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NORTH AMERICAN EQUIPMENT DEALERS ASSOCIATION e-newsletter

Thursday, June 16, 2011

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Industry & Manufacturing News

McCormick USA and Woods Equipment form strategic alliance
McCormick USA and Woods Equipment Company have formed a strategic partnership to offer Woods attachments through McCormick USA's dealer network.

The alliance covers agriculture and landscape equipment including cutters, finish and zero-turn mowers, front-end loaders, backhoes, snow blowers, and assorted scrapers, discs, rakes, post hole diggers, stump grinders, and blades. All equipment covered under this agreement will be McCormick red and branded "McCormick by Woods."

[Read more](#)

Source: PRLog

Yamaha moves ATV production to Georgia
Officials with Yamaha Motor Corp., USA recently announced the transfer of production of Yamaha ATVs from Japan to the company's Newnan, Ga. plant.

The first production run of new ATV models transferred from production facilities in Japan will take place in June at the Newnan factory.

The move could add 200 or more American jobs at Yamaha's U.S. factory as well as additional jobs at 125 North American parts supplier companies.

[Read more](#)

Source: Power Equipment Trade

Stihl Yard Power products recalled due to possible ethanol level hazard
The U.S. Consumer Product Safety Commission, in cooperation with Stihl, has announced a voluntary recall of gas powered Stihl trimmers, brushcutters, KombiMotors, hedge trimmers, edgers, clearing saws, pole pruners, and backpack blowers that have a toolless fuel cap.

The recall affects about 2.3 million units. The recall involves the level of ethanol and other fuel additives used in the equipment, which the CPSC cautions could distort the toolless fuel cap, allowing fuel to spill, posing a fire and burn hazard.

Stihl has received 81 reports of difficulty installing and/or removing the fuel caps and fuel spillage. No injuries have been reported. The equipment was sold at authorized Stihl dealers nationwide from July 2002 through May 2011 for between \$190 and \$650.

Consumers should immediately stop using these products and return them to an authorized Stihl dealer for a free repair. Consumers can contact Stihl for instructions on identifying these toolless fuel caps.

Consumers may contact Stihl toll-free at 800/ 233-4729 between 8 a.m. and 8 p.m. ET Monday through Friday, or visit www.stihlusa.com.

[Read more](#)

Source: The CPSC and STIHL

Mahindra supports tornado disaster recovery efforts

To support its dealers and their communities who have been affected by tornado devastation, Mahindra USA has initiated the Mahindra Recovery Assistance Program to deploy Mahindra Tractors in dealer inventories to assist in the clean-up of communities affected by the recent tornadoes.

"We express our sincere sympathy and solidarity with our Mahindra family members whose communities have been affected by these tragic events in the South and Missouri," stated Mahindra USA President Mani Iyer. "We are committed to helping our family members and their communities in bringing positive change from these tragedies."

[Read more](#)

Source: Mahindra

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CEO Blog

Wanted: New ideas
June 2011

I sense that most reasonable people would agree that government has a role to play in our society. Exactly what that role should be, and how we should pay for it, is often where disagreements begin.

Today there is enormous pressure to clearly determine answers to these questions. That pressure is coming from an ever-increasing overspending and debt problem, not only in the U.S. and Canada, but across the globe. What exactly should government do and how will we pay for it are questions that must be answered.

It's no secret Congress has created an enormous problem by continually spending more than it takes in. Don't let anyone kid you ... although the problem has grown worse, overspending has been going on for years. Congress is like drug addicts in a room full of heroin: it can't control itself. So now, like most problems created by Congress, it's a crisis and the gloves are off regarding how it should be fixed. It's the epic battle between "tax and spend" and

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Legislative & Regulatory News

Updated: Senate kills off ethanol tax breaks

The Senate has voted 73-27 to kill a major tax break that benefits the ethanol industry, handing a political win to a bipartisan group of lawmakers that call the incentive needless and expensive.

The vote also could have ramifications on future votes to reduce the deficit. Much of the GOP conference supported Feinstein's bill even though it does not include another tax break to offset the elimination of the ethanol tax credit.

[Read more](#)

Source: The Hill

Small business wins swipe fee battle; see how your senators voted

The Senate has rejected a move to postpone a cap on debit card swipe fees, the charges retailers must pay the banks each time a customer pays for a purchase with a bank card.

