



NAEDA Update

NORTH AMERICAN EQUIPMENT DEALERS ASSOCIATION e-newsletter

Thursday, April 26, 2012

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Legislative & Regulatory News

John Boehner to Announce Transportation Conferees

Speaker John Boehner was expected today to announce his slate of GOP conferees to a transportation conference committee that includes a number of chairmen as well as freshman lawmakers who could help push a final agreement through the chamber.

The Ohio Republican huddled with his GOP conferees in his Capitol Hill office this afternoon to discuss the conference. Members who attended the meeting include Transportation and Infrastructure Chairman John Mica (Fla.), Ways and Means Chairman Dave Camp (Mich.), Natural Resources Chairman Doc Hastings (Wash.), Energy and Commerce Chairman Fred Upton (Mich.), Science, Space and Technology Chairman Ralph Hall (Texas), and Reps. Reid Ribble (Wis.), Steve Southerland (Fla.), Don Young (Alaska), Bill Shuster (Pa.), Rick Crawford (Ark.), John Duncan (Tenn.), Shelley Moore Capito (W.Va.), Jaime Herrera Beutler (Wash.), Rob Bishop (Utah), James Lankford (Okla.), Patrick Tiberi (Ohio) and Ed Whitfield (Ky.).

Members of the freshman class made up much of the opposition to Boehner's efforts to pass a massive reform package earlier this year, and his picks for the committee appear aimed at helping garner buy-in from the influential group once a deal with the Senate is struck.

Significantly, Boehner did not put any members of his leadership team on the conference committee.

Also named to the committee were Del. Eleanor Holmes Norton (D-D.C.) and Democratic Reps. Nick Rahall (W.Va.), Peter DeFazio (Ore.), Jerry Costello (Ill.), Jerrold Nadler (N.Y.), Corrine Brown (Fla.), Elijah Cummings (Md.), Leonard Boswell (Iowa) and Tim Bishop (N.Y.).

Source: Roll Call

USDA Officials Announce BSE Finding

The U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) has announced that it has confirmed the nation's fourth case of bovine spongiform encephalopathy (BSE) in a dairy cow from central California. The cow had been sent to a rendering facility where it was tested as a result of USDA's targeted surveillance system. The laboratory findings indicate the case to be an atypical form of BSE, which is described as a very rare form of the disease not generally associated with an animal consuming infected feed. The cow had never been presented for human consumption. In addition, BSE is not transmitted in milk. Because the U.S. follows World Animal Health (OIE) Guidelines, APHIS officials do not believe the case should affect exports. As is customary, the laboratory results will be shared with international animal health reference laboratories in Canada and England. Further information can be found at the [USDA Animal Health - BSE website](#).

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CEO Blog

"What is the Food, Conservation and Energy Act?"

April 2012

If I randomly asked people if they have ever heard of the Food, Conservation and Energy Act or what it entails, I doubt if too many would have a clue? On the other hand,

if I said it is also known as the 2008 "Farm Bill," they would probably have some mental image of what they think the bill is about or what it does.

Over the past 50 years, the so-called Farm Bill has been called many things. For instance, in 1965 it was titled the Food and Agricultural Act. In 1985, it was called the Food Security Act. By 1990, it had transitioned into the Food, Agriculture, Conservation and Trade Act. One would be hard pressed to find the word "Farm" anywhere in the bill's title. Yet, at the end of the day, it is most commonly referred to as the Farm Bill.

Also, let's examine it from a budget outlay perspective. To paraphrase a USDA spokesperson who addressed the 2012 NAEDA Fly-In held March 21-22 in Washington, D.C., approximately \$900 billion will be spent on all the various titles of the bill over a 10-year period. Of that amount, over 70% is dedicated to food and

Senate Agriculture Committee Farm Bill Mark-Up

Senator Debbie Stabenow, Chairwoman of the U.S. Senate Committee on Agriculture, Nutrition and Forestry has started a markup of the 2012 Farm Bill. The Senate Committee met on April 26 to discuss their version of the bill.

A copy of the Chairwoman's Summary of the Farm Bill Committee Print can be found here.

<http://www.ag.senate.gov/newsroom/press/release/2012-farm-bill-committee-print>

To follow the markup of the Senate farm bill, click here.

