

HOUSE SUBSTITUTE AMENDMENT NO. _____

for

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Offered By

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 843, Page 2, Section 8.003, Lines 20-21, by deleting all of said lines and inserting in lieu thereof the following:

"[three] the first public [~~members term~~] member appointed after the effective date of this act shall be for two years, thereafter the [~~terms~~] term of all subsequently appointed public members"; and

Further amend said bill, Page 5, Section 8.007, Line 61, by inserting immediately after said line the following:

"8.010. 1. The governor, attorney general and lieutenant governor constitute the board of public buildings. The governor is chairman and the lieutenant governor, secretary. The speaker of the house of representatives and the president pro tempore of the senate shall serve as ex officio members of the board but shall not have the power to vote. The board shall constitute a body corporate and politic. Except as provided under section 8.007, the board has general supervision and charge of the public property of the state at the seat of government, including the building located at 105 West Capitol Avenue in Jefferson City, and other duties imposed on it by law.

2. The commissioner of administration shall provide staff support to the board."; and

Further amend said bill and page, Section 29.415, Lines 1-5, by deleting said lines and section from the bill; and

Further amend said bill, Pages 9-17, Section 105.955, Lines 1-272, by removing said section and lines and inserting in lieu thereof the following:

"109.221. 1. The state shall establish and administer a "State Historical Records Advisory Board". The state historical records advisory board shall consist of [~~twelve~~] seven members appointed by the governor, with the advice and consent of the senate. Each member shall serve for a term of three years, except for the first members appointed, which shall have four members that serve one year, four members that serve two years and four members that serve three years. Thereafter, each member shall serve three years. The secretary of state or his or her designee shall serve as chairman of the board and as the state historical records coordinator and his vote shall break any tie vote of the board. The executive director of the state historical society of Missouri shall serve as an ex officio member of the board. The board shall meet when called by the

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1 chairman, but shall meet at least annually. The board shall adopt written procedures to govern its
2 activities. The board shall report annually to the general assembly on its activities.

3 2. The state historical records advisory board is assigned to the office of the secretary of
4 state. Members of the board shall receive no compensation for their service, but shall be reimbursed
5 for their actual and necessary expenses incurred in the performance of their duties.

6 3. The board shall be the central advisory body for historical records planning and for
7 projects relating to historic records developed and carried out within the state of Missouri. The
8 board may perform duties such as sponsoring and publishing surveys of the conditions and needs of
9 historical records in the state; soliciting or developing proposals for projects to be carried out in the
10 state with the National Historical Publications and Records Commission, hereafter called
11 "commission", financing; reviewing records proposals by institutions in the state and making
12 recommendations from these to the commission; developing, revising, and submitting to the
13 commission state priorities for historical records projects following guidelines developed by the
14 commission; and reviewing, through reports and otherwise, the operation and progress of records
15 projects in the state.

16 4. The board may seek funds available through the National Historical Publications and
17 Records Commission for the subvention of all or part of the costs of printing and manufacturing
18 volumes that have been formally endorsed by the commission.

19 5. The board may seek funds from the National Historical Publications and Records
20 Commission for sponsoring and publishing surveys of the conditions and needs of historical records
21 in the state; for soliciting or developing proposals for projects to be carried out in the state for
22 preservation of historical records and publications; for reviewing records proposals by institutions in
23 the state and making recommendations from these to the commission; and for developing, revising,
24 and submitting to the commission state priorities for historical records projects following guidelines
25 developed by the commission. The board may further carry out those necessary duties to fulfill its
26 purpose of helping in the collection and preservation of Missouri's historical records and such other
27 duties as may be prescribed by law.

28 6. The secretary of state, as state historical records coordinator, may fund and administer[;
29 ~~with the advice of the state historical records advisory board~~], grant requests for preservation of
30 local records. In carrying out this subsection the secretary of state shall have the power to
31 promulgate necessary rules and regulations. No rule or portion of a rule promulgated under the
32 authority of this section shall become effective unless it has been promulgated pursuant to the
33 provisions of section 536.024. Funds retained by the recorder of a county or a city not within a
34 county and deposited in a recorder's fund for records preservation purposes pursuant to subsection 1
35 of section 59.319 may be used by a recorder of a county or a city not within a county toward any
36 local matching funds requirement for funding pursuant to the grant program authorized by this
37 subsection. A recorder's application for grant funding pursuant to this subsection shall not be
38 penalized in any way because local funds collected pursuant to subsection 1 of section 59.319 are to
39 be used to fund any local matching funds requirement.

40 109.225. 1. There is hereby established the "Missouri Board on Geographic Names". The
41 board shall be assigned for administrative purposes to the office of the secretary of state.

