

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

the institutions of higher learning]. These [guidelines and] standards provide a framework for developing and maintaining leadership effectiveness consistent with the mission and needs of each [department] agency.

(1) **Definitions.** As used in this rule, unless the context clearly indicates otherwise, the following terms shall mean:

(A) **Supervisor,** a person *[directly and immediately]* responsible for planning, organizing, directing, coaching, and evaluating the work of employees *[to accomplish a limited function or activity];*

(B) **Manager,** a *[person responsible for various general management processes including activities such as general program planning, development and coordination, or the organization, direction and evaluation of major program functions and operations or a combination of these]* supervisor who directs the work of other supervisors, monitors and evaluates the progress of an organization, and makes adjustments in objectives, work plans, schedules, and commitment of resources; and

(C) **Executive,** *[for the purposes of this rule, Executive shall be defined as senior Level Managers including Division Director, Deputy, Assistant Director, or their equivalent; and] a manager who serves at the top levels of an agency or division.*

[(D) For purposes of this rule, the terms Supervisor, Manager, and Executive shall include all positions in Uniform Classification and Pay (UCP) agencies which the Division of Personnel finds to involve substantial supervisory or administrative responsibilities, and shall also include comparable positions in non-UCP agencies of the state. The final determination of such comparability shall be made by department directors after careful review of information furnished by the Division of Personnel of the job classifications and approximate number of incumbents considered.]

(2) *[The professional development of supervisors, managers, and executives is of paramount importance to the successful completion of state business. Therefore, each department in state government shall establish programs, systems, and procedures, as necessary to implement, administer, and enforce the standards for training personnel in the positions as defined in this rule. A department may request technical assistance from the Division of Personnel concerning the implementation and administration of the guidelines and standards. A department also may request formal training courses and other management-supervisory training programs from the Division of Personnel or may establish alternative training programs. Each department shall provide training which it requires without cost to its employees. Departments may reimburse employees for additional job-related training courses in accordance with uniform state policies and procedures issued by the Office of Administration and the department's own policies and procedures which are not in conflict and which provide uniform treatment of employees.] Training Program Policy and Development. Agencies must provide for the development of employees in supervisory positions. Agencies must issue written policies to ensure they—*

(A) Provide training within two (2) months of an employee's initial appointment to a supervisory position that includes, but is not limited, to:

1. **Professional Development and Performance Management.** The process of developing and implementing a work environment in which employees are assigned responsibility, enabled to perform to the best of their abilities, and held accountable;

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 1—OFFICE OF ADMINISTRATION
Division 20—Personnel Advisory Board and Division of Personnel
Chapter 6—Management Training

PROPOSED AMENDMENT

1 CSR 20-6.010 [Management Training] Leadership Development. The board is amending sections (1)–(4), deleting sections (5)–(14), amending the purpose statement, and amending the rule title.

PURPOSE: *This amendment modernizes this rule to assist state agencies in developing and maintaining effective leaders.*

PURPOSE: *This rule prescribes [guidelines and] standards [as required by section 36.510, RSMo] regarding mandatory training for [persons employed] employees in [management] leadership positions [in] within state agencies [within the executive branch of state government other than elective offices and*

2. **Employment Laws and Legal Issues.** A working understanding of the laws that affect the workplace and the responsibilities supervisors have with respect to those laws;

3. **Diversity.** The practice of creating and maintaining a workplace culture that values trust, respect, and inclusion of all employees; and

4. **Cyber and Workplace Security.** An understanding of current threats and strategies supervisors should use to combat these risks;

(B) Provide training within six (6) months of an employee's initial appointment to a supervisory position that includes, but is not limited to:

1. **Mentoring and Coaching.** The ability to provide an employee with constructive feedback that is information-specific, issue-focused, based on observations, used to improve performance, and accelerates the employee's professional development;

2. **Interviewing.** The ability to interview and hire employment candidates by using best practices and a general understanding of the overall hiring process;

3. **Project Management and Continuous Improvement.** The ability to identify opportunities for improving the efficiency and effectiveness of work, develop project plans to implement changes, and manage results; and

4. **Communication.** The ability to communicate with employees and other stakeholders in a way that is clear, personalized, transparent, empathetic, collaborative, and inspiring;

(C) Maintain knowledge of the above topics on an annual basis;

(D) Institute a structure for supervisors, managers, and executives to dedicate time toward professional development no less than an average of one (1) hour each week; and

(E) Design and implement leadership development programs that are aligned with guidance from the Division of Personnel, foster a government-wide perspective, identify and develop future leaders, and support agency business initiatives and goals. All training efforts shall strive toward best practices for leadership competencies and modern training techniques.

