

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SIXTEENTH LEGISLATURE

SECOND REGULAR SESSION

January 5, 1994 to April 14, 1994

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 14, 1994

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1993

D. Appropriations for the administration of this subsection must be determined from the recommendation of the ~~supervisor~~ Director of Operations, who shall furnish estimates of the costs of carrying out this subsection in the same manner as for other appropriations allocated to the division.

Sec. 9. 37-B MRSA §506, sub-§1, as amended by PL 1991, c. 626, §19, is further amended to read:

1. Claimant or representative. To the claimant personally, as to matters concerning the claimant alone, when, in the ~~supervisor's~~ Director of Operations's judgment, the disclosure would not be injurious to the claimant's physical or mental health, or to the claimant's duly appointed guardian or duly authorized representative holding a power or appointment approved by the supervisor;

Sec. 10. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1994-95

**DEFENSE AND VETERANS' SERVICES,
DEPARTMENT OF**

Veterans' Services

Personal Services \$8,700

Provides funds for a position upgrade of the Supervisor of the Division of Veterans' Services to the Director of Operations of the Division of Veterans' Services.

Veterans' Services

Positions - Legislative Count (-1.0)
Personal Services (\$8,700)

Provides for the deappropriation of funds due to savings resulting from the elimination of one part-time Veterans' Counselor position.

**DEPARTMENT OF
DEFENSE AND VETERANS'
SERVICES
TOTAL**

-0-

See title page for effective date.

CHAPTER 695

H.P. 1201 - L.D. 1609

**An Act to Clarify Maine
Election Laws**

**Be it enacted by the People of the State of
Maine as follows:**

Sec. 1. 4 MRSA §312 is enacted to read:

§312. Political activities of judges of probate

As a candidate for the elective office of judge of probate or as an elected judge, a person seeking or holding the office of judge of probate may engage in any political activity that would be lawful for a candidate for any other elected county office or for an incumbent elected county official. Any such judge may hold any other elected office or offices not made incompatible by the Constitution of Maine.

Sec. 2. 21-A MRSA §112, sub-§1, as amended by PL 1993, c. 473, §3 and affected by §46, is further amended to read:

1. Residence. The residence of a person is that place ~~in~~ where the person has established a fixed and principal home to which the person, whenever temporarily absent, intends to return.

A. ~~The following factors, if applicable, are relevant to a determination of~~ may be offered by an applicant and considered by a registrar in determining a person's intention to establish a residence under this section:

(1) A direct statement of intention by the person pursuant to section 121, subsection 1;

(2) The location of any dwelling currently occupied by the person;

~~(3) The duration of the person's habitation at the current dwelling and the place where residence is sought to be established, if different;~~

~~(4) The proportional amount of time the person is absent from the place where resi-~~

~~dence is sought to be established and the reasons for that absence;~~

~~(5) The location of any real or personal property owned by the person;~~

(6) The place where any motor vehicle owned by the person is registered;

~~(7) The primary location of the person's business, profession or employment, if any;~~

(8) The place where any resident residence address, not a post office box, shown on a current income tax return is filed;

(9) The residence address, not a post office box, at which the person's mail is received;

(10) The place of issuance of residence address, not a post office box, shown on any current resident hunting or fishing licenses held by the person;

~~(11) The place of issuance of any current business or professional licenses held by the person;~~

(12) The place of issuance of residence address, not a post office box, shown on any motor vehicle operator's license held by the person;

~~(13) The location of any bank accounts in the person's name;~~

(14) The receipt of any public benefit conditioned upon residency, defined substantially as provided in this subsection; or

~~(15) The person's community activities, including, but not limited to membership in local social, charitable or business organizations and religious institutions; and~~

(16) Any other objective facts tending to indicate a person's intention regarding that person's place of residence.

