



NAEDA Update

NORTH AMERICAN EQUIPMENT DEALERS ASSOCIATION e-newsletter

Thursday, July 15, 2010

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Industry & Manufacturing News

[Deere and NAEDA's IRTF continue warranty discussions](#)

Several members of NAEDA's Industry Relations Task Force (IRTF) participated in a recent meeting with top Deere warranty personnel to review progress made since an earlier meeting where the IRTF shared results of a warranty survey conducted by NAEDA and its affiliated associations last fall.

Deere explained it is taking seriously the recommendations made by dealers who participated in the survey and addressing each issue one by one. There has been considerable progress made. Any future discussions will take place on an as-needed basis to address specific issues and review future progress. Look for additional updates about this topic from your NAEDA-affiliated association.

Events

[July 20-22, 2010 - AG EXPO](#)

Michigan State University

<http://www.agexpo.msu.edu/>

CEO Blog

[CNH Capital and NAEDA discuss updated contracts](#)

NAEDA legal counsel and the NAEDA Industry Relations Task Force (IRTF) are working with CNH Capital to review and offer suggested changes to both its retail and wholesale financing documents.

Similar to IRTF efforts with Kubota Credit Corporation, Alamo-Bush Hog and other manufacturers over the last year, the goal of the task force is to seek balanced solutions that serve the needs of all parties. Comments have been submitted to CNH Capital for response. The association will keep you apprised of updated information.

[Agritechnica and AG CONNECT Expo coordinate dates for 2011 and 2013 shows](#)

The two global agriculture trade exhibitions – Agritechnica in Europe and AG CONNECT Expo in North America – have coordinated the timing of their show dates for 2011 and 2013 for the convenience of exhibitors and attendees with global business interests. [Learn more on AGCONNECT.com](#)

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[ECHO opens Shindaiwa warehouse](#)

Echo Incorporated cut the ribbon on its warehouse expansion to meet additional space requirements resulting from the company's 2009 merger with Shindaiwa Incorporated. [Green Industry Pros >>](#)

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[Who's Guarding the Chicken Coop?](#)

June 2010

Almost everyone I talk with lately is concerned about our economy, the burgeoning debt, widening trade deficits, and the shaky geo-political situation. I will grant you this could simply be the people I hang around with, but I do not think so. Talk of increasing taxes, whether local, state or federal, abounds.

Every form of tax, fee, license or exemption is being scrutinized to determine if it will generate additional revenue for government entities. I do not hear much talk about curtailing government spending, mostly I just hear how we, the taxpayers, need to pay more. Maybe it is time for different answers.

For example, consider the flawed supposition that the U.S. government, shaped by the past, should be the government we will need or can even afford in the future. A recent investigation of Securities and Exchange Commission (SEC) employees found some were spending up to eight hours a day surfing the web and



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Legislative & Regulatory News

Meet with your senators/representatives

Please meet with and encourage your senators and representatives to support these NAEDA legislative priorities established by the board of directors. **You can also send a letter now supporting these efforts by clicking on the links below:**



Bonus Depreciation

NAEDA supports extension of the bonus depreciation provision and other tax incentive measures focused on small businesses.

watching porn. That makes my blood boil, yet, the President's budget calls for *adding* SEC employees to clean up Wall Street – how ironic is that! I realize this is just one example, but after having spent part of my career in state and federal government, I observed similar questionable spending first hand. It is not a large leap to speculate similar waste is occurring elsewhere in the federal government.

And what about local and state government expenditures? Can it we accomplish the same tasks with *fewer* people and *less* money? Take St. Louis as an example, since that is where NAEDA is headquartered. There are literally *dozens* of small municipalities that make up the St. Louis metropolitan area. Then there is the City of St. Louis and a separate St. Louis County government. Each has its own police and fire departments; city council; mayor; levee, sewer and drainage districts; etc. You can probably point to similar scenarios where you live. It is an expensive undertaking to support duplicative,

With a bipartisan vote of 66 to 33, the Senate has passed a procedural vote on the Small Business Jobs (tax) bill H.R. 5297 that allows the bill to be debated on the Senate floor. Senate Finance Committee Chairman Max Baucus (D-MT) offered substitute amendment #4402 to the bill that includes a one-year extension of bonus depreciation through 2010, which is now pending on the Senate floor.

During his comments on the Senate floor, Baucus said that the temporary bonus depreciation extension "... would spark investment, increase cash flow and help create jobs."