The cap of between 7 and 12 cents, which is scheduled to go into effect July 21, was proposed by the Federal Reserve in December. Without the cap in place, retailers have been paying the banks up to 63 cents per debit card transaction.

[View how your senators voted](#)

[Read more](#)

Source: Fox Business

LightSquared granted two week extension due to GPS interference

LightSquared has been granted a two week extension to file with the FCC-mandated Working Group in an effort to overcome interference problems that its system is causing that is affecting GPS transmissions including agricultural-related GPS transmissions.

"lower taxes and cut government spending." Unfortunately, neither approach by itself will fix the problem. The patient is sick and the doctor is on vacation!

So where is our hero? I'm sorry, but this is reality, not a fairy tale. Like Henry J. Kaiser said, "Problems are only opportunities in work clothes." We didn't get into this situation overnight and we won't get out of it overnight. It will take hard work, patience and solid ideas to fix it. The paradox is that the demands are greater than government's ability to address them, even if we all agree on the fix. Another paradox is politics. Politicians' posturing to other professional politicians (who often are more concerned about preserving their career than developing real solutions) will not get the job done.

What can we do? Here are ideas:

1. Reinvigorate an entrepreneurial spirit.
The entrepreneurial spirit is sorely needed. Government should inspire people to dream big. It should create an environment where people feel free to pursue their ideas, take risks and reap the commensurate rewards ... instead of an environment where people and businesses are taxed and regulated to the point where they give up. Jobs will be created when entrepreneurs and businesses are encouraged to reach higher.

2. Act as a support mechanism.
A government that will act as a catalyst for ideas and the infrastructure required to implement them will be a step on the road to recovery. Governments are already spending billions on R&D, so let's use some of these funds in a more collaborative manner with the private sector. Congress should also weigh whether regulations are helping or hurting the economy and then legislate appropriately.

3. Encourage new forms of business-to-business collaboration.

Collaborations between businesses of all sizes can generate ideas and accelerate innovation. Great ideas may come from small businesses, but they often need the involvement, support and funding of larger, better staffed businesses. Some collaboration occurs today, but more is needed.

4. Create new sources to finance innovation.
Perhaps we need a funding institution that can access capital more quickly and inexpensively. It should absorb a little more risk than traditional mechanisms alone. Venture capitalists are a good source, but their involvement is not enough to meet the total demand. Besides, they frequently demand a high premium for their investment.

5. Provide exceptional, positive leadership.
Leadership that has a laser focus on building something great and fixing real issues is essential. One admirable quality of John Kennedy was his willingness to provide a big, hairy, audacious goal (BHAG). Remember? He said, let's choose to go to the moon in this decade. The United States at the time had few resources

For example, Deere & Company has notified the Federal Communications Commission (FCC) of substantial interference with its GPS receivers due to the LightSquared signal.

Interference by the LightSquared signal has been detected as far away as 22 miles from a transmitter.

Deere representatives say they have found no practicable technical solution to fix the interference problem affecting GPS signals.

[Read more](#)

Source: GPS World

[Related story](#)

House begins debate on ag spending bill

The House of Representatives has begun consideration of the FY2012 Agriculture Appropriations measure (H.R. 2112).

The legislation includes reductions of \$3.5 billion to USDA programs, \$285 million to FDA programs, and \$30 million to the Commodities Future Trading Commission from FY2011 levels.

Some observers expect either Agriculture Committee Chair Frank Lucas (R-OK) or Ranking Member Colin Peterson (D-MN) to raise a point of order against portions of the bill they say infringe upon the House Agriculture Committee's responsibilities to authorize farm programs.

Among these provisions is an amendment offered by Jeff Flake (R-AZ) and approved by the Appropriations committee that would reduce the cap on Adjusted Gross Income for recipients of Farm Bill commodity payments from \$750,000 to \$250,000. Additionally, amendments reducing or eliminating funding for the Market Access Program (MAP) and predator control activities at USDA's Wildlife Services could be offered during debate, though none have been officially offered yet.

NAEDA signs on to Korean, Colombian and Panamanian trade agreement letters

Each letter urged members of Congress to vote for legislation to implement the free trade agreement with each country as soon as possible.