~~No single factor described in this paragraph is determinative of a person's intention. All applicable factors must be considered together to determine a person's objectively manifested intention to establish a residence.~~

~~B. The existence of any of the following factors creates a presumption that the person lacks the intention to establish a residence under this section:~~

~~(1) The failure to file an income tax return in this State as a resident, if the person has earned taxable income;~~

~~(2) The registration of a motor vehicle in a jurisdiction other than that in which residence is sought to be established; or~~

~~(3) The possession of a motor vehicle operator's license from a jurisdiction other than this State.~~

~~This presumption may be overcome by other evidence, as described in paragraph A, that clearly indicates a contrary intention.~~

Sec. 3. 21-A MRSA §112, sub-§§3 to 8, as enacted by PL 1985, c. 161, §6, is amended to read:

3. Residence retained. A person does not lose ~~his~~ the person's residence if ~~he~~ the person temporarily leaves ~~his~~ home and goes to another country, state or place in this State with the intent of returning.

4. Separate residence. The place where a person's family resides is presumed to be ~~his~~ the person's place of residence, but a person may acquire a separate residence if ~~he~~ the person takes another abode with the intention of remaining there. This subsection does not apply to armed forces personnel, students and others covered by subsection 7.

5. Spouse may have separate residence. A married person may be considered to have a residence separate from that of ~~his~~ the person's spouse for the purposes of voting or holding office. For those purposes, residence is determined as if the person were single.

6. Voting in another state. A person loses ~~his~~ residence in this State if ~~he~~ the person votes in another state's election, either in person or by absentee ballot. That person is not eligible to vote in this State until ~~he~~ the person again qualifies under section 111.

7. Armed forces personnel, students, institutional patients, Indians. A person does not gain or lose a residence solely because of ~~his~~ the person's presence or absence while employed in the ~~service~~ Armed Forces of the United States or of this State, while a student in any institution of learning, while kept in any institution at public expense, ~~while confined in any penal institution~~ or while residing upon any Indian or military reservations. This subsection may not be construed to prevent a student at any institution of learning from qualifying as a voter in the municipality where the student resides while attending that institution.

8. Voting residence retained. A person who has gained a voting residence in a municipality re-

tains it, if ~~he~~ the person so desires, when ~~he~~ the person becomes a patient at a federal institution or an employee of a federal agency where ~~he~~ the person is required to reside on land ceded to the Federal Government by the State. This subsection applies to a member of the Armed Forces or the National Guard who is required to be in a place other than that in which ~~he~~ the person has gained a voting residence.

Sec. 4. 21-A MRSA §112, sub-§§10 and 11, as enacted by PL 1985, c. 161, §6, are amended to read:

10. Becoming 18 on federal property. A person who becomes 18 years of age while residing on federal property as a patient at a federal institution or an employee of a federal agency, or while in the Armed Forces, is considered to have gained a voting residence in the municipality in which ~~he~~ the person resided at the time ~~he~~ the person became such a patient, employee or member of the Armed Forces.

11. Spouse of member of Armed Forces. A spouse of a member of the Armed Forces on active duty may have the same voting residence as ~~his or her~~ that person's spouse. A member of the Armed Forces on active duty, whose spouse has a place of residence in this State, may establish a residence in the place of residence of the spouse by filing an affidavit with the registrar declaring an intention to reside in that place upon severance from the Armed Forces.

Sec. 5. 21-A MRSA §121, sub-§1-A, as enacted by PL 1993, c. 473, §6 and affected by §46, is repealed and the following enacted in its place:

1-A. Identification and proof. Registration applications taken by outside agencies must be transferred to the Secretary of State within 5 days of receipt. An applicant who attempts to register within 20 days of an election must be advised that the registrar might not receive the application before that election, but that the applicant may register in person on election day.

Registration applications received by the Secretary of State from outside agencies 21 days or more before an election must be transferred to the appropriate registrar's office within 10 days of receipt. Registration applications received by the Secretary of State from outside agencies 20 days or less before an election must be transferred to the appropriate registrar's office within 5 days of receipt. Registration applications by mail must be received in the registrar's office by the close of business 15 days before election day in order for persons to appear on the list of registered voters for that election.

A person who registers during the 15 days before election day or on election day shall register in person

and show proof of identity and residency. If satisfactory proof of identity and residency can not be provided to the registrar or deputy, the person casts a challenged ballot.