(3) *[For purposes of coordination, the departments shall annually review their projections of training needs for personnel in these positions. The information provided will be used by the Division of Personnel, State Training Advisory Council (STAC), and individual agencies in developing training programs and administering the guidelines and standards contained in this rule.]* Records of Training Program Participation. Each agency shall adopt a standardized methodology prescribed by the Division of Personnel for measuring and reporting the efficiency, effectiveness, and outcomes of training efforts. These records shall be submitted to the Division of Personnel either through a common electronic platform or by other means on no less than an annual basis.

(4) *[Employees entering into the positions covered by this rule are required to complete a minimum of forty (40) hours of training within their first year in the position. Thereafter, employees are required to maintain at least sixteen (16) hours of continuing Competency Based Training annually.]* Coordination and Governance. To facilitate communication and continuous improvement, each agency shall designate and maintain one (1) talent development manager or executive, and one (1) business manager or executive, who shall participate in an inter-agency consultative group. The group will be led by the Division of Personnel. Meeting frequency and duration will be determined by the Division of Personnel for the inter-agency group in order to achieve the following objectives:

(A) Ensure agency and state-wide talent development programs are current according to the standards prescribed in this rule;

(B) Ensure this rule remains relevant to overall management priorities and aligned with current workforce development needs. The inter-agency group may provide input to the Division of Personnel regarding amending this rule; and

(C) Develop and maintain recommendations to assist agencies in complying with the rule.

[(5) Training in any of the twenty-four (24) competencies will count toward fulfillment of the training rule requirements. However, to provide a framework for developing a broad spectrum of effectiveness in the areas of supervision, management, organizational development, and leadership, training must be received in more than one (1) competency each year.

[(6) In cases of promotion, whether it be from Supervisor to Manager, or Manager to Executive, it shall be at the discretion of the department to determine which of the two (2) thresholds of hours applies; either the sixteen (16)-hour threshold or the forty (40)-hour threshold.

[(7) In cases of lateral transfers between agencies or within an agency, it shall be at the discretion of the employing department to determine which of the two (2) thresholds applies; either the sixteen (16)-hour threshold or the forty (40)-hour threshold.

[(8) Incumbents in all positions covered in this rule are also required to take a Core Curriculum consisting of performance management, diversity, and prevention of unlawful discrimination. Diversity and prevention of unlawful discrimination programs shall be required of incumbents in all positions covered in this rule, and every effort shall be made to meet these requirements every two (2) years but not to exceed three (3) years. The format and time frames of these programs shall be determined by the departments. STAC will provide guidance to departments regarding the content of these programs as/when needed.

[(9) To support its effectiveness, each department shall ensure through its programs, systems and procedures that equal employment opportunity and upward mobility objectives are implemented as part of its supervisory and management career development process. Each individual employee shall have responsibility to effectively use, for personal self-growth and career development, the training opportunities provided.

[(10) The twenty-four (24) competencies identified by STAC are as follows:

[(A) Accountability: The ability to accept all responsibilities of the job and assigned tasks. Components of this competency can include holding self and others accountable for delivering quality products, assuring effective controls are developed and/or maintained so organizational integrity is maintained, acting decisively to modify activities to better promote customer service and/or quality of programs and pursuing all assignments with the philosophy that the responsible individual must follow through to completion if the project is to be successful;

[(B) Computer Literacy: The ability to use provided computer technology to enhance the quality of work and programs. Components of this competency can include possessing sufficient knowledge and comfort concerning computer applications and telecommunications. It also includes the ability to

interact effectively with internal and external contacts and to stay informed about technological advances and their potential impact or value to work activities;

(C) Creative Thinking: The ability to develop new insights into situations and apply innovative solutions that make improvements. Components of this competency can include the ability to encourage innovation and creativity among others;

(D) Customer Service: The ability to remain focused on understanding, anticipating, and responding to the internal and external needs of customers. Components of this competency can include the ability to see customer satisfaction as the number one priority and to maintain sensitivity to the requirements of customers through personal involvement and a continuous drive for feedback;

(E) Decisiveness: The ability to make timely and effective decisions with available information or knowledge and within your own authority. Components of this competency can include the ability to take calculated risks even in uncertain situations, perceive the impact/implications of decisions, and assume responsibility for the results of decisions even if unpopular;