NAEDA believes that all three of the agreements are overwhelmingly good for American agriculture and present no risks. According to the letters, the free trade agreements would create significant new and expanded market opportunities for U.S. exports but will not result in any appreciable increase in agricultural imports. It will also help the U.S. maintain its competitive position into these countries as other agricultural exporting countries enter into their own trade agreements with them.

If Congress fails to approve this agreement, the United States stands to relinquish its export sales to competitors.

E-Verify legislation expected in the House

Representative Lamar Smith (R-TX) is expected to introduce an E-Verify bill soon, requiring all employees to be registered in a government database using their social security number.

There is speculation that agriculture employees will be granted a 36-month phase-in period, giving some recognition to the unique circumstances regarding the agricultural labor force. The House Judiciary Committee, chaired by Representative Smith, will hold a hearing on Wednesday, July 15th, on the proposed legislation.

Obama order on contractor donations may be stalled

The White House is under pressure from consumer activists to follow through with its plan to force government contractors to disclose their political contributions, a rule that many companies including NAEDA say will politicize awards of government business.

President Obama is working on an order to compel bidders for federal contracts to disclose two years worth of political contributions. Consumer group Public Citizen said it is among those worried that the White House attempt to throw more light on campaign spending will be put on the shelf after harsh criticism from the business community.

[Read more](#)

Source: Reuters and the Trust Law firm

NLRB strikes employer's mandatory arbitration policy; orders employee reinstatement

In May, the U.S. Supreme Court in AT&T vs. Concepcion issued a landmark decision favoring the arbitration of claims which buoyed employers' hope for a similar finding in the employment context. But a ruling of the National Labor Relations Board reminds employers of the limits of arbitration policies in the employment context.

In Supply Technologies, LLC vs. Teamsters Local 120, NLRB, Case No. 18-CA-19587, the NLRB struck down an employer's mandatory arbitration policy as an unfair labor practice. In Supply Technologies, the employer implemented a mandatory grievance-arbitration program for its employees, called the "Total Solution Management" (TSM). The TSM program consisted of three steps (internal review, mediation and binding arbitration) and, with limited exception, was the sole means for resolving any claims against the employer. Employees who refused to participate in the TSM program were terminated.

in place and little idea of how to accomplish the goal, but it put a man on the moon. We sorely need someone, or a group of some ones, to step up and not be deterred by distractions created by politics, the media and left- or right-wing extremists. We need leaders who honestly, deeply care and believe they can make things better.

Yes, the United States faces daunting challenges, but if we deal with this financial mess head on, we may very well determine the fate of our beliefs and our society. 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 Teamsters filed a complaint with the Board alleging that the TSM program unlawfully interfered with employees' rights under the National Labor Relations Act to file an unfair labor practice charge with the Board or access the procedures available at the Board. The Board agreed. Without addressing the Supreme Court's decision in AT&T, the Board struck down the employer's mandatory arbitration program by relying on inconsistencies in the paperwork describing the program and the employees' ability to understand the nature of the program.

In rolling out the program, the Company simply distributed several documents about the program, in English, despite the fact that a significant percentage of the workforce did not speak English. Testimony suggested that the employer discharged employees who claimed not to understand, who requested explanations or who failed to cooperate. The Board in fact found the documents for the TSM to be confusing and full of inconsistencies.

Most significantly, the TSM documents stated that the only claims that employees could bring outside the TSM policy were criminal claims and claims for workers' compensation and unemployment benefits. This language suggested an employee had to bring any unfair labor practice charge through the TSM program, and thus could not make that charge with the Board. Thus, the TSM program materials appeared to require arbitration of any charges that could have been filed with the NLRB.

In addition, the employer's TSM program stated that employees waived any right to remedial relief recovered by any agency. Thus, even if the TSM program did not prevent an employee from filing a charge with the Board, the Board believed that the waiver requirement would serve to deter and discourage employees from exercising their rights to bring a charge with the Board or utilize its processes. Since the NLRA prohibits such conduct, the Board struck down the employer's mandatory arbitration policy.

