

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

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

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

340

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

343

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

346

347 Deleted **4582.32(B)(2)** since "Notice by publication" was defined
348 elsewhere throughout the chapter.
349

350

351

352 **4582.33 Modification of port authority maritime projects and facilities development plan.**

353 Added "... maritime projects and facilities." to the section title
354 to better reflect specific maritime-type projects and facilities.
355

356

357

358 **4582.34 Port authority maritime projects and facilities development plan final.**

359 Added "... maritime projects and facilities." to the section title
360 to better reflect specific maritime-type projects and facilities.
361

362

363

364 **4582.35 Private enterprise participation.**

365 Deleted **4582.35**.

366

367 *Eliminates an arbitrary bias countering the goals of equal*
368 *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.*

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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 Added **4582.60(C)** whereby port authorities may and are encouraged
671 to open their meetings to the public by interactive video
672 conference or by teleconference.

673
674
675 **4582.71 Program fund loans for research and development costs.**

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

677
678 Renumbered **4582.71(A)(6)** to **4582.71(A)(5)**.

679
680 Renumbered **4582.71(A)(7)** to **4582.71(A)(6)**.

681
682 Renumbered **4582.71(A)(8)** to **4582.71(A)(7)**.
683
684 Renumbered **4582.71(A)(9)** to **4582.71(A)(8)**.
685
686 Renumbered **4582.71(A)(10)** to **4582.71(A)(9)**.
687
688
689 **4582.99 [Repealed]**.
690 Deleted **4582.99**.
691
692
693

693 Remaining Issues

694

695 **4582.30 Desired port authority project and facility initiation and**
696 **administration issues.**

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

706

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

714

715 The general public could vote to determine what directors should
716 serve on the new port authority. The general public could also
717 vote to have the existing port authority join the incumbent port
718 authority if the general public is satisfied with any future
719 changes occurring with the incumbent port authority.

720

721

722 **4582.31 Powers of port authority.**

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

729

730

731 **4582.431 Contract powers - acquiring property.**

732 Even with added project, facility, implementation, and
733 administration terms, **4582.431(B)** is still too complex and must
734 be revised.

735

736

737 **4582.46 Real and personal property taxes.**

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

746 markets indicates the government is sanctioning such monopolized
747 markets vs. promoting more competitive markets.

748
749 The subsequent section examines existing and potential mode of
750 distribution scenarios though is subject to revisions.

751
752 **Mode of Distribution and Facility Taxation**

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

769
770 **Airport Facility and Interexchange**

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

799	Hotels
800	Convenience Stores
801	Other
802	Off-premise
803	Economic Development
804	
805	Rail Facility and Interexchange
806	Description
807	Duplex rail and rail type-related terminals and
808	interexchanges
809	Mode of Distribution Infrastructure Related
810	NOCs
811	Stations
812	Ticket Offices
813	Waiting Rooms
814	Checked Baggage Processing
815	Platforms
816	Terminals
817	Yards
818	Team Tracks
819	Transload/Intramodal
820	Yard Offices
821	Mode of Distribution Services
822	Vehicles
823	Storage
824	Service
825	Refueling
826	Repairs
827	Customs
828	Passengers
829	Restrooms
830	First aid
831	TSA
832	CVB
833	Food Court Seating
834	Other
835	On-premise
836	Warehouses
837	Restaurants
838	Hotels
839	Convenience Stores
840	Other
841	Off-premise
842	Economic Development
843	
844	Harbor/Port Facility and Interexchange
845	Description
846	Duplex waterway terminals and interexchanges
847	Mode of Distribution Infrastructure Related
848	NOCs
849	Mooring Docks
850	Land-Water Slips
851	Cargo Transload/Intramodal

852 Equipment
 853 Apron Ramps
 854 Loading Docks
 855 Gates
 856 Desks
 857 Baggage Processing
 858 Waiting Rooms
 859 Mode of Distribution Services
 860 Vehicles
 861 Mooring Docks for Short Term Vehicle Storage
 862 Service
 863 Refueling
 864 Repairs
 865 Customs
 866 Passengers
 867 Restrooms
 868 First aid
 869 TSA
 870 Food Court Seating
 871 Other
 872 On-premise
 873 Warehouses
 874 Restaurants
 875 Hotels
 876 Convenience Stores
 877 Other
 878 Off-premise
 879 Economic Development
 880

Pipeline Gathering

881 Mode of Description
 882 Simplex wellsite, processing, and/or storage
 883 Transload to Transmission, Distribution, and/or
 884 Interexchanges
 885 Mode of Distribution Infrastructure Related
 886 NOCs
 887 Pumping Stations
 888 Mode of Distribution Services
 889 Temporary consist storage
 890 Other
 891 On-premise
 892 Off-premise
 893 Economic Development
 894