42 2. The board shall consist of nineteen members as follows:

- 43 (1) The secretary of state, who shall serve as chair of the board;
- 44 (2) ~~[Nine]~~ Eight citizens of Missouri appointed by the secretary of state;
- 45 (3) The director or the director's designee of the department of transportation;
- 46 (4) The director or the director's designee of the department of conservation;
- 47 (5) The director or the director's designee of the department of natural resources;
- 48 (6) The director or the director's designee of the department of agriculture;

1 (7) The commissioner or the commissioner's designee of the office of administration;
 2 ~~[(7)]~~ (8) The director or the director's designee of the state archives;
 3 ~~[(8)]~~ (9) The executive director or the executive director's designee of the state historical
 4 society of Missouri;
 5 ~~[(9)]~~ (10) The director or the director's designee of the United States Geological Survey;
 6 ~~[(10)]~~ (11) The director or the director's designee of the United States Forest Service; and
 7 ~~[(11)]~~ (12) The director or the director's designee of the United States Corps of Engineers.

8 3. Appointed members of the board shall serve three-year terms and shall serve until their
 9 successors are appointed. Vacancies on the board shall be filled in the same manner as the original
 10 appointment and such member appointed shall serve the remainder of the unexpired term.

11 4. The board shall meet annually and as otherwise required by the secretary of state.

12 5. The board shall designate from its members a vice chair and shall adopt written
 13 guidelines to govern the management of the board.

14 6. Each member of the board shall serve without compensation, but may be reimbursed for
 15 their actual and necessary expenses incurred in the performance of their duties as members of the
 16 board.

17 7. The secretary of state shall designate an employee of the secretary of state's office as
 18 executive secretary for the board, who shall serve as a nonvoting member and shall maintain the
 19 records of the board's activities and decisions and shall be responsible for correspondence between
 20 the board and the United States Board on Geographic Names and other agencies.

21 8. The board shall:

22 (1) Receive and evaluate all proposals for changes in or additions to names of geographic
 23 features and places in the state of Missouri to determine the most appropriate and acceptable names
 24 for use in maps and official documents of all levels of government;

25 (2) Make official recommendations to the United States Board on Geographic Names on
 26 behalf of the state of Missouri with respect to each proposal;

27 (3) Assist and cooperate with the United States Board on Geographic Names in matters
 28 relating to names of geographic features and places in Missouri;

29 (4) Assist in the maintenance of a Missouri geographic names database as part of the
 30 national database;

31 (5) Maintain a list of advisors who have special interest and knowledge in Missouri history,
 32 geography, or culture and consult with such advisors on a regular basis in the course of the board's
 33 deliberations;

34 (6) Develop and revise state priorities for geographic records projects following guidelines
 35 of the United States Board on Geographic Names; and

36 (7) Submit a report on its activities annually to the general assembly.

37 9. The board may apply for moneys through federal and state grant programs to sponsor and
 38 publish surveys of the condition and needs of geographic records in the state of Missouri and to
 39 solicit or develop proposals for projects to be carried out in the state for preservation of geographic
 40 records and publications.

41 109.255. 1. The secretary of state, or his or her designee, is hereby authorized to appoint
 42 and serve as chairman of a local records board to advise, counsel, and judge what local records shall
 43 be retained, copied, preserved, or disposed of and in what manner these functions shall be carried
 44 out by the director. This board shall represent a wide area of public interest in local records and
 45 shall consist of at least twelve members one of whom shall represent school boards, one
 46 constitutional charter city, one third class city, one fourth class city, ~~[one village, one township, one~~
 47 ~~for each class of county of the first and second class, one third or fourth class county, one higher~~
 48 ~~education,]~~ one historical society, two of whom shall represent counties of the first or second

1 classification, two of whom shall represent counties of the third or fourth classification, and such
 2 other members as the secretary of state shall direct.

3 2. The members of the board of record control shall serve staggered terms and may be
 4 removed at the pleasure of the secretary of state.

5 3. The members of the board of control shall receive no salary but may be compensated for
 6 travel expenses if the budget of the secretary of state permits.

7 4. The board shall meet at such times as the chairman may call them.

8 5. The director with advice of the board of record control shall issue directives to guide
 9 local officials on the destruction of local records and nonrecord materials."; and

10
 11 Further amend said bill, Page 18, Section 143.1015, Line 32, by inserting after all of said section
 12 and line the following:

13 "181.022. 1. The secretary of state shall create the "Secretary's Council on Library
 14 Development" to advise the secretary of state and the state library on matters that relate to the state's
 15 libraries and library service to Missouri citizens, to recommend to the secretary of state and the state
 16 library policies and programs relating to libraries in the state, and to communicate the value of
 17 libraries.

