



# NAEDA Update

NORTH AMERICAN EQUIPMENT DEALERS ASSOCIATION e-newsletter

Thursday, July 26, 2012

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## Legislative & Regulatory News

### Online sales tax could pass this year

Senate Majority Leader Harry Reid (D-Nev.) on Thursday said lawmakers have made significant progress on an online sales tax measure, and predicted it could even pass Congress this year.

Reid, speaking at a news conference, said he had long been a supporter of the type of proposal being championed by Majority Whip Dick Durbin (D-Ill.) and Sen. Mike Enzi (R-Wyo.), and noted that Internet retailer Amazon is behind it. The "very fair" proposal would "help these little strip malls we have all over America," Reid said. Retail groups and other supporters have lobbied fervently for online sales tax measures in both the House and the Senate, saying the current law favors Internet retailers over traditional brick-and-mortar stores.

[read more](#)

Source: The Hill

### Senate Finance Committee Pass PNTR for Russia

Senate Finance Committee Chairman Max Baucus (D-Mont.) today applauded the Committee's unanimous approval of his bill establishing permanent normal trade relations (PNTR) with Russia and removing Russia from the 1974 Jackson-Vanik amendment. Chairman Baucus's bill will enable U.S. businesses to create jobs here at home by capitalizing on Russia's growing market. The legislation supports and creates thousands of U.S. jobs across every sector of the American economy, including manufacturing, agriculture and services, by helping double U.S. exports to Russia within five years.

NAEDA has supported passage of this legislation because of the jobs that can be created and the potential for increased trade.

To read the full [press release, look under Recent News of the Committee.](#)

### House Bill Reforms Regulatory Process

NAEDA joined 141 other organizations in a July 24th letter supporting passage of a package of bills now named H.R. 4078, the "Red Tape Reduction and Small Business Jobs Creation Act." This bill would streamline the federal permitting process, impose transparency on the abused sue and settle process used by agencies and environmental groups to circumvent the rulemaking process, and to prohibit agencies from proposing or finalizing major midnight regulations.

The common sense reforms in this packaged bill would make the nation's regulatory process more

## CEO Blog

### A Helping Hand Makes Everyone Feel Better!



**June 2012**

Scientists have documented that giving is not only good for the receiving party but also for the giving party as well. In some instances, it has also been proven

to have a positive effect on casual observers. Giving, as it turns out, stimulates the production of endorphins, the "feel good" chemical produced by our bodies.

If scientists are correct, NAEDA's Equipment Dealers Foundation (EDF) has aided in the production of a lot of endorphins—thanks to the generous support of dealers, manufacturers, suppliers and affiliated associations. As a result, EDF has been privileged to support dealer and equipment industry-related research and education, in conjunction with support for dealerships after natural disasters.

Following the devastation caused by Hurricane Katrina in 2005 and continuing through 2011 when devastating floods hit North Dakota, EDF has assisted 129 families with over \$203,000 in direct grants. These are not just any ordinary families, however, because someone in that family is

transparent, efficient, and workable for businesses that create jobs and contribute to economic growth. Sound regulatory policy is not possible unless the process is open and public participation is welcomed by agencies. At the center of these regulatory reforms is an effort to promote good government practices that encourage efficiency, sound analysis, and public involvement. To read a copy of the letter and a listing of the regulatory reforms, click [here](#).

### **Little Progress on Farm Bill in House**

Despite clearing the House Agriculture Committee earlier this month by a bipartisan 35-11 vote, a vote on the Farm Bill by the full House remains elusive. Republicans remain deeply divided over the measure, with many arguing the spending reductions in the bill do not go far enough. That, combined with opposition among Democrats to the nutrition cuts in the committee-passed bill, makes finding a path forward for the legislation prior to the September 30 expiration of the current bill less likely.

In remarks this week to reporters, House Majority Whip Kevin McCarthy (R-CA) said passage of the bill was "an uphill battle," and that the chamber could act "before the end of the year." It is becoming very unlikely that the House will pass the bill prior to the beginning of the August recess, which would allow time for negotiators to reconcile differences between the two chambers during the recess and still allow for a final vote in both the House and Senate on the result before the end of September.

### **Appeals Court Rejects RFS2 Challenge**

STREATOR, Ill. (DTN) -- The U.S. Court of Appeals for the District of Columbia Circuit on Friday rejected a challenge to the Energy Independence and Security Act of 2007.

The challenge was made by the National Chicken Council, National Meat Association, and Natural Turkey Federation in a petition to review the Environmental Protection Agency's interpretation of the Renewable Fuels Standard 2 provision found within EISA.