<http://www.ag.senate.gov/issues/farm-bill>

Equal Employment Opportunity Commission Issues Guidance on Criminal-Background Checks

The Equal Employment Opportunity Commission (EEOC) has issued a new guidance document that impacts the ability of employers to continue to use criminal-background checks to make informed hiring decisions. The new guidance replaces one that had been in effect for twenty-five years and has served a wide variety of professions and occupations as a de facto national regulation. Numerous organizations, including NAEDA, had expressed concerns to EEOC as this guidance document was being developed. All the organizations believed that criminal background checks are an important tool in efforts to help protect employees, customers and the public at-large from workplace violence, fraud and theft.

Dealers are encouraged to become familiar with these new guidelines. Note the section on "best practices" included in the document starting on page 25.

A copy of the guidance document can be found [here](#).

EEOC has also issued a Q & A which can be found [here](#).

nutrition programs such as food stamps, etc. The remaining 30%, or less, are divided between commodity programs and conservation programs that actually are aimed toward farmers and other landowners.

However, it is all too common for the popular press to lump all these payments together as "subsidies" to farmers. It is true, of course, that farmers do benefit from any additional food purchases made by consumers, whether through food stamps or not, but it is a far cry from a dollar-for-dollar direct payment to farmers.

Congress is now preparing to pass another so-called Farm Bill in 2012 or shortly thereafter. Budget considerations will be a key factor in determining the fate of commodity programs and direct payments to farmers in the new Farm Bill. Virtually everyone I spoke with during our Fly-In predicts that any direct payments to farmers are GONE! That was the 100% consensus of people in Congress, the congressional staff, USDA policy personnel and other organizations. Instead, more emphasis will be placed on crop insurance and other programs that cover some losses when the weather or markets do turn against farmers.

As often happens, you are probably wondering what is this guy's point? Actually, I have several points. First, the Farm Bill was one of four major priorities we asked Fly-In attendees to discuss with their elected officials. Several speakers also made reference to this particular piece of legislation in their presentations.

Secondly, it has become evident that the funding for the Farm Bill will be reduced. The question now becomes, what will be cut? More than likely, any cuts will be heavily weighted towards reducing direct payments to farmers versus those going to food programs targeting consumers. Even other titles of the bill, particularly those dealing with education, conservation and trade, are less likely to face the budget ax. My final point is: It is a misnomer and a public relations nightmare to continue calling this legislation the Farm Bill! Very little of the legislation today, and even less in the future, is going to benefit farmers. Nearly every so-called Farm Bill in the past 50 years has had the word "Food" in the title. The vast majority of payments related to the bill go to feed people through various food programs.

Why don't we start referring to the legislation by the congressional-given name? Better yet, we could shorten the name to the "Food Assistance" or "Consumer Nutrition" bill or some other

NAEDA Update Official Sponsor

Webster's Dictionary defines the word BASIC as:

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Industry & Manufacturing News

Spring Equipment Theft Advisory

It has been reported that there have been an increasing number of Compact Tractor, Commercial Mower and Utility Cart thefts occurring at equipment dealerships and rental businesses across the country, especially in Northeast and Mid Atlantic states.

There is nothing new in these businesses being targeted by criminals and this increase occurs every spring as dealer inventories swell at the start of the season. However, these theft incidents are becoming more regular, and indicate an organized, motivated and resourceful criminal element; potentially the same offenders from past seasons.

The National Equipment Registry (NER) has posted a "Spring Equipment Theft Advisory" on common trends, how to prevent thefts and how to take action with the law enforcement and industry representatives.

Read the [NER Spring Equipment Theft Advisory](#)

Source: NER

Mahindra USA and NAEDA Meet

NAEDA's Industry Relations Taskforce (IRTF) recently met with top management at Mahindra USA at their headquarters in Houston, TX. It was an excellent inaugural meeting, with an opportunity for both parties to better understand and appreciate mutual interests and concerns. NAEDA's IRTF canvassed Mahindra dealers prior to the meeting for their issues and were able to present them during the meeting. The next IRTF meeting will occur on May 25, 2012 with John Deere management at their new headquarters in Olathe, KS. Any Deere dealers with issues should contact a member of the IRTF or their affiliate association.

Dealer Contracts Reviewed by NAEDA

NAEDA working closely with affiliate associations and NAEDA Legal Counsel, recently completed three more contract reviews. They included new dealer agreements for Maschio Gaspardo and Kioti and a new Turf Finance Agreement for Deere. The new Deere agreement will take effect May 1, 2012. All Deere dealers will receive notification from their affiliate association about the improvements made during the review process.