Sec. 6. 21-A MRSA §122, sub-§2, as enacted by PL 1985, c. 161, §6, is repealed and the following enacted in its place:

2. Notice of disposition. The registrar shall notify the applicant whether the application for registration is accepted, rejected or incomplete.

Sec. 7. 21-A MRSA §122, sub-§4, as enacted by PL 1985, c. 307, §1, is amended to read:

4. Election day registration. The registrar shall accept registrations of applicants who appear in person on election day. The registrar shall issue to each of these applicants a certificate entitling the applicant to be placed on the voting list at the voting place. Only one certificate may be issued to any person. An applicant whose address has changed since the applicant last voted must be allowed to vote at the applicant's new polling place on election day.

Sec. 8. 21-A MRSA §128, sub-§2, as enacted by PL 1985, c. 161, §6, is amended to read:

2. Clerk provides list. The clerk ~~may~~ shall, if requested, provide the registrar with a list, certified by the clerk to be true, of the marriages, deaths and changes ~~which that~~ which took place during the 2 years preceding the close of the period for accepting the registrations of voters to be placed on the voting list. The registrar shall use this list to update the voting list accordingly; ~~or~~

Sec. 9. 21-A MRSA §129, sub-§3, as enacted by PL 1985, c. 161, §6, is amended to read:

3. Failure to notify. If a voter fails to notify the registrar of ~~his~~ a change of name or address before the close of registrations, ~~he~~ the voter must appear before the registrar on election day and follow the procedure outlined in section 661; if ~~he~~ the voter wishes to vote, unless the registrar has already made the correction in following the procedure prescribed by section 128. If the voter wishes to exercise the right to vote, the voter must be allowed to vote at the new polling place, if applicable, on election day.

Sec. 10. 21-A MRSA §152, sub-§1, ¶E, as enacted by PL 1985, c. 161, §6, is repealed.

Sec. 11. 21-A MRSA §152, sub-§1, ¶G, as amended by PL 1991, c. 466, §6, is repealed.

Sec. 12. 21-A MRSA §152, sub-§1, ¶I, as amended by PL 1989, c. 694, §2, is further amended to read:

I. Sworn statement that the applicant is a United States citizen and that all information is correct;

Sec. 13. 21-A MRSA §154, sub-§1, ¶G, as amended by PL 1991, c. 466, §8, is repealed.

Sec. 14. 21-A MRSA §154, sub-§1, ¶K, as amended by PL 1989, c. 694, §3, is further amended to read:

K. Sworn statement that the applicant is a United States citizen and that all information is correct;

Sec. 15. 21-A MRSA §161, sub-§2, as amended by PL 1993, c. 473, §8 and affected by §46, is repealed and the following enacted in its place:

2. List current. A registrar shall keep the voting list current at all times by adding the names of new voters and by removing the names of those registrants who request to be removed and registrants who have died, moved from the municipality or become disqualified to vote. The Secretary of State shall by rule determine the program for voter list maintenance required by the National Voter Registration Act of 1993. A registrar may not remove the name of a registered voter from the voter list solely because the registered voter did not vote in previous elections.

A registrar may contact other municipalities within the representative district or senatorial district in which the registrar's municipality is apportioned to ascertain whether voters on that municipality's voting list are also registered in another municipality in the district.

Sec. 16. 21-A MRSA §162, as enacted by PL 1985, c. 161, §6, is repealed.

Sec. 17. 21-A MRSA §162-A is enacted to read:

§162-A. Change of address confirmation notice and removal from list

The following provisions govern the change of address confirmation notice and removal procedures for voting lists.

1. Change of address confirmation notice. Except as provided in section 122, subsection 3, a registrar shall send by forwardable mail a change of address confirmation notice, with a postage prepaid and preaddressed return notice, to the last known place of residence of each person the registrar has identified as having a change of address. If a registrant has moved within the municipality's jurisdiction, a registrar shall change the voter's record to reflect the new address before sending the change of address

confirmation notice. If a registrant has moved outside the municipality's jurisdiction, a registrar shall also include information on voter registration procedures in the new jurisdiction.

