



NAEDA Update

NORTH AMERICAN EQUIPMENT DEALERS ASSOCIATION e-newsletter

Thursday, April 21, 2011

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CEO Blog

Two points in time
April 2011

People often say that there are only two certainties in life: death and taxes. Unfortunately, they are wrong. The third certainty is "change." In a world that seems unchanging day to day, change is actually occurring all around us. Nothing brings that fact home more clearly than to compare two points in time.

For example, in my lifetime, I've gone from watching black and white-only TV to being able to watch an entire movie on my cell phone as I'm flying across the continent. Speaking of phones, I can still remember the "party" line (two longs and a short) from the wooden-encased phone on the wall with a local operator to assist my call. I can still hear the clicks of everyone else on our "party" line picking up to hear at least the first part of my phone call with Grandma or Grandpa. My cell phone is now with me 24/7 and delivers my mail messages instantly no matter where I am, plus it plays music and much more.

Yesterday and today ...the comparison between the two times can be startling when we take time to reflect.

In 1907, a group of equipment dealers within a 100-mile radius of St. Louis gathered to form an association to serve the needs of area dealers. It was called the Mississippi Valley Equipment Association (MVEA). One hundred and four years later, a small group of equipment dealers gathered again in St. Louis to dissolve that same organization. There have been several mergers between equipment dealer associations, but during my tenure at NAEDA, MVEA was the first association to totally dissolve. But, that's not really the point. The point is that change rolls on in our industry.

It took soul searching and guts for MVEA's board and members to vote Feb. 24, 2011, to dissolve that proud organization. It had a rich heritage that will be marked in our history books forever. The group had seen its ranks dwindle to only a few dealers representing each of the various major company lines. The manufacturers had also dwindled over time. Consolidation took its toll over the 104 years of MVEA's existence. Like inflation or overeating, the effect was not immediately evident, but eventually the reality hit home.

Two points in time can not only remind us of change, but reveal why such changes are taking place. The customer base is changing. Technology is changing and the need to reach customers further from our base of operation is also a major source of change. And, yes, there is a continual push to be more efficient and financially viable to compete and carry out the higher standards and expectations of manufacturers. Such change is a glaring reminder of Charles Darwin's concept that it is not simply the strongest of the species who survive, but the most able to adapt to change. Such is true in our industry.

Change is a certainty. It may come from a variety of directions, but it will happen. Can we adapt? Will we adapt? Will we adapt in time? These questions will determine our fate and future. The dissolution of MVEA is a reminder of how insidious change can

Legislative & Regulatory News

Ask officials to push for equipment depreciation changes
NAEDA believes Congress should ask the IRS to review their MACRS Depreciation Class Life Systems for 1) farm and ranch equipment and 2) buildings and contents and recommend a change in the current depreciation class life system.

Allowing farmers and ranchers to write off or depreciate equipment over a shorter five-year lifetime versus seven years will increase their income, help in debt repayments and allow for the timely replacement of equipment, which helps to drive our industry. In addition, faster equipment replacement brings environmental benefits from newer engines, better fuel efficiencies and the latest technology in emission controls.

IRS changes regarding how a dealership's buildings and contents are depreciated should better reflect modern day practices in our industry. Current depreciation schedules spread out the costs of such improvements over too long of a recovery period, which often delays a dealer from making such investments. A depreciation schedule change in the class life system would encourage capital expansion plans for many dealers, provide space to accommodate newer and larger equipment and the diagnostic hardware to service that equipment and help local economies with additional construction and service jobs.

For all of these reasons, please ask your elected officials to push for depreciating equipment over five years rather than the current seven years.

U.S.-Panama trade promotion agreement moves forward
U.S. Trade Representative Ron Kirk said the last hurdles to completing a trade pact with Panama has been surpassed.

Kirk has indicated that the Panamanian government has satisfactorily addressed U.S. concerns relating to labor and tax laws, including ratification of a tax treaty that removes Panama as a tax haven.