The Supply Technology decision provides an illustrative example of the limits of a mandatory arbitration policy in the employment context and the critical role that drafting and roll-out can play in implementing such a policy. Employers who may be considering implementation of such a program should contact their legal counsel to discuss not only how federal labor law may affect a mandatory arbitration program, but other federal and state laws that could affect a program of this type.

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NAEDA, Association & Program Partner News

Order the NAEDA 2011 Buyer's Guide now; contains 2,000+ supplier listings

The 196-page *2011 NAEDA Buyer's Guide* boasts product and contact information for nearly 2,000 agricultural, construction, large property/lifestyle, and outdoor power equipment suppliers.

The 2011 guide was mailed in May to dealer members who subscribe to the *NAEDA Equipment Dealer* magazine. NAEDA has a limited supply of 2011 guides that you can order now for key employees involved in equipment, implement and parts ordering.

Dealer decision makers across North America use the guide to learn about and contact suppliers who can provide them with the equipment, implements and parts their customers need and want.

Order the 2011 NAEDA Buyer's Guide now by completing this [form](#). It costs just \$35 per copy (price includes shipping and handling). You can also order by phone by calling NAEDA at 636/349-5000 or by [email](#).

Help your staff find the right suppliers to help your dealership succeed. Order an extra copy of the *2011 NAEDA Buyer's Guide* today.

Watch CNBC's Jim Cramer's interview with Titan Machinery's David Meyer. Jim Cramer, host of *Mad Money* with Jim Cramer on CNBC and frequent commentator on NBC's *Today Show*, called attention to Titan Machinery, a West Fargo, N.D.-based company that owns and operates a network of full-service agricultural and construction equipment stores in the U.S.

Cramer interviewed Titan CEO David Meyer, who relayed a positive outlook for the equipment industry. Titan Machinery is a member of multiple NAEDA-affiliated associations.

[Watch](#) the video interview now.

Source: *Mad Money* with Jim Cramer - Mad Cap Recap

NAEDA member Union Farm Equipment, Inc. receives Kubota Kaizen Award. Kubota Tractor Corporation has awarded the 2010 President's Kaizen Award to Union Farm Equipment, Inc., Union, Maine. Union Farm Equipment is a member dealer of the NAEDA-affiliated Northeast Equipment Dealers Association.

The Kaizen Award is presented to elite dealers who demonstrate a commitment to continuous

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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improvement. The concept of Kaizen originated in Japan as a model for improving the manufacturing process. Kubota has adapted the concept to all levels of their business, from the corporate offices to individual dealerships. Kubota believes it is vital that current and future customers understand their commitment to continuous improvements in the quality of their products.

[Read more](#)

Source: (Waldo) Village Soup

SEDA member Lasseter buys Stafford Deere ag operations

Lasseter Equipment Company of Moultrie, Ga., has purchased the John Deere Agricultural Operations of Stafford Equipment Company of Tifton, Valdosta and Douglas, Ga. Lasseter Equipment is a member of the NAEDA-affiliated Southern Equipment Dealers Association (SEDA).

The Stafford family has owned the business for 60 years.

[Read more](#)

Source: The Moultrie Observer

Register now for the 2011 GIE+EXPO

Visit NAEDA at the exclusive Dealer Resource Pavilion ... its new this year and is all about helping dealers succeed.

Online registration is now open for the 2011 GIE+EXPO, the outdoor power equipment industry's largest trade show. It will once again be held at the Kentucky Exposition Center in Louisville, Ky., Oct. 27-29. An early-bird registration fee of \$10 is being offered through Sept. 14. After that, pre-registration will be \$25. The onsite registration fee will be \$50. Go to www.gie-expo.com to register and learn more about show updates, events and Refer-a-Friend.

GIE+EXPO is sponsored by the Outdoor Power Equipment Institute (OPEI), Professional Landcare Network (PLANET) and Professional Grounds Management Society (PGMS).

Bill Harley, president and CEO of OPEI, said many of the event's popular features will return in 2011 including the New Products Arena and the 19-acre outdoor demonstration area. Additionally, Hardscape North America will again be located within GIE+EXPO 2011 so that you can see the latest in landscapes, gardens, outdoor leisure, and hardscapes, as well as the most exciting new outdoor power equipment.