2. Removal from voting list. A registrant's name may be removed from the voting list if the registrant confirms that the registrant has moved from the municipality's jurisdiction. If a registrant fails to respond to the change of address confirmation notice, the registrant may be designated on the voting list as inactive. A registrant who has been designated as inactive and fails to vote for the next 2 general elections may be removed from the voting list. If a registrant who is designated as inactive votes at any election prior to removal from the voting list, the inactive designation of the registrant on the voting list must be removed. Address verification may be requested at the polls before allowing a registrant designated as inactive to vote.

3. Rule making. The Secretary of State shall by rule determine the design and contents of the notices required by this section.

Sec. 18. 21-A MRSA §171, sub-§1, ¶E, as enacted by PL 1985, c. 161, §6, is repealed.

Sec. 19. 21-A MRSA §171, sub-§1, ¶G, as amended by PL 1991, c. 466, §12, is repealed and the following enacted in its place:

G. Sworn statement that the applicant is a United States citizen and that all information is correct;

Sec. 20. 21-A MRSA c. 3, sub-c. VI is enacted to read:

SUBCHAPTER VI

NATIONAL VOTER REGISTRATION ACT

§180. State coordinator

The Secretary of State is the coordinator of state responsibilities under the National Voter Registration Act of 1993, referred to in this subchapter as "NVRA."

§181. Designated agencies

1. Designated voter registration agencies. The designated voter registration agencies pursuant to NVRA include, but are not limited to:

A. Inside agencies that include the Department of the Secretary of State, Bureau of Corporations, Elections and Commissions and Bureau of Motor Vehicles; and

B. Outside agencies that include the following:

- (1) The Department of Human Services, Bureau of Income Maintenance, Bureau of Health and Bureau of Rehabilitation;
- (2) The armed forces recruitment offices;
- (3) The public high schools; and
- (4) The offices of municipal clerks and registrars.

2. Voter registration. The agencies designated in subsection 1 shall provide voter registration by January 1, 1995.

§182. Forms and notices

The design and contents of all application forms used for voter registration must be approved by the Secretary of State.

Sec. 21. 21-A MRSA §314, sub-§1, as enacted by PL 1985, c. 161, §6, is amended to read:

1. Oath. "I, (name of challenged person), swear that I am a registered and enrolled voter in this voting district, that I am a member of the party holding this caucus, and that I have not been enrolled in any other party in this municipality within the last ~~3 months~~ 15 days."

Sec. 22. 21-A MRSA §414, sub-§1, ¶B, as enacted by PL 1993, c. 334, §3, is amended to read:

B. The person has filed a petition with or paid the filing fee to the Secretary of State that meets pursuant to the requirements of section 412. The Secretary of State shall determine if whether a petition meets the requirements of section 412, subject to challenge and appeal under section 337.

Sec. 23. Effective date. That section of this Act that amends the Maine Revised Statutes, Title 21-A, section 414, subsection 1, paragraph B takes effect July 1, 1995.

Sec. 24. 21-A MRSA §602, sub-§6, as amended by PL 1993, c. 255, §1, is further amended to read:

6. Size. The Secretary of State shall determine the size of the ballots. With the permission of the Secretary of State, the clerk may make a reasonable number of enlarged ~~specimen ballots and enlarged ballots~~ in order to assist voters who are visually impaired. The clerk may also make a reasonable number of enlarged instruction posters and enlarged specimen ballots at the clerk's own discretion. A voter who is visually impaired may request of the

clerk an enlarged ballot or an enlarged specimen ballot to assist the voter.

Sec. 25. 21-A MRSA §602, sub-§6-A, as enacted by PL 1993, c. 255, §2, is amended to read:

6-A. Record. The clerk shall record and report to the Secretary of State the number of enlarged ~~specimen ballots and enlarged ballots~~ made for visually impaired voters.

Sec. 26. 21-A MRSA §606, first ¶, as amended by PL 1991, c. 347, §1, is further amended to read:

Within a reasonable time before any election, the Secretary of State shall furnish each municipality with ballots, specimen ballots, test ballots for electronic voting systems if applicable, instruction posters, election return forms, posters of specimen ballots for constitutional resolutions and statewide referenda, including the Attorney General's explanatory statements prepared under Title 1, section 353, and the summary of the proposal prepared under section 901, subsection 5, materials setting forth the full text of all constitutional resolutions and statewide referenda and other materials necessary for conducting and reporting the results of the election.