18 2. Members of the secretary's council on library development shall serve three-year terms,
 19 to be served on a rotating basis as shall be established by the secretary of state.

20 3. The members of the secretary's council on library development shall be appointed by the
 21 secretary of state, to include [~~members of the house of representatives, members of the senate,~~]
 22 representatives of the public and of libraries, trustees of Missouri libraries, and users of the state
 23 libraries ,as well as members of the house of representatives, members of the senate, and the state
 24 librarian, who shall serve as ex-officio members of the council."; and

25
 26 Further amend said bill, Page 27, Section 194.408, Line 34, by inserting immediately after said line
 27 the following:

28 "195.070. 1. A physician, podiatrist, dentist, a registered optometrist certified to administer
 29 pharmaceutical agents as provided in section 336.220, or an assistant physician in accordance with
 30 section 334.037 or a physician assistant in accordance with section 334.747 in good faith and in the
 31 course of his or her professional practice only, may prescribe, administer, and dispense controlled
 32 substances or he or she may cause the same to be administered or dispensed by an individual as
 33 authorized by statute.

34 2. An advanced practice registered nurse, as defined in section 335.016, but not a certified
 35 registered nurse anesthetist as defined in subdivision (8) of section 335.016, who holds a certificate
 36 of controlled substance prescriptive authority from the board of nursing under section 335.019 and
 37 who is delegated the authority to prescribe controlled substances under a collaborative practice
 38 arrangement under section 334.104 may prescribe any controlled substances listed in Schedules III,
 39 IV, and V of section 195.017, and may have restricted authority in Schedule II. Prescriptions for
 40 Schedule II medications prescribed by an advanced practice registered nurse who has a certificate of
 41 controlled substance prescriptive authority are restricted to only those medications containing
 42 hydrocodone. However, no such certified advanced practice registered nurse shall prescribe
 43 controlled substance for his or her own self or family. Schedule III narcotic controlled substance
 44 and Schedule II - hydrocodone prescriptions shall be limited to a one hundred twenty-hour supply
 45 without refill.

46 3. A veterinarian, in good faith and in the course of the veterinarian's professional practice
 47 only, and not for use by a human being, may prescribe, administer, and dispense controlled
 48 substances and the veterinarian may cause them to be administered by an assistant or orderly under

his or her direction and supervision.

4. A practitioner shall not accept any portion of a controlled substance unused by a patient, for any reason, if such practitioner did not originally dispense the drug, except as provided in section 195.265.

5. An individual practitioner shall not prescribe or dispense a controlled substance for such practitioner's personal use except in a medical emergency.

195.265. 1. Unused controlled substances may be accepted from ultimate users, from hospice or home health care providers on behalf of ultimate users to the extent federal law allows, or from any person lawfully entitled to dispose of a decedent's property if the decedent was an ultimate user who died while in lawful possession of a controlled substance, through:

(1) Collection receptacles, drug disposal boxes, mail back packages, and other means by a Drug Enforcement Agency-authorized collector in accordance with federal regulations, even if the authorized collector did not originally dispense the drug; or

(2) Drug take back programs conducted by federal, state, tribal, or local law enforcement agencies in partnership with any person or entity.

This subsection shall supersede and preempt any local ordinances or regulations, including any ordinances or regulations enacted by any political subdivision of the state, regarding the disposal of unused controlled substances. For the purposes of this section, the term "ultimate user" shall mean a person who has lawfully obtained and possesses a controlled substance for his or her own use or for the use of a member of his or her household or for an animal owned by him or her or a member of his or her household.

2. By August 28, 2019, the department of health and senior services shall develop an education and awareness program regarding drug disposal, including controlled substances. The education and awareness program may include, but not be limited to:

(1) A web-based resource that:

(a) Describes available drug disposal options, including take back, take back events, mail back packages, in-home disposal options that render a product safe from misuse, or any other methods that comply with state and federal laws and regulations, may reduce the availability of unused controlled substances, and may minimize the potential environmental impact of drug disposal;

(b) Provides a list of drug disposal take back sites, which may be sorted and searched by name or location and is updated every six months by the department;

(c) Provides a list of take back events and mail back events in the state, including the date, time, and location information for each event and is updated every six months by the department; and

(d) Provides information for authorized collectors regarding state and federal requirements to comply with the provisions of subsection 1 of this section; and

(2) Promotional activities designed to ensure consumer awareness of proper storage and disposal of prescription drugs, including controlled substances."; and

Further amend said bill, Page 45, Section 324.478, Line 49, by inserting immediately after said line the following:

~~"327.313. Applications for enrollment as a land surveyor-in-training shall be typewritten on prescribed forms furnished to the applicant. The application shall contain applicant's statements showing the applicant's education, experience, and such other pertinent information as the board may require[, including but not limited to three letters of reference, one of which shall be from a professional land surveyor who has personal knowledge of the applicant's land surveying education~~

1 ~~or experience~~]. Each application shall contain a statement that it is made under oath or affirmation
 2 and that the representations are true and correct to the best knowledge and belief of the applicant,
 3 subject to the penalties of making a false affidavit or declaration and shall be accompanied by the
 4 required fee.