The bonus depreciation bill will now be debated in the Senate with final action on H.R. 5297 expected after the congressional July 4th recess.



Card Check (Employee Free Choice Act)

NAEDA opposes the Employee Free Choice Act (EFCA) where secret ballot elections are eliminated and businesses would be forced into binding arbitration with collective bargaining units. The two bills currently being considered are HR 1409 and S. 560.



Credit / Finance / Bank Fees

NAEDA supports federal efforts to ensure accessible credit and financing for the equipment industry and its customers. NAEDA policy also supports action by Congress and the Federal Reserve on transaction fees and interchange "swipe" fees for debit card transactions ([Durbin amendment](#)). These actions should include putting debit card processing costs on par with the costs for clearing paper checks, end the chaotic system of fees charged by banks and card companies and clear the way for widespread use and acceptance of debit cards by consumers and businesses alike.

Also, speak to your senators and representatives about **LIFO / Taxes / Agricultural Equipment Depreciation.**

NAEDA supports tax legislation that:

- 1) has a balanced approach to taxation through fair and reasonable personal and corporate rates,
- 2) repeals the estate tax and the alternative minimum tax,
- 3) maintains IRS depreciation rules for agricultural equipment at five years (H. R. 3513), and
- 4) maintains Last In First Out (LIFO) as an acceptable IRS accounting method.

overlapping and often inefficient government. It would be far better to strive for new simplified and efficient models at all levels to guide us toward the future.

If we can not fix matters through our current political process, maybe it is time for a modern-day-version of political decision-making. It appears our current political leaders are focused more on their own political careers and personal gain than our collective needs ... where the fox is in charge of the chicken coop. So, my thought is to employ modern technology and radically cut the cost of government by using secure Web sites to each cast our own vote for the type of government we want. We cast our own vote for *American Idol* and *Survivor*... why can't we do it for our country and just eliminate Congress?

I am only partially serious, but want to make the point that the supposition that government can be all things to all people is outdated, unattainable and frankly, unaffordable. I was shocked to learn recently that only

Legislative & Regulatory News

[NAEDA submits bonus depreciation statement to House Small Business Committee](#)

NAEDA has submitted a statement to the House Small Business Committee outlining its support for the continuation of bonus depreciation and other depreciation changes that are scheduled for committee discussion this week. It was noted in the statement that any action by the House that supports the extension of bonus depreciation and depreciation in general would be beneficial to dealerships, their employees and the local communities where they are located. [A copy of the statement can be read here.](#)

[NAEDA and 41 other organizations send letter to Congress supporting trade](#)

During the G20 Summit in Toronto, President Obama announced his intention to set a November deadline for removing outstanding obstacles to the implementation of the U.S.-Korea Free Trade Agreement (FTA). This was welcome news for U.S. farmers, ranchers, food industry workers, and exporters. NAEDA joined with 41 other associations and organizations to send a letter to Congress asking them to pass the Korea, Colombia and Panama trade agreements. [Read the letter.](#)

[Americans with Disabilities Act rulemaking progresses](#)

July 26 marks the 12th anniversary of the Americans with Disabilities Act (ADA). In anticipation of the anniversary, the Department of Justice's (DOJ) new rulemaking is being reviewed by the Office of Information and Regulatory Affairs (OIRA) to amend and/or adopt the 2004 ADA Accessibility Guidelines ("2004 ADAAG") issued by the U.S. Access Board. Such rulemaking only needs to be approved by OIRA before it becomes effective. Given that OIRA has reviewed the regulations and the White House shares DOJ's desire to have the rulemaking completed, it will likely be finalized by the anniversary.

The DOJ has submitted to OIRA new 'pre-rules' under the ADA. Assuming OIRA completes its review by July 26, these advance notices of proposed rulemaking could be released this fall for public comment. NAEDA is watching these new regulatory actions closely because they could affect dealers, as well as the following:

1. Internet accessibility. DOJ Assistant Attorney General Tom Perez says the Department would issue regulations to address accessibility requirements for Web sites maintained by entities covered under Titles II and III of the ADA.

about 50 percent of the people in the United States pay any income taxes ... that is not sustainable! It is time to make certain our elected officials steer us on a *sustainable* path. We do not want to be the next Greece, Italy, Spain, or other country teetering on the brink of bankruptcy. Remind your elected officials that you hold the one thing they cannot buy or disregard ... *your vote.*

It is time for a new order of government that is more focused, accountable, efficient and, oh, by the way, more affordable. If our current elected officials can not produce these results with our precious, hard-earned tax money, we have no choice but to find people who can. In other words ... *let's put the chickens back in charge of guarding the chicken coop!* And that's the way I see it.

