Arkansas Voters will have the opportunity to make a choice on a number of ballot initiatives on election day, Tuesday, November 6. However, one of those – Issue 1, must wait on the Arkansas Supreme Court to decide whether it can appear on the ballot. Pulaski County Circuit Judge Mackie Pierce recently ruled that the proposal violates the state's constitution by putting disparate measures into one amendment. Supporters of Issue 1 immediately appealed the ruling to the state Supreme Court.

The Arkansas Forestry Association (AFA) supports passage of Issue 1, which was referred to voters by the Arkansas General Assembly. It is a tort reform measure concerning civil lawsuits and the powers of the General Assembly and Supreme Court to adopt court rules.

Issue 1 is supported by members of the business community, including small business owners, concerned about the impact of today's litigious society on the ability to stay competitive in the marketplace. As an example, loggers today face skyrocketing insurance rates, in part due to the increasing cost per accident claim. Large settlements and legal defense costs are major contributors. Legislative solutions like Issue 1, were cited in a recent study by the Warnell School of Forestry & Natural Resources at the University of Georgia, as one of several possible solutions to the problem.

Issue 1 caps the amount of money that a lawyers may take from a victim as a contingency fee at no more than 33.3% and levels the playing field with every state around Arkansas, which have similar tort reform measures.

Victim's rights are not ignored under Issue 1.

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Keep It In The Family: A Guide To Legacy Planning

By: Gisela Telis

According to the U.S. Forest Service, fully one-sixth of all family forest land—more than 40 million acres across the country—will change hands during the next five years. As more than 30 percent of family forest owners are older than 65, much of this land will be passed down from one generation to the next. Without proper legacy planning, this transfer brings with it the risk that private woodlands will be sold, split up or repurposed on a massive scale.

Developing a plan for the future of one's land and putting it in writing is at the heart of legacy planning (also known as succession planning). For woodland owners, such planning is especially crucial—it can spell the difference between keeping a family forest and losing it.

Yet many landowners don’t take adequate steps to protect their legacy or to prepare their families to manage it. One reason is how uncomfortable it can be to think about what will happen to your land as you age or after you die, says Jennie Stephens, executive director of the Center for Heirs’ Property Preservation in Charleston, South Carolina.

“The problem is people don’t plan for the future,” Stephens says. She deals daily with the consequences of that inability to plan. Her organization helps heirs resolve the legal issues surrounding their land. It has cleared 128 property titles—totaling a tax-assessed value of $6.4 million—since 2005.

“Imagine a dad passes on without a will, and now the mom and four siblings own the land,” she says, laying out a common scenario. “But what if one (of the siblings)
AFA Supports Issue 1, con’t.

There is no cap on economic compensatory damages, which means victims are able to be fully compensated for economic losses – past, present and future. There is no cap for intentional misconduct, and there are generous caps on non-economic damages and punitive damages that can be increased if necessary. Finally, Issue 1 protects the rights to a trial by jury. That’s why AFA supports the passage of Issue 1.

There are at least two additional ballot measures that AFA members should study – An Act to Increase the Arkansas Minimum Wage (Issue 5), and The Arkansas Term Limits Amendment (Issue 3). Both of these proposed amendments are generally opposed by the business community. Though most forest industry jobs surpass the minimum wage, increases in the wage drive up all wages and present a challenge to businesses to stay competitive in the long run. The Arkansas Minimum Wage Act would raise Arkansas’ minimum wage from $8.50 an hour to $11.00 an hour in the next three years. Arkansans recently voted to raise the minimum wage in 2014 over a three-year period.

The Arkansas Term Limits Amendment would give the state the most severe term limits in the country. Arkansas is currently one of only 15 states with term limits – which now allow members of the General Assembly to serve a total of 16 years in the House and Senate. Under the proposed amendment, members would be limited to two three-year terms in the House, and two four-year terms in the Senate, but could not exceed 10 total years of cumulative service, applied retroactively to 1993. By 2022, only six current legislators would be eligible for election. About 80 percent of current House members will be prohibited from running in 2020.

Two other issues on the ballot – Issue 2, proposed by the General Assembly, adds as a qualification to vote, that a voter present certain valid photographic ID when casting a ballot in person or an Absentee ballot. There is also a proposed amendment to require four licenses to be issued for casino gaming in the state (Issue 4).

AFA urges its members to study the issues and vote on November 6. To vote in Arkansas, one must be a citizen of the United States and a resident of Arkansas. A voter must be 18 years of age or older on or before Election Day. Registration must be completed no later than 30 days before the election in which a voter wishes to participate.

Speaker Spotlight, con’t.

Prior to joining SFI in 2010, she worked for the American Forest & Paper Association and the Pinchot Institute for Conservation. Nadine has over 20 years of experience in natural resource policy focusing on public and private forest management, climate change, and renewable energy.

She holds a master of forestry degree from the Yale School of Forestry and Environmental Studies and a bachelor’s degree in biology from Williams College.

Don Bragg, Research Forester, USDA Forest Service:

Dr. Don C. Bragg received B.S. (1992) and M.S. (1995) degrees in forestry from Michigan Technological University in Houghton, Michigan and earned a Ph.D. in forest ecology from Utah State University in 1999.

After a brief stint as a post-doc at the University of Michigan, in early 2000 Dr. Bragg became a Research Forester with the USDA Forest Service’s Southern Research Station in Monticello, Arkansas. Since June 2017, he has been the Project Leader for the Southern Research Station’s longleaf pine and southern pine ecology and management research work units.