Sec. 27. 21-A MRSA §606, sub-§3, as amended by PL 1993, c. 447, §12, is further amended to read:

3. Receipt issued; inspection of ballots in an election. The clerk shall immediately send the Secretary of State a receipt for the ballots the clerk receives. Upon receipt of a package or box containing ~~candidate~~ ballots for a ~~special, primary or general~~ an election, the clerk shall open, in the presence of one or more witnesses, the sealed package or box containing the ballots in order to ensure that the ballots do not differ materially from the appropriate specimen ballot described in section 603. The clerk shall immediately notify the Secretary of State if a ballot differs materially from the appropriate specimen ballot described in section 603.

Sec. 28. 21-A MRSA §606, sub-§3-A, as amended by PL 1993, c. 447, §13, is repealed and the following enacted in its place:

3-A. Use of test ballots in an election. Ballots may be used to test automatic tabulating equipment under section 854. In the presence of one or more witnesses, the clerk shall clearly mark each ballot used for testing with the word "TEST" across the front side of the ballot in black or blue indelible ink. The clerk shall keep a record of the number of ballots used for testing purposes throughout the preelection and postelection testing of the tabulating equipment.

Sec. 29. 21-A MRSA §629, sub-§4, as enacted by PL 1993, c. 255, §3, is amended to read:

4. Booth for the visually impaired. The clerk shall equip at least one of the voting booths at the voting place with an enlarged instruction poster ~~and specimen ballot~~, a magnifying device and an adjustable lamp for improved lighting. The clerk may also equip the voting booth with an enlarged specimen ballot at the clerk's own discretion.

Sec. 30. 21-A MRSA §722, sub-§1, as enacted by PL 1985, c. 161, §6, is amended to read:

1. How tabulated. The Secretary of State shall tabulate all votes ~~which~~ that appear by an election return to have been cast for a candidate, even though the candidate's name is misspelled, written with ~~his~~ the candidate's initials, with wrong initials, or otherwise, on the return. All candidates receiving less than ~~1%~~ 1% of the ~~total vote~~ votes cast ~~shall~~ for that office must be titled "others" when the tabulation is processed.

Sec. 31. 21-A MRSA §753, sub-§6, as enacted by PL 1985, c. 161, §6, is amended to read:

6. Registration verified. ~~As soon as reasonably possible, the clerk shall deliver the completed application to the registrar. If the applicant is registered and enrolled where necessary, the registrar shall so certify on the application ballot must be sent to the applicant. If the applicant has registered and enrolled where necessary, under section 155, and will attain 18 years of age on or before the date of the election, the registrar or municipal clerk shall so certify on the application. If not, the registrar or municipal clerk shall write "Not registered" or "Not enrolled" on the face of the application and sign his the registrar's or municipal clerk's name. He shall immediately return all applications to the clerk.~~

Sec. 32. 21-A MRSA §777, sub-§3, as enacted by PL 1985, c. 161, §6, is amended to read:

3. Request by relative. ~~A blood relative, former guardian or spouse~~ member of the immediate family may complete and file the application described in subsection 2 with the registrar.

Sec. 33. 21-A MRSA §901, first ¶, as repealed and replaced by PL 1993, c. 352, §1, is amended to read:

To initiate proceedings for a people's veto referendum or the direct initiative of legislation, provided in the Constitution of Maine, Article IV, Part Third, Sections 17 and 18, a voter shall submit a written application to the Department of the Secretary of State on a form designed by the Secretary of State. The application must contain the names ~~and~~, ad-

~~resses and signatures~~ of 5 voters, in addition to the applicant, who are designated to receive any notices in proceedings under this chapter. For a direct initiative, the application must contain the full text of the proposed law. The voter submitting the application shall sign the application in the presence of the Secretary of State ~~or~~, the Secretary of State's designee or a notary public.

Sec. 34. 21-A MRSA §901, 2nd ¶, as enacted by PL 1993, c. 352, §1, is amended to read:

On receipt, the Secretary of State, or the Secretary of State's designee shall review the application and determine the form of the petition to be submitted to the voters. The date the approved form of the petition is provided to the voter submitting the application is the date of issuance for the purposes of this chapter.