PAUL KINDINGER is president/CEO of the North American Equipment Dealers Association. The association provides educational, legal, legislative, and financial services to approximately 5,000 retail agricultural,

2. Equipment and furniture. The current ADA Standards for Accessible Design apply only to fixed or built-in facility elements. In its rulemaking notice to OIRA, the DOJ appears to address the extent to which the ADA applies to equipment and furnishings that are not considered fixed or built-in. The DOJ has noted, however, that it has “discretionary authority” to use the ADA Standards as a guide for determining when and how such equipment and furnishings must be made accessible, but confirmed that such requirements do not “flow automatically” from the ADA Standards. This rulemaking potentially could have broad application to a wide variety of facility equipment and furnishings not presently addressed in the current ADA Standards for Accessible Design or in 2004 ADAAG.

The DOJ announced in its spring 2010 semiannual regulatory agenda that it anticipates issuing a Notice of Proposed Rulemaking under Titles II and III of the ADA to implement the ADA Amendments Act of 2008 in October 2010. To date, this proposed regulation has not yet been submitted to OIRA for their review. NAEDA will look at potential implications of these new regulations once they are submitted.

[Ohio reaches animal rights agreement with HSUS](#)

Ohio has reached an agreement with The Humane Society of the United States (HSUS) to drop a proposed animal rights ballot initiative. Several issues were resolved under the agreement.

Issues resolved under the Ohio/HSUS agreement:

- HSUS will work with the Ohio Livestock Care Standards Board
- There will be a ban on veal crates by 2017 and a ban on new gestation crates after Dec. 31, 2010, with a 15-year phase-out period
- A moratorium on permits for new battery cage confinement facilities for laying hens.
- There is also language in the agreement stating that there would be legislative recommendations from the governor concerning cock fighting and “puppy mills.”
- A promise that the governor will push an administrative rule banning the acquisition of dangerous exotic animals to be kept as pets. These exotics would include primates, bears, lions, tigers, large constricting and venomous snakes, crocodiles, and alligators.

construction, large property, and outdoor power equipment dealers in the United States and Canada.

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About NAEDA Update

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Senate Ag Committee holds farm bill hearing

The Senate Agriculture Committee has held its first farm bill hearing. The focus of the hearing centered on the current food safety net and how it is working for farmers in maintaining the domestic food supply. The hearing was hosted by committee chair Sen. Blanche Lincoln (D-AR). She said, "The farm bill is one of the most important pieces of legislation that Congress considers on behalf of rural America and our nation's farmers and ranchers."

NAEDA expects to be engaged in future hearings concerning the farm bill, which is one of the association's priorities. Following is a summary of NAEDA's policy on the 2012 farm bill:

SUMMARY: NAEDA supports the 2008 farm bill and the continuation of the provisions and funding protocols outlined in the legislation until its expiration in 2012.

For the next farm bill, NAEDA supports legislation that

- provides for planting flexibility
- provides a safety net for producers and considers extreme weather conditions and trade related issues
- balances the needs of conservation and the needs of land used for production
- considers trade issues
- supports education and research efforts
- provides for rural development activities to include agricultural credit, beginning farmer programs and value-added programs for a renewable bio-economy
- provides for educational programs to assist dealers hire and retain quality employees in the agriculture and outdoor power equipment industries

North American Equipment Dealers Association. This information may not be reprinted without permission from NAEDA.

The North American Equipment Dealers Association is based in Fenton, MO. It provides educational, finance, legal assistance, and legislative services to approximately 5,500 retail agricultural, construction, large property/lifestyle, and outdoor power equipment dealers in the United States and Canada.

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NAEDA & Association News

[Dealers – Share your news in NAEDA Update and get your employees their own copy!](#)

Do you have dealership news to share, such as milestone anniversaries, new locations or equipment lines, or major personnel changes? Send your news to naeda@naeda.com for possible inclusion in *NAEDA Update*.

You can also have *NAEDA Update* sent directly to your employees so they can keep up with the ever-changing equipment industry. To ensure they receive their own issue (free of charge), send their **names and e-mail addresses** to naeda@naeda.com. If your dealership is a paid member of a NAEDA-affiliated association, NAEDA will add them to the subscription list and they will start receiving their own copy of this biweekly e-newsletter soon after. They will have the option to opt out, if they wish.