(F) Financial Management: The ability to administer financial resources in a manner that instills public trust and accomplishes the department's mission. Components of this competency can include overseeing allocation of financial resources, preparing and/or justifying budgets or expenditure requests, and overseeing procurement and contracting procedures;

(G) Flexibility: The ability to accept change and to cope with job pressure and stress. Components of this competency can include the ability to adapt behavior and work methods in response to new information, changing conditions, or unexpected obstacles. It includes the ability to actively solicit information and views from others and use the input to make change occur, and adjust to multiple demands and shifting priorities with minimal disruption and stress;

(H) Influencing: The ability to persuade others to buy into a course of action. Components of this competency can include the ability to network with key individuals or groups to accomplish goals and promote the organization to others, and to inspire others so as to create enthusiasm and a desire to succeed within others;

(I) Integrity: The ability to behave in a professional, fair, and ethical manner toward others and instill mutual trust and confidence. Components of this competency can include the ability to follow through on commitments, act in a manner consistent with values, demonstrate a sense of responsibility and commitment to sound ethics, and encourage high standards of behavior in others;

(J) Mediating: The ability to address and resolve conflicts that arise in an effective, impartial manner. Components of this competency can include the ability to take steps to prevent potential situations which could result in unpleasant confrontations, and handle confrontations which arise before they have a negative affect on others and the organization;

(K) Mentoring: The ability to coach and challenge others to achieve their potential. Components of this competency can include the ability to serve as a role model for continuous improvement throughout the organization, develop leadership in others by sharing knowledge, experiences and opportunities for growth, and provide timely and specific feedback that reinforces or elicits desired behavior;

(L) Negotiating: The ability to build a consensus and accomplish goals through give and take actions. Components of this competency can include the ability to gain cooperation from others to obtain information and identify and understand the interests of others;

(M) Political Awareness: The ability to identify internal and external politics that impact the work of the organization. Components of this competency can include the ability to approach each problem situation with a clear perception of organizational and political reality. It includes the ability to build and strengthen internal support bases, and get understanding and support from management;

(N) Perceptiveness: The ability to recognize the impact of one's own behavior on others. Components of this competency can include the ability to consider and respond appropriately to the needs, feelings, and capabilities of different people in different situations, show a genuine interest in others and their successes, and treat others with respect and dignity;

(O) Planning: The ability to establish comprehensive and realistic plans of action to accomplish activities and evaluate progress. Components of this competency can include the ability to maintain a focus on the planned outcome, exercise good judgment in structuring and organizing work, and monitor progress of activities so discrepancies are identified and corrected;

(P) Problem-solving: The ability to define a problem, analyze relevant information, and develop solutions. Components of this competency can include the ability to anticipate potential problems, reduce a situation to its essential elements, simplistic elements, and distinguish between relevant and irrelevant information;

(Q) Self-direction: The ability to maintain focus and intensity, and remain optimistic and persistent even under adversity. Components of this competency can include the ability to deal effectively with pressure and recover quickly from setbacks, demonstrate a deep-seated need for achievement, manage your own time effectively and efficiently, seek and use feedback from others, initiate appropriate action without being directed, and maintain confidence in your own ability and ideas;

(R) Strategic Thinking: The ability to develop and implement effective strategies that are consistent with the organization's vision and mission. Components of this competency can include the ability to consider a broad range of internal and external factors that may impact the organization, anticipate potential threats or opportunities, and promote change based on the long-range strategic view of the future;

(S) Teamwork: The ability to develop and sustain cooperative working relationships. Components of this competency can include the ability to inspire, motivate and guide others toward accomplishment of goals and activities. It includes the ability to encourage collaboration and to promote open communication and collective problem-solving within the group;

(T) Technical Knowledge: The ability to demonstrate proficiency in areas of primary responsibility. Components of this competency can include the ability to apply procedures, regulations, and policies to remain current and informed of new and existing issues which may affect work;

(U) Verbal Communication: The ability to create and sustain an atmosphere in which timely, quality information flows between self and others, and express facts and ideas in a convincing manner. Components of this competency can include the ability to encourage expression of ideas, keep others informed of relevant facts and issues or decisions, be receptive to new or different viewpoints, accept feedback, tailor a message to the listeners' needs, listen effectively, clarify information, and use available technology to enhance material;

(V) Vision: The ability to take a long-term view of the organization's direction and articulate a vision which integrates key program goals, priorities, values, and other factors.