Dealer Resource Pavilion

New this year will be an exclusive dealer-only Dealer Resource Pavilion where dealers can learn valuable strategies to increase sales and the overall success of their dealership. NAEDA has played a pivotal role in the formation of the Dealer Resource Pavilion and is coordinating the expert dealer-focused presentations, which will be held in the pavilion. Please stop by to visit the NAEDA booth within the pavilion area to get acquainted with all the ways NAEDA and its affiliated associations can help you.

Dealer Resource Pavilion speakers include the always-popular presenter Bob Clements of Bob Clements International (and respected *NAEDA Equipment Dealer* magazine columnist). Bob will lead sessions about aftermarket sales, merchandising, marketing, and parts department management strategies.

Gary L. Antoniewicz of the Boardman Law Firm, a firm that specializes in business and dealer law, will discuss the critical legal issues affecting dealers and discuss ways to respond to such challenges as effectively as possible.

Sabrina Sebastian, who leads integrated media marketing for Fastline, will share how to integrate effective social media strategies into your marketing plans to drive sales and improve customer relations.

Scott Muehlhauser, president of Scott's Power Equipment (a member dealer of the NAEDA-affiliated SouthWestern Association), was one of the 17,000 participants at the 2010 event. He says, "There is always something to see, always something to learn at GIE+EXPO. And, if it can help your bottom line and make your business easier, then it's well worth it to be there. If you've never been to GIE+EXPO, you have got to get there!" Muehlhauser is the vice chairman of the NAEDA OPE Dealer Council

In addition to finding information about the show on the GIE+EXPO Web site, you can contact show coordinators, Sellers Expositions, at 1-800/558-8767 or 812/949-9200 ,or email info@gie-expo.com if you have questions.

GIE+EXPO housing is now open

Housing is now open for GIE+EXPO 2011 through the Louisville Convention and Visitors Bureau (LCVB). Reservations can be made through www.gie-expo.com. Reservations are processed through this Web site daily or you may contact the Housing Bureau, weekdays, 9:00 a.m. - 5:00 p.m., at 1-800/743-3100 or 502/561-3100.

Advantages are numerous to booking through the LCVB. Local hotels have been selected for the show at negotiated rates, and the show's shuttle service has pick-up stops outside many of these selected hotels.

Charlie Daniels is set to wow the crowd

Country music legend Charlie Daniels will celebrate a milestone birthday (his 75th) on the GIE+EXPO stage at 4th Street Live! in downtown Louisville during GIE+EXPO 2011. He is set to perform Oct. 28 at 9:00 p.m. Concert admission is free.



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Canadian News

Canadians get clear picture of Conservative mandate

One month after Canadians gave Prime Minister Stephen Harper a majority mandate in the House of Commons, the governing Conservatives have revealed they will use the power to reduce taxes, eliminate the deficit in four years, crack down on crime and reform the Senate.

The pledges are among a range of initiatives the Conservatives outlined in a Throne Speech read by Gov. Gen. David Johnston in the Senate on Friday, as the crop of 308 recently elected MPs -- about one-third of them first-timers -- elbowed for a spot in the crowded chamber.

[Read more](#)

Source: Edmonton Journal

Conservative government will end Canadian Wheat Board monopoly

Ottawa plans to end the Canadian Wheat Board's marketing monopoly on spring wheat, durum and barley crops simultaneously in August 2012.

The board's chairman made the announcement after meeting with Agriculture Minister Gerry Ritz on June 14.

[Read more](#)

Source: Agriculture Canada

Canada reintroduces the next phase of Canada's economic action plan

The Honourable Jim Flaherty, Minister of Finance, reintroduced Budget 2011, the Next Phase of Canada's Economic Action Plan—A Low-Tax Plan for Jobs and Growth.

The revised budget includes all of the measures that were part of the March 22 budget. In addition, in this budget:

- Provision has been made in 2011–12 for \$2.2 billion in support of the conclusion of a satisfactory agreement between Canada and Quebec on sales tax harmonization, consistent with the Government's commitment in this regard.
- The Government is announcing the phase-out of quarterly allowances for political parties.

Building on the sustainable, low-tax environment and growth-friendly policies put in place since 2006, the Next Phase of Canada's Economic Action Plan will focus on supporting job creation, supporting families and communities, investing in innovation, education and training, and preserving Canada's fiscal advantage.