Author of more than 110 scientific and technical publications, his research interests include southern pine silviculture, forest dynamics modeling, applied historical ecology, restoration of old-growth ecosystems, disturbance ecology, riparian large woody debris recruitment simulation, the history of forestry, and birds-eye sugar maple. Dr. Bragg was also the Editor-in-Chief of the Journal of Forestry between 2013 and 2017. Don is originally from northern Wisconsin.

To see a schedule of events for this year’s annual meeting, you can go to the events page at www.arkforests.org.

**CALENDAR OF EVENTS**

**October 2-4**
AFA Annual Meeting
Hot Springs

**October 12**
9 a.m. - PLT-WILD Environmental Education Workshop
Logoly State Park
Magnolia

**October 19**
9 a.m. - PLT-WILD Environmental Education Workshop
Lake Dardanelle State Park
Russellville

**October 26**
10 a.m. - McCollum Land Company Tree Farm Tour
Emerson

**November 3**
5 p.m. - Central Arkansas Log A Load for Kids Dinner/Auction
Sheridan Recreation Center
Sheridan

**November 16**
10 a.m. - Landowner Legacy Communication Workshop
UA Cooperative Extension Office
Meeting Room 1 & 2
Little Rock

**December 14**
9 a.m. - PLT-WILD Environmental Education Workshop
Forrest L. Wood Crowley’s Ridge Nature Center
Jonesboro

Please Note:
For meetings that are held at the AFA Office, please park on the street or in one of the area lots -- do not park in the Arkansas Chamber of Commerce parking lot.
Guide to Legacy Planning, con’t.

Whether it is teaching a class of 26 4th graders about trees, or providing a Project Learning Tree workshop to 22 classroom teachers, or working with 54 forest landowners educating them on how to properly manage their forestland – everyday is different for the Arkansas Forestry Association Education Foundation.

The Arkansas Forestry Association Education Foundation (AFAEF) is a non-profit 501(c)3 organization whose mission is to inform individuals, businesses, schools, children and others of the benefits of maintaining sustainable forests through quality management and the importance of the forestry community to the people of Arkansas. Programs such as landowner education and outreach, Project Learning Tree, the Teacher Conservation Tour Workshop Series, and Log A Load For Kids are all supported by the Foundation.

Since 1996, the AFA Education Foundation has shared the benefits of healthy forests with thousands of kids and adults across the state and regionally. Over the past 10 years, AFAEF staff has provided education and outreach to over 14,000 children, 10,000 educators, and 11,000 landowners representing over 900,000 acres of timberland across the state.

These programs, educational resources, and work of the AFA Education Foundation would not be possible without the continued support of our forestry community. AFAEF is funded through contributions from the Sustainable Forestry Initiative (SFI) program participants, grants, and donations. These funds allow AFAEF to continue with their education and outreach efforts to students, citizens, and landowners across the state.

Here are several ways that you can support the AFA Education Foundation.

1. Participate in the AFAEF Annual Silent Auction – Donate an item for the auction and bid high and bid often.
3. Purchase a $10 playing card at the AFA Fish Fry on October 3 for a chance to win a Marlin Lever Action 45-70 Gov’t rifle. Must be present to win.

Collaboration To Bring Forest Owners, Classroom Teachers Together
By: Rob Beadel

Whether it is teaching a class of 26 4th graders about trees, or providing a Project Learning Tree workshop to 22 classroom teachers, or working with 54 forest landowners educating them on how to properly manage their forestland – everyday is different for the Arkansas Forestry Association Education Foundation.

For some families, a simple will won’t do, says Tamara Cushing, Starker Chair of Private and Family Forestry at Oregon State University in Corvallis. Cushing is on the staff of Ties to the Land, a program that helps woodland owners pass their land to succeeding generations.

“It really depends on the personalities involved,” she says. For some properties and families, forming a business partnership or a family trust provides more flexibility and protection for the land than a simple will. When it comes to putting together a plan and making it legally binding, there’s no right way to do it,” Cushing says. “It’s all unique to each family.”

Putting a legacy plan into action requires more than legal documentation. Communicating one’s plans and thoughts to the rest of the family is essential—and it too presents a challenge, say Ginny and Allen Nipper.

“Most landowners have not been encouraged to develop the skills to communicate with their children about the land,” Allen Nipper says. “We always ask landowners if they’ve had family meetings, and most haven’t.”

The Nippers are Louisiana-based Tree Farmers who developed the Landowner Legacy Communication program, a model to help landowners organize and conduct family meetings, after experiencing their own issues with the transfer of land.

“When my dad passed away, there were questions still left,” Allen Nipper says. “He had everything planned out, but the communication just wasn’t there on both sides. You need to have good communication. You’ve got to talk to your family to decide what’s right for you.”

Take the first step in safeguarding your family’s timberland. Register today to attend the Landowner Legacy Communication Workshop being held on Friday, November 16 in Little Rock by visiting http://tinyurl.com/landownerlegacy or calling 501-374-2441.

The registration fee is $25. This workshop is provided in partnership between the Arkansas Tree Farm Program, the Arkansas Forestry Association Education Foundation and the UA Extension Service.

We would like to thank everyone who has contributed to the AFA Education Foundation through the years and to let you know that these funds have been put to good use providing forestry education and outreach across Arkansas. With your help the AFA Education Foundation will continue Growing Forward.

4. Donate to the AFAEF through the online form at https://www.arkforests.org/donations/donate.asp?id=13067

Now is the time to begin thinking about your End of the Year Contributions. Please consider AFAEF as a worthy recipient for your end of year contributions. All donations are tax deductible to the fullest extent of the law and AFAEF would be happy to provide you with a donation receipt for your tax records. Donations can be made by mailing a check or through the online form on the AFA website.
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