Management and Legal Counsel from New Holland Construction and NAEDA recently met to discuss warranty and parts availability following the company's decision to discontinue sales of certain heavy equipment in North America. The meeting was productive and should assure that dealers will have parts and warranty for remaining products and those under government contract.

Dealer-Manufacturer Relations Survey Published

NAEDA has compiled and published its most comprehensive report on Dealer-Manufacturer Relations to date. Using an enhanced survey and data collection and reporting apparatus, NAEDA asked dealer-members throughout North America to rate their manufacturers on twelve key operating categories. The 60-page report is being released in April to dealers (through their regional affiliate associations) and the manufacturers.

The information can be used to monitor how manufacturers compare with other manufacturers when assessing potential business partners. Manufacturers can use the summary as a baseline for areas of improvement within their organization and the industry as a whole. The aim is to have serious discussions about industry best practices in these key business areas.

Over 1900 total evaluations were collected from dealers throughout North America evaluating twelve categories of dealer/manufacturer relationships. This report includes summaries of these survey categories for 39 manufacturer/brands. These companies received a sufficient number of responses necessary to provide meaningful analysis of results. The brands included in the report reflect the diversity of products sold and serviced by dealers

The survey results are broken down into four sections for comparative purposes: 1) All Manufacturers, 2) Ag-Manufacturers-Shortlines, 3) OPE Manufacturers and 4) Major Manufacturers. Each brand's mean score for each category is measured against the mean for all 39 manufacturers plus each manufacturer in the company's specific section. In addition, each company is measured separately against the mean for all manufacturers combined in bar graph form.

clever name that depicts where the majority of emphasis and benefit is really directed? I, for one, would support an effort to change the moniker for this legislation. What about you?

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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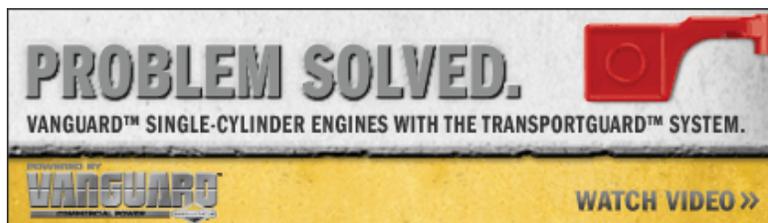
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The North American Equipment Dealers Association provides educational, legal, legislative, and financial services to approximately 5,500 retail agricultural, construction, large property/rural lifestyle,

An exciting new development related to future surveys – NAEDA will be announcing the creation of a new award called the “Dealer’s Choice Award”. It will be awarded to the manufacturer scoring highest on the survey among three categories – Major Manufacturers; Shortline Manufacturers; and OPE Manufacturers. There will also be an award for “Most Improved”. Details of the award program are still being developed. The awards will first be given following the survey in 2013 and every year thereafter. The awards will place even more emphasis on what dealers say in the survey results!



NAEDA, Association & Program Partner News

Online registration open for GIE+EXPO 2012

Online registration is now open for the 2012 GIE+EXPO (Green Industry & Equipment Expo), which will be held in Louisville October 24-26.

Outstanding prizes are available for those who register early! Two lucky registrants will win the two grand prizes – \$1,800 travel packages to the show.

[Read more](#)

Source: GIE+EXPO

Canadian News

USDA Veterinary Services Reduces Staff at Two US-Canada Border Ports

Effective April 4, 2012, the US Department of Agriculture (USDA) Animal and Plant Health Inspection Services (APHIS) ended full-time staffing of Veterinary Medical Officers at the International Falls, MN and Baudette, MN border ports. Import services can be arranged with Veterinary Services (VS) on a limited, as-needed, and by appointment only basis. Such arrangements should be made at least 2 weeks in advance by calling the VS Minnesota Area Office at (651) 290-3691. Importers arranging VS services will be responsible for full payment of all estimated import-related service prior to the shipment's arrival. More information can be found [here](#).

Tip of the Month



[April Compliance Tip of the Month: Spring Cleaning for Three Trouble Areas in the Service Bay](#)

Keeping a facility clean and organized ensures better compliance with environment and safety regulations. It is also connected to improved productivity and employee morale. Take a moment to see if these three common trouble spots are being addressed at your facility. They can actually indicate the overall performance of your safety program, and are usually targeted during regulatory inspections. Find out more at <http://blog.kpaonline.com/category/tipofthemonth/>

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