

## §13120-Q. Exceptions

The authority, with the advice of the department, the Department of Labor and such other agencies it determines appropriate, may waive the requirements of section 13120-P, subsection 2, paragraph E and section 13120-P, subsection 3, paragraph E if the municipality has experienced a historical lack of private investment and it is reasonably expected that private investment will not be available to assist with project financing and one of the following conditions is met: [PL 2011, c. 655, Pt. DD, §7 (AMD); PL 2011, c. 655, Pt. DD, §24 (AFF).]

**1. Sudden and severe economic dislocation.** The property is located in a municipality that has experienced a sudden and severe economic dislocation, which may include but is not limited to:

A. The loss of a significant percentage of jobs within the municipality due to the closure or downsizing of a business or other employer; [PL 2001, c. 703, §6 (NEW).]

B. The loss of a significant percentage of the municipality's tax base due to the closure or downsizing of a business or other commercial taxpayer; or [PL 2001, c. 703, §6 (NEW).]

C. The unanticipated loss of a significant percentage or component of a municipality's economic development infrastructure as a result of an accident, natural disaster or other catastrophe; or [PL 2001, c. 703, §6 (NEW).]

[PL 2001, c. 703, §6 (NEW).]

**2. Chronic and severe economic distress.** The property is located in a municipality that has experienced long-term economic distress, as evidenced by factors that may include, but are not limited to:

A. An unemployment rate that is significantly greater than the average State unemployment rate; [PL 2001, c. 703, §6 (NEW).]

B. The significant migration of workers or population out of the area; and [PL 2001, c. 703, §6 (NEW).]

C. An average personal income that is significantly below the state average or considered to be at or below the poverty level as defined in Title 22, section 5321. [PL 2001, c. 703, §6 (NEW).]

[PL 2001, c. 703, §6 (NEW).]

### SECTION HISTORY

PL 2001, c. 703, §6 (NEW). PL 2011, c. 655, Pt. DD, §7 (AMD). PL 2011, c. 655, Pt. DD, §24 (AFF).

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