The administration will work with Congress on drafting the necessary implementation language for the pending trade agreements with Panama, Columbia and South Korea.

Information on the trade pact's benefits to American agriculture can be found [here](#).

NAEDA supports passage of all three of these trade pacts.

Letter sent to EPA and Army Corps of Engineers on CWA jurisdiction guidance

Recently, 170 members of Congress (147 Republicans and 23 Democrats) sent a letter to EPA and the Army Corps of Engineers Civil Works regarding draft Clean Water Act (CWA) jurisdiction guidance the agencies sent to the Office of Management and Budget for review.

The letter expressed concerns with the draft guidance which would greatly increase the number of waters subject to CWA jurisdiction.

The letter says, "This guidance would substantively change the Agencies' policy on waters subject to jurisdiction under the Clean Water Act; undermine the regulated community's rights and obligations under the Clean Water Act; and erode the Federal-State partnership that has long existed between the states and the federal government in implementing the Clean Water Act."

Additionally, the letter expressed concerns that the guidance document "amounts to a de facto rule, instead of mere advisory guidelines." A copy of the congressional letter can be found [here](#).

Ask elected officials to push for LIFO and balanced approach to taxes
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, and
- 3) maintains Last In First Out (LIFO) as an acceptable IRS accounting method.

For these reasons, please ask your elected officials to support NAEDA's stance on these issues.

It would be particularly helpful if you can arrange a meeting with the following senators on LIFO/taxes, as well as equipment depreciation. They are prime contacts as they are working on future Senate spending authorizations. These members are:

- Dick Durbin (D-IL)
- Mark Warner (D-VA)
- Mike Crapo (R-ID)
- Tom Coburn (R-OK)
- Kent Conrad (D-ND)
- Saxby Chambliss (R-GA)

Obama signs bill striking 1099 tax-reporting requirement
He signed a bipartisan repeal of a burdensome tax-reporting requirement that was widely unpopular with

businesses.

The bill President Obama signed repeals a provision that would have forced millions of businesses to file tax forms for every vendor selling them \$600 or more in goods each year, starting in 2012.

The filing requirement is unrelated to health care. However, it would have been used to pay for part of the new health law by ensuring that vendors pay taxes.

[Read more](#)

Source: Yahoo!

EPA publishes green house gas inventory; 2009 emissions dropped 6.1 percent

EPA has released its annual U.S. greenhouse gas (GHG) [inventory](#). The final report shows overall emissions during 2009 decreased by 6.1 percent from the previous year. This downward trend was attributed to a decrease in fuel and electricity consumption across all US economic sectors.

Total emissions of the six main greenhouse gases in 2009 were equivalent to 6,633 million metric tons of carbon dioxide. These gases include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. The report indicates that overall emissions have grown by more than 7.3% from 1990 to 2009. Emissions in 2009 represent the lowest total US annual GHG emissions since 1995. These numbers reflect the most up-to-date data at the time of publication.

The transportation end-use sector accounted for 1,745.5 Tg CO₂ Eq. in 2009, which represented 33% of CO₂ emissions, 24% of CH₄ emissions, and 65% of N₂O emissions from fossil fuel combustion, respectively.

Fuel purchased in the US for international aircraft and marine travel accounted for an additional 123.1 Tg CO₂ in 2009; these emissions are recorded as international bunkers and are not included in US totals according to UNFCCC reporting protocols. Among domestic transportation sources, light duty vehicles (including passenger cars and light-duty trucks) represented 64% of CO₂ emissions, medium- and heavy-duty trucks 20%, commercial aircraft 6%, and other sources 9%.

Light-duty truck CO₂ emissions increased by 60% (193.4 Tg) from 1990 to 2009, representing the largest percentage increase of any transportation mode. General aviation aircraft CO₂ emissions also increased by nearly 60% (5.7 Tg) from 1990 to 2009. CO₂ from the domestic operation of commercial aircraft decreased by 18% (24.0 Tg) from 1990 to 2009. Across all categories of aviation, CO₂ emissions decreased by 21.6% (38.7 Tg) between 1990 and 2009. This includes a 59% (20.3 Tg) decrease in emissions from domestic military operations.