[Learn what's selling, what's coming off lease and more](#)

Making a sale isn't always about what you have in physical inventory ... today's sales may result from knowing what potential customers have in their personal inventory. You can maximize this latter type of sales opportunity by taking advantage of Equipment Data Associates (EDA) powerful data resources.

EDA's ability to collect UCC data gives dealers a way to see a whole new world of information that identifies equipment owners by name, address, city, county and state; by brand and equipment type. You can learn what's selling and where or what's on lease or coming off lease.

In a recent edition of the EDA *IndustryInsight*, a newsletter that includes a look at the sales of various industries over a 10-year period, data shows sales of used agricultural equipment outpaced new sales this past spring, while construction equipment buyers seem to have an appetite for new machines, but the servings are lean. Learn more about EDA and its powerful data resources ... your bottom line will thank you.

Click [EDA Trend Charts](#) to see a sample of industry sales data.

Click [IndustryInsight](#) to subscribe to the newsletter.

Note: EDA is the preferred provider of UCC data for NAEDA.

[Attend Currie dealer service and rental seminars](#)

Currie Management Consultants (CMC) is accepting registrations for two August seminar series, one on achieving service profitability and the other on achieving rental profitability.

Achieving Service Profitability in an Equipment Dealership will be held Aug. 2-3 at Chicago O'Hare Airport. Topics will include:

- 1) how to determine what your billing rate should be
- 2) how to bill the expense of service vans to your customers
- 3) what 15 minutes a day per technician is worth to your dealership

Review or download the [service seminar brochure](#).

Running Rental Successfully in an Equipment Dealership will be held Aug. 5-6 at Chicago O'Hare Airport. Topics will include:

- 1) what your rental billing multiple should be
- 2) how to bill the expense of hauling to your customers
- 3) how to "up sell" rental

Review or download the [rental seminar brochure](#).

Space is limited and registrations must be received in advance. For additional information or to register, call CMC at 508/752-9229, e-mail seminars@curriemanagement.com, or visit [CMC Summer Seminar Series](#).

[A-1 Careers recruiter becomes NAEDA associate member](#)

Kelly Peterson, senior national recruiter with A-1 Careers, has joined NAEDA as an associate member. Ms. Peterson works with job applicants in skilled trades. She specializes in working with equipment dealers' staffing needs, including technicians with training in diesel, GPS and auto steer systems; new and aftermarket sales staff; parts and service personnel; general managers; and customer service representatives.

Ms. Peterson comes highly recommended by many dealerships across the country and her rates are the same for all dealerships. "I am very successful with locating top talent," says Ms. Peterson, who adds that she works with all types of equipment dealers, e.g., agricultural, construction, rental, forestry, golf and turf, lifts, etc.

For information, call Kelly Peterson, senior national recruiter, A-1 Careers, at 402/597-2300.

Welcome to NAEDA, Kelly.



[Why HR Matters](#)

Free KPA webinars

July 21 - [Proven Internet marketing for fixed operations](#)

July 22 - [The good, the bad and the ugly: OSHA stories from the field](#)

Canadian News

[New governor general appointed](#)

Calling him a man who “represents the best of Canada,” Prime Minister Stephen Harper announced that legal scholar David Johnston will become Canada’s next Governor General. Johnston, the bilingual president of the University of Waterloo (Ontario), is expected to assume the role Oct 1.

[Leader-Post >>](#)

[Governments’ funding will help farmers affected by flooding](#)

The federal government and multiple provincial governments are offering up to \$450 million to help farmers affected by flooding, according to Federal Agriculture Minister Gerry Ritz. [Alberta Farmer Express >>](#)

[Stunning employment data removes some doubt about global debt woes](#)

Canada’s stunning jobs data for June, with payroll gains of 93,200 that smoked expectations, means the Canadian economy has created 403,000 jobs in about a year, according to Statistics Canada. The data removes some market doubt concerning Bank of Canada’s next move. [Leader-Post](#)

[>>](#)

[Canada first in G7 to recover recession’s job losses](#)

Canada’s unexpectedly large job growth in June means the country is the first in the Group of Seven countries (G7) to recoup employment losses, increasing pressure on policy makers to raise interest rates. Canada’s employment level has returned to October 2008 levels when the global slump began.

[Bloomberg >>](#)

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