Pipeline Transmission

895 Description
 896 Simplex Long Haul Network
 897 Mode of Distribution Infrastructure Related
 898 NOCs
 899 Pumping Stations
 900 Mode of Distribution Services
 901 Temporary consist storage
 902 Other
 903
 904

905 On-premise
906 Off-premise
907 Economic Development

908

909 **Pipeline Distribution**

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

921

922

923 **Pipeline Interexchange**

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

936

937 **Pipeline Common**

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

951

952 **Intermodal and Elevator Transloading and Interexchange**

953 Description
954 Simplex Gathering to Long Haul, Transmission, Distribution,
955 and/or Interexchanges
956 Simplex Long Haul, Transmission, Distribution, and/or
957 Interexchange to Users

958 Duplex Long Haul, Transmission, Distribution, and/or
 959 Interexchanges to Long Haul, Transmission, Distribution,
 960 and/or Interexchanges
 961 Mode of Distribution Infrastructure Related
 962 NOCs
 963 Equipment
 964 Mode of Distribution Services
 965 Temporary vehicle storage
 966 Temporary consist storage
 967 Awaiting transloading
 968 Customs
 969 Other
 970 On-premise
 971 Off-premise
 972 Economic Development
 973
 974 **Wireless Telecommunications – Public Networks**
 975 Description
 976 Duplex Terminals and Interexchanges
 977 Mode of Distribution Infrastructure Related
 978 NOCs
 979 Freestanding Towers and Poles
 980 Facilities Hosting Towers and Poles
 981 Satellite Dish Farms
 982 Mode of Distribution Services
 983 Other
 984 On-premise
 985 Mini interexchange point
 986 Wireline and wireless private and public network POPs
 987 Off-premise
 988 User NOCs
 989 Datacenters
 990 Economic Development
 991
 992 **Wireline Telecommunications – Public Networks**
 993 Description
 994 Duplex Terminals and Interexchanges
 995 Mode of Distribution Infrastructure Related
 996 NOCs
 997 Mode of Distribution Services
 998 Other
 999 On-premise
 1000 Mini interexchange point
 1001 Wireline and wireless private and public network POPs
 1002 Off-premise
 1003 User NOCs
 1004 Datacenters
 1005 Economic Development
 1006
 1007 **Telecommunications – Interexchange**
 1008 Mode of Distribution Infrastructure Related
 1009 Interexchange
 1010 Access Point

1011 Mode of Distribution Services
1012 Other
1013 On-premise
1014 Wireline and wireless private and public network POPs
1015 Off-premise
1016 User NOCs
1017 Datacenters
1018 Economic Development
1019
1020 **Electric Gathering**
1021 Description
1022 Simplex production and/or storage
1023 Transload to Transmission, Distribution, and/or
1024 Interexchanges
1025 Mode of Distribution Infrastructure Related
1026 Project NOCs
1027 Equipment
1028 Mode of Distribution Services
1029 Temporary power storage
1030 Other
1031 On-premise
1032 Off-premise
1033 Economic Development
1034
1035 **Electric Transmission**
1036 Description
1037 Simplex Long Haul Network
1038 Mode of Distribution Infrastructure Related
1039 Interconnects
1040 Transformers
1041 Mode of Distribution Services
1042 Peaker power supply
1043 Redundant power supply
1044 If all others go down
1045 Other
1046 On-premise
1047 Off-premise
1048 Economic Development
1049
1050 **Electric Distribution**
1051 Description
1052 Simplex middle and last mile network
1053 Mode of Distribution Infrastructure Related
1054 NOCs
1055 Interconnects
1056 Transformers
1057 Mode of Distribution Services
1058 Peaker power supply
1059 Redundant power supply
1060 If all others go down
1061 Temporary power storage
1062 Other
1063 On-premise

1064 Off-premise
1065 Economic Development
1066
1067 **Electric Interexchange**
1068 Description
1069 Interexchange among simplex Transmission
1070 Mode of Distribution Infrastructure Related
1071 NOCs
1072 Interexchange Hubs
1073 Equipment
1074 Mode of Distribution Services
1075 Temporary power storage
1076 Other
1077 On-premise
1078 Off-premise
1079 Economic Development
1080
1081 **Electric Common**
1082 Description
1083 Simplex last mile distribution network
1084 Gathering interexchange to last mile distribution network
1085 Mode of Distribution Infrastructure Related
1086 NOCs
1087 Interexchange Hubs
1088 Equipment
1089 Mode of Distribution Services
1090 Temporary power storage
1091 Other
1092 On-premise
1093 Off-premise
1094 Economic Development
1095
1096