[Read more](#)

Source: GreenCarCongress

U.S. adopts final rule to improve employment eligibility verification (I-9) process

The U.S. Citizenship and Immigration Services (USCIS) has approved a final rule that it hopes will improve the Employment Eligibility Verification (Form I-9) process employers use to verify the identities of newly hired employees and their authorization to work in the United States.

The final rule, which takes effect May 16, adopts an interim rule that included the following changes to previous rules, according to a USCIS press release:

- Prohibit employers from accepting expired documents;
- Revising list of acceptable documents by removing outdated documents and making technical amendments; and
- Adding documentation applicable to certain citizens of the Federated States of Micronesia and the Republic of the Marshall Islands.

Employers are required to complete a Form I-9 for all newly hired workers to verify their status. According to the USCIS, the list of acceptable documents that employees may present to verify their identity and employment authorization is divided into three sections: List A documents, which show identity and employment authorization; List B documents, which show identity only; and List C documents, which show employment authorization only.

The final rule will be published in the Federal Register April 15 and will be available at www.uscis.gov. Employers may continue to use the current version of the Form I-9 (Rev. 08/07/2009) or the previous version (Rev. 02/02/2009). The Handbook for Employers, Instructions for Completing the Form I-9 (M-274) was updated on Jan. 5, 2011, and is available for review at www.uscis.gov/files/form/m-274.pdf.

[Read more](#)

Source: Barnes and Thornburg LLP

Outlook for U.S. farm economy still upbeat

A one-third "correction" in farmland values might be coming if the government raises interest rates to normal levels, a key lending official says.

Farmers and others should keep their eye on the 10-year treasury bond rates, says Jason Henderson, vice president and branch executive of the Omaha Branch of the Federal Reserve of Kansas City. They also should keep an eye on general crop prices and futures markets. For example, U.S. Department of Agriculture forecasts indicate corn prices falling to \$4.10 per bushel in 2013 and net returns for corn falling by 30 percent.

Henderson says the biggest effect is on people who have purchased farmland in the past 18 months, when turnover rate has been relatively low. He says farmers will use their land equity as collateral for machinery and other loans, but lenders are lending more on cash flow projections than they did in the 1970s, so the impacts of a correction should be less.

One of several speakers with the North American Agricultural Journalists annual meeting April 11 in Washington, Henderson acknowledges the impacts from such a correction would be less than the 1980s because farm debt levels are low and equity levels high.

[Read more](#)

Source: AGWeek

House passes GOP budget plan for 2012

House Republicans approved a budget on Friday that would fundamentally alter Medicare and Medicaid, lower taxes on individuals and corporations and cut \$4.4 trillion from the nation's deficit over the next decade.

With its passing, Republicans have officially put forth their vision for reducing the nation's debt and defining how the federal government fits into people's lives. It's a sharply different approach from the one outlined by

become over time and of what can happen as a result.

As I said earlier, it took courage for the MVEA board and members to recognize how change had affected the association's ability to serve members at a level commensurate with today's expectation for programs and services. The board members not only recognized the situation, they did something about it. Now, the former members of MVEA in Missouri will be served by the SouthWestern Association and MVEA members in Illinois will be served by the Midwest Equipment Dealers Association.

Change will continue to occur. The secret is not simply realizing it will occur, but determining what that change will mean and responding appropriately. It is our ability to compare and contrast two points in time, then project the effect of such change into the future and respond to it that are the essential qualities for survival. Whether the two points in time are 104 years apart or 104 minutes, they are important stakes in the ground to measure what is going on all around us. 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 5,500 retail agricultural, construction, large property/rural lifestyle, and outdoor power equipment dealers in the United States and Canada.



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The North American Equipment Dealers Association provides educational, legal, legislative, and financial services to approximately 5,500 retail agricultural, construction, large property/rural lifestyle, and outdoor power equipment dealers in the United States and Canada.

