 Wireline and wireless private and public network POPs
1011 Off-premise
1012 User NOCs
1013 Datacenters
1014 Economic Development
1015
1016 **Electric Gathering**
1017 Description
1018 Simplex production and/or storage
1019 Transload to Transmission, Distribution, and/or
1020 Interexchanges
1021 Mode of Distribution Infrastructure Related
1022 Project NOCs
1023 Equipment
1024 Mode of Distribution Services
1025 Temporary power storage
1026 Other
1027 On-premise
1028 Off-premise
1029 Economic Development
1030
1031 **Electric Transmission**
1032 Description
1033 Simplex Long Haul Network
1034 Mode of Distribution Infrastructure Related
1035 Interconnects
1036 Transformers
1037 Mode of Distribution Services
1038 Peaker power supply
1039 Redundant power supply
1040 If all others go down
1041 Other
1042 On-premise
1043 Off-premise
1044 Economic Development
1045
1046 **Electric Distribution**
1047 Description
1048 Simplex middle and last mile network
1049 Mode of Distribution Infrastructure Related
1050 NOCs
1051 Interconnects
1052 Transformers
1053 Mode of Distribution Services
1054 Peaker power supply
1055 Redundant power supply
1056 If all others go down
1057 Temporary power storage
1058 Other
1059 On-premise

1060 Off-premise
1061 Economic Development
1062
1063 **Electric Interexchange**
1064 Description
1065 Interexchange among simplex Transmission
1066 Mode of Distribution Infrastructure Related
1067 NOCs
1068 Interexchange Hubs
1069 Equipment
1070 Mode of Distribution Services
1071 Temporary power storage
1072 Other
1073 On-premise
1074 Off-premise
1075 Economic Development
1076
1077 **Electric Common**
1078 Description
1079 Simplex last mile distribution network
1080 Gathering interexchange to last mile distribution network
1081 Mode of Distribution Infrastructure Related
1082 NOCs
1083 Interexchange Hubs
1084 Equipment
1085 Mode of Distribution Services
1086 Temporary power storage
1087 Other
1088 On-premise
1089 Off-premise
1090 Economic Development
1091
1092