Supporting Job Creation

The Government will support job creation by helping businesses and entrepreneurs succeed, keeping taxes low, investing in projects of national importance, and maintaining Canada's brand as one of the best places to invest. The Next Phase of Canada's Economic Action Plan advances these priorities by:

- Providing a temporary Hiring Credit for Small Business to encourage additional hiring by this vital sector.
- Extending the work-sharing program and the Targeted Initiative for Older Workers to help Canadians stay in the workforce.
- Supporting the manufacturing and processing sector by extending the temporary accelerated capital cost allowance treatment for investment in manufacturing or processing machinery and equipment for two years.
- Legislating a permanent annual investment of \$2 billion in the Gas Tax Fund to provide predictable, long-term infrastructure funding for municipalities.
- Investing to promote innovation in Canada's important agriculture, forestry and mining sectors.

Supporting Families and Communities

The Government will support families and communities so that all Canadians enjoy a high standard of living and our communities stay vibrant and safe. The Next Phase of Canada's Economic Action Plan invests in these goals by:

- Enhancing the Guaranteed Income Supplement (GIS) for those seniors who rely almost exclusively on their Old Age Security and the GIS and may be at risk of experiencing financial difficulties. This measure will provide a new top-up benefit of up to \$600 per year for single seniors and \$840 per year for couples. This measure represents an investment of more than \$300 million per year, and will improve the financial security of more than 680,000 seniors across Canada.
- Attracting more health care workers to underserved rural and remote communities by forgiving up to \$40,000 of the federal component of Canada Student Loans for new family physicians and up to \$20,000 for nurse practitioners and nurses.
- Introducing a new \$2,000 Family Caregiver Tax Credit amount that will provide tax relief to

caregivers of infirm dependent relatives including, for the first time, spouses, common-law partners and minor children.

- Introducing a new Children's Arts Tax Credit on up to \$500 per child of eligible fees associated with children's artistic, cultural, recreational, and developmental activities.
- Introducing a \$3,000 Volunteer Firefighters Tax Credit amount for volunteer firefighters who perform at least 200 hours of service in their communities.
- Providing nearly \$870 million over two years to address climate change and air quality, including the extension of the ecoENERGY Retrofit – Homes program that will help homeowners make their homes more energy efficient and reduce the burden of high energy costs.

Investing in Innovation, Education and Training

The Government will promote research in leading-edge technologies and will provide Canadians with the opportunity and incentives to acquire the skills needed for jobs in today's labour market. The Next Phase of Canada's Economic Action Plan makes important progress on these priorities by:

- Providing \$80 million in new funding over three years through the Industrial Research Assistance Program to help small and medium-sized businesses accelerate their adoption of key information and communications technologies through collaborative projects with colleges.
- Establishing 10 new Canada Excellence Research Chairs, some of which will be active in fields relevant to Canada's Digital Economy Strategy.
- Increasing the budgets of all three federal granting councils by \$47 million annually, including support for indirect costs.
- Improving commercialization and supporting demonstration of new technologies in the marketplace by supporting research links among colleges, universities and businesses.
- Enhancing and expanding Canada Student Loans and Grants for part-time and full-time post-secondary students.
- Encouraging skills certification by making all occupational, trade and professional examination fees eligible for tax relief.

Preserving Canada's Fiscal Advantage

The Government's three-point plan set out in Budget 2010 to return to budget balance is on track to generate savings of \$17.6 billion over five years. The Next Phase of Canada's Economic Action Plan builds on these actions with measures to achieve additional savings over five years by:

- Delivering more than \$500 million in new ongoing savings from the 2010 round of strategic reviews.
- Protecting the integrity and fairness of the Canadian tax system by closing tax loopholes.
- Launching a comprehensive one-year Strategic and Operating Review of departmental spending across all of government in 2011-12.

Once completed, this Strategic and Operating Review will achieve \$4 billion in annual savings and allow the Government to return to balance by 2014-15, one year earlier than previously planned, Minister Flaherty said. Savings from the review are not recorded in Budget 2011, but will be reported on and recorded in Budget 2012 when the review is completed and savings identified.

[Read more](#)

Source: Department of Finance - Canada

Tip of the Month



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