Sec. 35. 21-A MRSA §903-A, sub-§§1 and 2 are enacted to read:

1. Filing. Filing of petitions in accordance with the deadlines specified in the Constitution of Maine, Article IV, Part Third, Section 18 must be completed within 3 years of the date of issuance under this chapter.

2. Invalid petition. Petitions not filed in accordance with the deadlines specified in the Constitution of Maine, Article IV, Part Third, Section 18 within 3 years of the date of issuance under this chapter are invalid for circulation.

Sec. 36. 21-A MRSA §1061, as enacted by PL 1985, c. 161, §6, is amended to read:

§1061. Dissolution of committees

Whenever any political action committee disbands or determines that obligations will no longer be incurred and no expenditures will be made to any candidate, political committee or political party, or to initiate, support, defeat or influence in any way the outcome of a referendum, initiated petition, election or primary, and the committee has no outstanding obligations, ~~it must~~ the committee shall file a termination report with the ~~Secretary of State~~ Commission on Governmental Ethics and Election Practices. If a termination report is not filed, the committee shall continue to file periodic reports as required in this chapter.

Sec. 37. Effective date. That section of this Act that amends the Maine Revised Statutes, Title 21-A, section 414, subsection 1, paragraph B takes effect July 1, 1995.

Sec. 38. Application. The Maine Revised Statutes, Title 21-A, section 903-A applies to all

petitions that are authorized for circulation by the Secretary of State but have not been filed as well as any petitions that are filed on or after the effective date of this legislation. The Secretary of State shall attempt to notify those with outstanding authorized petitions that have not been filed of the new deadline for completion.

See title page for effective date, unless otherwise indicated.

CHAPTER 696

S.P. 647 - L.D. 1806

An Act to Encourage Municipal Investment in Local Economic Development Projects

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there is a need to stimulate private investment in commercial and industrial projects within municipalities in order to create new employment opportunities, provide a broader tax base and improve the economy of the State; and

Whereas, removing disincentives to municipalities investing in certain types of public infrastructure improvements will trigger those investments; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 20-A MRSA §1301, sub-§1, ¶D is enacted to read:

D. Notwithstanding paragraphs A and B, Title 30-A, chapter 208-A or any other provision of law, the state valuation used to calculate the shared cost for each municipality in a district with a municipal incentive development zone must include the increase in equalized just value of all industrial and commercial property located in the zone over the assessed value.

Sec. 2. 20-A MRSA §1704, sub-§1, as amended by PL 1993, c. 410, Pt. F, §4, is further amended to read:

1. Formula. A community school district shall share its costs among the member municipalities on the basis of:

A. The number of resident pupils in each municipality;

B. The fiscal capacity of each member municipality as defined in section 15603, subsection 11-A;

C. In accordance with any combination of paragraphs A and B; or

D. In accordance with any other formula authorized by the Legislature.

Notwithstanding paragraphs A to D and for fiscal year 1992-93 only, the state valuation and resident pupil information used to calculate the shared cost for each municipality must be the same as the information used for fiscal year 1991-92.

Notwithstanding paragraphs A to D, Title 30-A, chapter 208-A or any other provision of law, the state valuation used to calculate the shared cost for each municipality in a community school district with a municipal incentive development zone must include the increase in equalized just value of all industrial and commercial property located in the zone over the assessed value.

Sec. 3. 30-A MRSA c. 208-A is enacted to read:

CHAPTER 208-A

MUNICIPAL INCENTIVE DEVELOPMENT ZONES

§5281. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Commercial and industrial property. "Commercial and industrial property" means real and personal property used for or in connection with an industrial, commercial or other business enterprise and includes, but is not limited to, real or personal property used, useful or intended for use in or as warehouses or other wholesale distribution facilities, factories or other manufacturing facilities, commercial business facilities, retail business facilities, service business facilities, office buildings, hotels and motels and parking garages.

2. Original assessed value. "Original assessed value" means the assessed value of all commercial and industrial property located within the municipal