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President Obama on Wednesday, setting up months of clashes between the two parties over a number of critical fiscal issues.

The first round of that battle will come in town hall meetings across the country over the next two weeks, as congressmen head home for an extended recess.

House Republicans are betting that Americans are so concerned about the nation's mounting debt that they will respond to a bold plan to fix it, even if that prescription includes major changes to Medicare and other entitlements that most people support.

"This is our defining moment. We must choose this path to prosperity," Budget Chairman Paul Ryan (R-WI.), chief architect of the plan, said as two days of debate wound down.

[Read more](#)

Source: The Washington Post



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Industry & Manufacturing News

Mahindra parent company may forge pact with Mitsubishi

Mahindra & Mahindra (M&M) is in talks with Mitsubishi for a global strategic alliance to source farm equipment products, including tractors, as it looks to expand presence in major markets across the globe.

India's largest tractor producer plans to form joint product development teams with Mitsubishi, seeking to transform the sourcing arrangements for the U.S. and Indian markets into a global strategic alliance. Under the planned alliance, M&M will source farm equipment products from Mitsubishi and sell them under its brand name in growing international markets.

"We are trying to cement a global relationship, identifying the right markets and products. We are looking at different possibilities and joint product development teams are being identified," said Pravin Shah, chief executive-international operations-automotive and farm equipment sectors, Mahindra & Mahindra.

[Read more](#)

Source: IndiaTimes

There's an app for that ... app can control Husqvarna robot lawnmower
The idea of controlling a lawnmowing robot using an iPhone is just too tempting to pass up.

Husqvarna has an iPhone application that tells its high-end robot mowers when to start mowing, when to cease and return to their chargers, among other capabilities.

[Read more](#)

Source: C-Net UK

U.S. tractor sales are up 7 percent; combines are up 22 percent
According to the AEM's monthly "Flash Report," the sales of all U.S. tractors for March 2011 were up 6.6 percent compared to the same month last year.

For the year 2011, a total of 33,372 tractors were sold, which compares to 31,549 sold through March 2010.

[Read more](#)

Source: AgriMarketing

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U.S. demand for lawn and garden equipment to grow

Sales for residential and commercial equipment are expected to grow more than 6 percent in 2015.

Overall growth in equipment sales will be promoted by an improvement in U.S. housing activity, including new construction and existing single-family home sales, and by a return to growth in the landscaping services business.

[Read more](#)

Source: Lawn & Landscape

Caterpillar CEO warns Illinois governor it may leave state

In January, Illinois Gov. Pat Quinn signed legislation increasing Illinois' personal income tax from 3 percent to 5 percent and then boosting the corporate tax rate from 4.8 percent to 7 percent.

Caterpillar Chief Executive Doug Oberhelman has warned Illinois Governor Pat Quinn that he has been encouraged to look at relocating his company to Wisconsin, Texas, South Dakota, Nebraska, and other states lining up in the wake of Illinois' business tax hike this year.

"I want to stay here," Oberhelman wrote. "But as the leader of this business, I have to do what's right for Caterpillar when making decisions about where to invest. The direction that this state is headed in is not favorable to business, and I'd like to work with you to change that."

Quinn's response shocked most, he said, "Caterpillar is not leaving Illinois. They have well-skilled workers who know how to get the job done. They just signed an agreement with the United Auto Workers, I think for six years. I don't think we should get in a panic at all."

[Read more](#)

Source: AgriMarketing

New survey shows farmers spending more time online

Farmers and ranchers may be spending more time online now than they did five years ago, but they may not be satisfied with their results.

The farmers and ranchers surveyed who spent more than 30 minutes each day on the Internet jumped from 31 percent five years ago to 75 percent today, according to a new survey conducted by AgHaven. And while 12 percent say they did not use the Internet five years ago, that number has decreased to just 3 percent today.

AgHaven surveyed more than 100 farmers and ranchers to find out their online habits. The results uncovered that more than 80 percent of those surveyed use Google for their ag-related searches, but that nearly half of those surveyed were frustrated when search results were not relevant and there were too many options and answers.