5 327.321. Applications for licensure as a professional land surveyor shall be typewritten on
 6 prescribed forms furnished to the applicant. The application shall contain the applicant's statements
 7 showing the applicant's education, experience, results of prior land surveying examinations, if any,
 8 and such other pertinent information as the board may require~~[-, including but not limited to three~~
 9 ~~letters of reference from professional land surveyors with personal knowledge of the experience of~~
 10 ~~the applicant's land surveying education or experience]~~. Each application shall contain a statement
 11 that it is made under oath or affirmation and that its representations are true and correct to the best
 12 knowledge and belief of the person signing same, subject to the penalties of making a false affidavit
 13 or declaration and shall be accompanied by the required fee."; and
 14

15 Further amend said bill, Page 46, Section 332.086, Line 37, by inserting immediately after
 16 said line the following:

17 "334.253. 1. A physician may not make a referral to an entity for the furnishing of any
 18 physical therapy services with whom the physician, physician's employer, or immediate family
 19 member of such referring physician has a financial relationship. A financial relationship exists if
 20 the referring physician, the referring physician's employer, or immediate family member:

21 (1) Has a direct or indirect ownership or investment interest in the entity whether through
 22 equity, debt, or other means; or

23 (2) Receives remuneration from a compensation arrangement from the entity for the
 24 referral.

25 2. The following financial arrangements shall be exempt from disciplinary action under this
 26 section:

27 (1) When the entity with whom the referring physician has an ownership or investment
 28 interest is the sole provider of the physical therapy service within a rural area;

29 (2) When the referring physician owns registered securities issued by a publicly held
 30 corporation or publicly traded limited partnership, the shares of which are traded on a national
 31 exchange or the over-the-counter market, provided that such referring physician's interest in the
 32 publicly held corporation or publicly traded limited partnership is less than five percent and the
 33 referring physician does not receive any compensation from such publicly held corporation or
 34 publicly traded limited partnership other than as any other owner of the shares of such publicly held
 35 corporation or publicly traded limited partnership;

36 (3) When the referring physician has an interest in real property resulting in a landlord-
 37 tenant relationship between the physician and the entity in which the equity interest is held, unless
 38 the rent is determined, in whole or in part, by the business volume or profitability of the tenant or is
 39 otherwise unrelated to fair market value;

40 (4) When the indirect ownership in the entity is by means of a bona fide debt incurred in the
 41 purchase or acquisition of the entity for a price which does not in any manner reflect the potential
 42 source of referrals from the physician with the indirect interest in the entity and the terms of the
 43 debt are fair market value, and neither the amount or the terms of the debt in any manner, directly or
 44 indirectly, constitutes a form of compensating such physician for the source of his business;

45 (5) When such physician's employer is a health maintenance organization as defined in
 46 subdivision (6) of section 376.960 and such health maintenance organization owns or controls other
 47 organizations which furnish physical therapy services so long as the referral is to such owned or
 48 controlled organization and the physician does not also have a direct or indirect ownership or

1 investment interest in such organization, physical therapy services or the health maintenance
2 organization and the referring physician does not receive any remuneration as the result of the
3 referral;

4 (6) When such physician's employer is a hospital defined in section 197.020 and such
5 hospital owns or controls other organizations which furnish physical therapy services so long as the
6 referral is to such owned or controlled organization and the physician does not also have a direct or
7 indirect ownership or investment interest in such organization, physical therapy service, or the
8 hospital and the referring physician does not receive any remuneration as the result of the referral;

9 (7) When such physician has direct or indirect minority ownership or investment interest of
10 not more than five percent in a hospital, as defined in section 197.020, or medical group, whether
11 through equity, debt, or other means and physical therapy is offered as a service of the hospital or
12 medical group.

13 3. The provisions of sections 334.252 and 334.253 shall become effective January 1, 1995.";
14 and

15
16 Further amend said bill, Pages 58-59, Section 105.959, Lines 1-57, by removing said lines from the
17 bill; and

18
19 Further amend said bill by amending the title, enacting clause, and intersectional references
20 accordingly.

21
22 THIS SUBSTITUTE AMENDMENT AMENDS 5541H06.31H.