Components of this competency can include the ability to balance change of continuity, identify and integrate key issues affecting the organization, and promote ownership of the vision in others;

(W) *Written Communications*: The ability to express facts and ideas in writing in a clear, convincing, and organized manner. Components of this competency can include the ability to effectively reflect the position of the organization, review and critique written communication in a constructive and substantive manner, and use available technology to enhance material; and

(X) *Workforce Management*: The ability to administer human resource management principles in a manner which instills public and employee trust, maximizes employee potential and fosters high ethical standards in meeting the organization's mission. Components of this competency may include the ability to assess current and future staffing needs, take an active role in recruiting, and retaining staff. It also includes the need to clarify roles and responsibilities, provide clear direction, delegate and empower staff to accomplish assignments, support programs and activities that deal with employee well-being such as safety, health, and family life. It allows for employee growth and it requires that you assess employee performance, give timely feedback, take appropriate corrective/disciplinary actions when other means have not been successful, and value cultural diversity, and other differences. Lastly, it requires that you commit resources necessary to develop and train employees for long-term employment based on needs.

(11) *Competencies as identified in this rule will align with the current performance management (appraisal) system prescribed by the Division of Personnel. STAC will be responsible for determining this correlation and providing departments with this information.*

(12) *The Division of Personnel, within available resources and upon request from a department, shall provide technical assistance concerning the administration of the guidelines for mandatory management training as set out in this rule. The Division of Personnel shall also develop and present or otherwise make available formal training courses and other management development programs which address competencies identified in this rule. No department or the Division of Personnel shall be responsible to provide training courses that address all the competencies identified in this rule.*

(13) *At least every five (5) years, STAC will make recommendations to the Personnel Advisory Board regarding the status of the rule, specifically: additions, deletions, and substitutions to the provisions of the rule. The results of this review may change the Core Curriculum and competencies listed in this rule. The departments will change their training projections and programs according to the results.*

(14) *Each department shall require employees in positions covered by this rule to successfully demonstrate an ongoing ability to plan, organize, direct, coordinate, and evaluate the work activities for which they are responsible and to motivate assigned staff to accomplish organizational objectives. Should the department determine that an individual incumbent in a covered position requires training in a competency not identified in this rule, it is the responsibility of the department to provide that training.*

AUTHORITY: sections 36.070 and 36.510, RSMo [2000] Supp. 2019. Original rule filed Oct. 7, 1985, effective Jan. 12, 1986. Amended: Filed Nov. 15, 2000, effective May 30, 2001. Amended:

Filed June 1, 2009, effective Nov. 30, 2009. Amended: Filed Oct. 1, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Personnel Advisory Board, Attn: Casey Osterkamp, Secretary, 301 W. High St., Room 430, Jefferson City, MO 65101. To be considered, comments must be received no later than the date of the public hearing, December 10, 2019, which is thirty-nine (39) days after publication of this notice in the Missouri Register. A public hearing is scheduled for 10:00 AM, December 10, 2019, at the Harry S Truman State Office Building, 301 W. High St., Room 430, Jefferson City, MO 65101.

Title 2—DEPARTMENT OF AGRICULTURE Division 70—Plant Industries Chapter 17—Industrial Hemp

PROPOSED AMENDMENT

2 CSR 70-17.010 Definitions. The department is amending the entire rule.

PURPOSE: This amendment updates the list of definitions for Chapter 17.

PURPOSE: This rule lists definitions for Chapter 17.

The terms defined in sections 195.010 and 195.740, RSMo, in addition to other relative terms pertaining to the industrial hemp [agricultural pilot] program will be applied for use in 2 CSR 70-17.010 to [2 CSR 70-17.120] 2 CSR 70-17.130.

[(1) Agricultural Hemp Seed Production Permit—permit issued by the Missouri Department of Agriculture to registered growers and handlers engaged in the production of agricultural hemp seed that:

(A) Is sold or intended to be sold to registered growers for planting; or

(B) Remains capable of germination.

(2) Applicant—a person, joint venture, or cooperative who submits an application for registration as a grower and/or handler.

(3) CBD—cannabidiol.

(4) Certificate of analysis—a certificate from an independent testing laboratory describing the results of the laboratory's testing of a sample.

(5) Certified agricultural hemp seed—seed for which a certificate or any other instrument has been issued by an agency authorized under the laws of any country, state, territory, or possession of the United States to officially certify seed and that has standards and procedures approved by the Association of Official Seed Certifying Agencies (AOSCA) to assure the genetic purity and identity of the seed certified.

(6) Cooperative—organization that is owned and run jointly