

Fiscal Note Request SB0281, As Introduced

(continued)

2. The intent and application of SB 281 is unclear. The new language inserted in Section 1 as 75-1-201(5)(a)(ii), MCA, and (c)(ii), MCA, is provided as an exception to 75-1-201(5)(a)(i), MCA, and (c)(i), MCA, but is discretionary. SB 281 does not alter or add to the statutory authority of any state agency. SB 281 also does not alter or enact new objective standards for agencies to apply to their identification of impacts. An agency therefore cannot determine if, or to what extent, it may be obligated under SB 281 to further condition a permit or agency action relative to public health & safety or the protection of fish & wildlife.