[Read more](#)

Source: AgriMarketing

Study shows rural lifestylers are embracing technology

Rural lifestylers, those people who are living the country life but not necessarily trying to make a living at it, have been putting technology to work.

With more than 300 surveys and 13 live video interviews completed, Paulsen Marketing has put together a study on where this rural market segment will make their next purchase decision.

While there is no doubt the traditional sales process has been changing as technology advances, this study pinpoints when, where and how rural lifestylers are gleaning information to make their final purchase decisions.

"By the end of 2011, smartphone adoption will near 50 percent of Americans nationwide with rural lifestylers falling in line with the general population," says Alicia DeGeest, account supervisor for Paulsen and co-author of the study.

"Immediate access to information and the power of opinions through social media, customer reviews and online communities have drastically changed the effect of marketing. Just what mix of methods communicates best to potential customers is in agri-marketers best interest to uncover."

Takeaways from this study include a strong pattern of influence happening online among complete strangers with a common interest. These "micro-influencers" are becoming more and more important to the decision-making process.

[Read more](#)

Source: AgriMarketing



NAEDA, Association & Program Partner News

EDF Disaster Relief Fund can provide grants to dealers, employees

With all of the tornadoes, storms and flooding that have been occurring recently, you may know of dealers and employees in need of assistance.

The Equipment Dealers Foundation Disaster Relief Fund (EDF Fund) was established by NAEDA and its affiliated associations to provide grants to equipment dealers and their employees in disaster areas for losses not covered by insurance and property damaged or destroyed.

The fund can help offset some financial demands faced by those affected by a disaster. Grants from the fund may be used for food, living expenses, temporary accommodation, home repair, home replacement, permanent home construction, transportation accommodation, and other approved needs.

Access an [EDF Disaster Relief Fund form](#) to learn more.

HBS Systems announces availability of online parts inquiry interface

HBS Systems, a provider of turnkey dealership management systems and software, has announced the availability of an online parts inquiry interface between the HBS NetView Dealership Management System

and The Parts Depot dealer redistribution inventory system.

This interface makes it easy to process live, real-time parts inquiries into on-hand inventory at The Parts Depot from within the HBS NetView Parts Inquiry, Parts and Service Point-of-Sale, and Quick Order Adjustment applications.

Inquiries can be processed without rekeying parts numbers, speeding up customer service at the parts counter. Each inquiry quickly searches through more than 1.25 million in-stock parts in the Chilton, Wisconsin and McKenzie, Tennessee Parts Depot warehouse locations.

For details, contact HBS Systems at 1-800/376-6376 or sales@hbssystems.com, or visit www.hbssystems.com. To contact The Parts Depot call 1-800/743-3768 or visit www.depotparts.com.

HBS Systems provides management systems and software for dealers and distributors in the ag, construction and industrial equipment industries. Its modular software allows dealers to choose from a range of management tools spanning general ledger, accounts receivable, accounts payable, payroll, unit sales, service, lease/rental, point-of-sale invoicing, parts inventory, manufacturer communications, barcoding, wireless inventory, debit/credit card payment processing, and electronic parts catalogs. Its technology is used by equipment manufacturers, dealers and distributors worldwide.

The Parts Depot helps dealers redistribute new unused parts inventory that cannot be returned to OEMs. More than 5,000 dealerships have participated in making 1.25 million current and non-current parts available to same line dealerships at below dealer net prices.

EEOC takes aggressive stance against random alcohol testing policies
The Equal Employment Opportunity Commission (EEOC) has filed suit against U.S. Steel Corporation alleging the company's random alcohol testing policy authorized by a collective bargaining agreement violates the Americans with Disabilities Act (ADA).

Unlike testing for the current use of illegal drugs, alcohol testing is considered a medical exam under the ADA. Further, the ADA permits medical exams only when "job-related" and "consistent with business necessity." This means a medical exam - such as an alcohol test - is only permitted when employers have a reasonable belief that a particular employee will be unable to perform the job or will pose a direct threat due to a medical condition.

