



April 17, 2024

The Honorable Breanne Davis, Co-Chairperson
The Honorable Mark Berry, Co-Chairperson
Uniform Personnel Classification and
Compensation Plan Subcommittee
Arkansas Legislative Council
State Capitol Building, Room 315
Little Rock, Arkansas 72201

Dear Senator Davis and Representative Berry:

The Office of Personnel Management (OPM) submits a request from the Department of Finance and Administration (DFA), Alcoholic Beverage Control Administration (ABC) for your review.

DFA ABC is requesting one (1) position from the OPM growth pool established by Arkansas Code Annotated § 21-5-225(b). The classification requested is listed below:

CLASSIFICATION REQUESTED

<u>CLASS CODE</u>	<u>TITLE</u>	<u>GRADE</u>	<u># REQUESTED</u>	<u>SALARY RANGE</u>
G047C	Attorney Specialist	GS11	1	\$62,531 - \$90,669

JUSTIFICATION

DFA ABC is requesting the above position in order to ensure medical marijuana is properly regulated within the state. Currently, members of the legal staff within the division are assigned specific areas including alcohol, tobacco and medical marijuana. Due to the expanding medical marijuana industry, an additional Attorney Specialist, G047C, grade GS11, has been deemed necessary. This position will work with the existing medical marijuana focused staff member on a range of assignments including collaborating with permit holders regarding compliance issues, reviewing all new applicants and owners, responding to advertising questions and addressing patient requests with the assistance of the Arkansas Department of Health. This position will also be responsible for attending hearings regarding medical marijuana permit holder violations. The addition of the requested position is necessary for DFA ABC to issue reports and resolve facility violations in a timely manner.

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Approval of this request will result in an anticipated cost of approximately \$107,240 including matching. This position will be funded through Special Revenue.

RECOMMENDATION

OPM has reviewed the request and **recommends** the approval of one (1) growth pool position.

Your consideration of this request is greatly appreciated.

Kay Beunkell

STATE PERSONNEL DIRECTOR

5/11/24

DATE

KB/ca:1-2

Positions Requested							
Business Area	# of Positions	Class Code	Title	Grade	Salary Range	*Estimated Cost	Funding Source(s) %
0611	1	G047C	Attorney Specialist	GS11	\$62,531 - \$90,669	\$ 107,240.00	100% SR
Total Estimated Cost of the New Positions including 40% match						\$	107,240.00
Total Cost to General Revenue						\$	-

Positions Surrendered								
Business Area	Position Number	Class Code	Title	Grade	Date Vacated	Position Budgeted Y/N	**Estimated Savings	Funding Source(s) %
Total Estimated Savings							\$	-
Estimated Savings to General Revenue							\$	-

Total Estimated Cost to the Agency						\$	107,240.00
Total Estimated Cost to General Revenue						\$	-
Total Authorized Position Adjustment							1

* The Estimated Cost calculation is based upon the Midpoint of the salary range, plus 40% matching.

** The Estimated Savings calculation is based upon the exit salary plus 40% match, only if a position has been vacant less than 1 year from the date of the request. Otherwise, savings is solely based on \$6,600 provided to EBD for all budgeted positions.



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STATE OF ARKANSAS
**Department of Finance
and Administration**

RECEIVED
JAN 04 2024
OFFICE OF THE SECRETARY
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Post Office Box 3278
Little Rock, Arkansas 72203-3278
Phone: (501) 682-2242
Fax: (501) 682-1029
www.arkansas.gov/dfa

March 1, 2024

Re: Growth Pool Position Request

Leslie Fisken, Secretary
Arkansas Department of Transformation and
Shared Services
501 Woodlane
Little Rock, AR 72201

Dear Secretary Fisken:

The Department of Finance and Administration (DFA), Alcoholic Beverage Control (ABC) Administration respectfully requests one (1) pool position from the growth pool.

POSITION REQUESTED

CLASS CODE	POSITION GRADE	POSITION TITLE	SALARY RANGE
G047C	GS11	Attorney Specialist	\$62,531 - \$90,669

The Alcoholic Beverage Control Administration employs four (4) Attorney Specialists. Two are assigned to alcohol-related issues, one is shared between alcohol and tobacco, while the other is assigned to medical marijuana. The current medical marijuana attorney is the sole attorney representing the state's interest in regulating marijuana.

The medical marijuana industry in Arkansas continues to develop, justifying the need for a second Attorney Specialist to serve as a point person for guidance and interpretation on rules and processes is apparent. The DFA ABC works diligently to successfully enforce statutory responsibilities. The Attorney Specialist works within a range of complex tasks to ensure compliance with medical marijuana regulations. These tasks require a combination of legal expertise, investigative skills, communication abilities, and the ability to navigate complex regulatory frameworks.

The additional Attorney Specialist will share the increasing workload and assist with facilitating licensing and renewals, working with attorneys or permit holders about compliance-related issues, strain name changes, advertising questions, vetting all new applicants or owners,

expansion requests, inventory reviews, and coordinating with the Department of Health on labeling and patient-centric requests.

This position will also share the responsibility of attending hearings on violations for permitholders related to medical marijuana. There are over 60 licensed marijuana facilities that are inspected regularly and with the potential for assessment violations. Without additional support, ABC will remain behind on issuing orders and resolving violations.

This position will be funded through medical marijuana funds.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Hudson". The signature is stylized with a large initial "J" and a long horizontal stroke at the end.

Jim Hudson, Secretary

Arkansas Department of Finance and Administration

cc: Alan McVey
Chief of Staff



Department of Transformation and Shared Services
Office of Personnel Management
Request for Pool Position

Business Area

0611

Department Name / Agency Name

DFA - Alcoholic Beverage Control Division

Date

2/20/2024

Position(s) to be Surrendered

Position/Item Number

Classification Title

Pay Grade

Class Code

Classification(s) Requested

Classification Title

Attorney Specialist

Pay Grade

GS11

Class Code

G047C

I hereby certify that:

- A. The position requested is critical to the operation of this Agency and a detailed justification for this request is attached. (Justification should be detailed and not less than one typed page in length.)
- B. Sufficient funds are available to fund this position at the requested grade.
- C. This is a full-time position that will not be used for any other purpose than that which is outlined in the attached narrative.
- D. The position to be surrendered is the highest grade position available and the loss of this position will not adversely affect the operation of this Agency.
- E. No current employee will be displaced by this action.

HR Administrator's Signature

Amy K. Volentine

Date 2/29/2024

Department Secretary's Signature

[Signature]

Date

3-1-2024