According to the EEOC's complaint, U.S. Steel violated the ADA when it required probationary employee Abigail DeSimone to submit to a random breathalyzer test administered by a company nurse. When DeSimone tested positive for alcohol, she advised the nurse that she had not ingested any alcohol in the past month, and that her medical condition might have contributed to the positive test result. That same day, DeSimone's personal physician performed a blood alcohol test and obtained a negative result. Although the results were made available to U.S. Steel, the company refused to accept them. DeSimone was ultimately terminated for violating the company's alcohol policy.

Although in the early stages of litigation, this case could have far reaching consequences, as many employers utilize random alcohol testing. Additionally, this case underscores the fact that even though a practice is provided for in a collective bargaining agreement, that provision will not necessarily insulate an employer from potential legal claims.

Source: [Barnes & Thornburg LLP](#)

This information should not be construed as legal advice or legal opinion on any specific facts or circumstances. It is for general informational purposes only. You are urged to consult your own lawyer on any specific legal questions you may have concerning your situation.

KPA: EEOC issues final regulations for ADA compliance
Can you define what is a disability and who is covered under the ADA (Americans With Disabilities Act) and ADAAA (ADA Amendments Act of 2008)? The answer to this question of what is a disability under the EEOC final regulations may surprise you. Watch this short video to learn about the impact on employers [...] blog.kpaonline.com/2011/04/eec-ada-regulations-compliance/

KPA: Service advisors must be paid overtime
On April 5th, the Wage and Hour Division of the U.S. Department of Labor clarified that service advisors are not exempt from overtime. While the current regulations states "a service manager, service writer, service advisor or service salesman who is not primarily engaged in the work of a salesman, partsman or mechanic is not exempt" [...] blog.kpaonline.com/2011/04/service-advisors-overtime/

NEDA member Hooper Inc. acquires Chambersburg Farm Service
Pennsylvania-based equipment dealer Hooper Inc. recently closed on the purchase of Chambersburg Farm Service.

Hooper will now have three locations in Pennsylvania (Intercourse, McAlisterville and Chambersburg), and two locations in Delaware (Middletown and Seaford).

Hooper and Chambersburg are both members of the NAEDA-affiliated Northeast Equipment Dealers Association (NEDA).

[Read more](#)

Source: PublicOpinionOnline



Canadian News

Price hikes spreading as inflation hits 3.3 percent
Inflation in Canada is spreading through the economy at a faster pace than the Bank of Canada expected, marking a turning point after two years of little price pressure.

Until now, higher prices had largely been limited to energy, defying a trend that has swept through other countries as commodity prices surge.

[Read more](#)

Source: The Globe and Mail

Canadian dollar surges to multi-year high
The Canadian dollar has hit a 3½-year high and North American markets staged their biggest one-day rally of the year.

The loonie closed up 0.35 of a cent at 104.90 cents US after touching a high of 105.29 cents US, its loftiest level since November 2007.

[Read more](#)

Source: CBC News

Political parties stake their ground on ag issues

Here are the main issues and promises and how the parties compare.

The article concerns international trade, food safety, supply management, the Canadian Wheat Board, and other matters important to the agriculture community.

[Read more](#)

Source: The Star Phoenix

Canadian farm leaders seek better ag programs from next federal government

Farm leaders want candidates to promise that the next federal government will improve farm programs.

They also want candidates to pay more attention to ag issues.

"I think the issue is under-represented in the campaign debate," Wild Rose Agricultural Producers president Humphrey Banack said after meeting with counterparts from Saskatchewan and Manitoba.

[Read more](#)

Source: Producer.com

Harper, Ignatieff spar over compromise in potential minority scenario

Stephen Harper is rejecting the notion of working with the other parties to come up with a compromise that would save a Conservative government from defeat if his party wins another minority.

"I don't accept the question," Harper said when asked if he'd be willing to work with the other parties in a minority setting.

[Read more](#)

Source: Canada.com

Tip of the Month



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