The EPA administers the EISA.

The petitioners who represent members of the meat industry that purchase corn to use as animal feed argued corn prices are higher than they otherwise would be because the EPA allowed some ethanol production plants to not comply with more stringent emission requirements. Specifically, the challenge states ethanol plants "grandfathered in" by the EPA would go out of business if the EPA had forced them to comply with new emission requirements.

Read [more](#).

Source: DTN / Progressive Farmer

### **NAEDA joins 60 plus organizations opposing the DISCLOSE Act**

In a letter date July 12th, the letter expressed strong opposition to the latest House and Senate version of the so-called DISCLOSE 2012 Act, S. 3369 and H.R. 4010, which both the Senate and House may consider in the coming days.

This legislation, like its predecessors in the 111th and 112th Congresses, is designed to chill the political speech of corporations, business interests, and others, while giving labor unions special protections. The bills do not propose genuine reform—the disclosure requirements are transparently political and ultimately unconstitutional.

To read a copy of the letter click [here](#).

To read a copy of the DISCLOSURE White Paper click [here](#).

### **Study finds higher tax rates could hurt small businesses**

A new study from accounting firm Ernst & Young, released July 17 by the National Federation of Independent Business (NFIB), shows that allowing tax cuts to expire on top individual rates is likely to hurt job creation and the economy, particularly small business job creators.

The study says potential tax rate increase scheduled to start Jan.1, 2013 would directly impact small business organized as S corporations, partnerships, LLCs and sole proprietors, which make up about 75 percent of all small businesses.

To read the NFIB press release on the study [click here](#).

To read the full results of the study [click here](#).

employed by an equipment dealership. EDF's purpose is not to replace insurance coverage. But rather the efforts—through "bridge grants" of up to \$2,500 (previously \$2,000)—helps put food on the table, replace toothbrushes and toothpaste, puts gas in the vehicle and generally helps them get their everyday routine back as quickly as possible. Here are just a couple of examples of what EDF has meant to the families in need:

"We at BTI would like to thank you [EDF] for all of the financial aid that you gave to all of my employees that were harmed in the Greensburg [Kans.] disaster. We were truly humbled and blessed just from what you did on the first checks that were received, but what a blessing in receiving the additional \$250 per employee for Christmas. I can tell you that they were very grateful at a much needed time. I don't know how we can ever thank everyone from NAEDA. Please let everyone from the whole group and boards know how appreciative and thankful that we truly are....We will never forget what you have done for the BTI families and for BTI." Kelly J. Estes  
President of BTI

"Well, I got news today from my GM that I will be receiving \$2,000 from the EDF! Tears rolled down my cheek as I called my wife. We both have BA degrees from a well-recognized private college. I think I work harder than most, and I excel at my job, but we have never been ahead of the ball game in the financial world. It is tough to raise a family of four...on my salary. I can tell you with certainty that this gift will now allow us to fully rebuild our basement (half of our living space)...We now know we will be able to get through this. Thank you from the bottom of our hearts for making this available." Employee  
Waterloo Implement

This past year EDF also developed and introduced a matching scholarship program in conjunction with dealers and affiliate associations. These scholarships, coupled with the other matching grants, will help students interested in the equipment industry attend schools and receive training so they can be a part of our industry after graduation. In 2012, EDF funded 62 scholarships and hopes to grow and continue this type of support.

That is where you can help. In order for EDF to assist when disaster strikes again, and it will, or to help do research and provide important industry data or education

## SENATE REPUBLICANS BLOCK VOTE ON DISCLOSE ACT

Senate Republicans on July 16 blocked a final vote on the DISCLOSE Act, a Democrat-supported bill that would require organizations that fund political ads to disclose their donors.

The 51-44 party-line vote fell short of the 60 needed to invoke cloture and proceed to a final vote on the bill. Congressional Democrats have been pushing for the legislation since the Supreme Court's 2010 Citizens United decision, which allows unrestricted corporate spending in elections.

"The flood of secret money unleashed by the Supreme Court's Citizens United decision threatens to drown out the voices of middle class families in our democracy," said Sen. Sheldon Whitehouse (D-RI), the bill's lead sponsor. "The DISCLOSE Act will uphold every citizen's right to know where this secret money is coming from and whom it is going to, and will help protect the interests of middle class families from the special interests who already have too much power."

Whereas Democrats say the ruling has facilitated the rise of so-called super PACs who spend millions of dollars in political ads without disclosing their donors, Republicans say that the bill is a politically-motivated attempt by Democrats to discourage and intimidate donors who want to exercise their free speech rights.

"The purpose of this legislation is clear," said Senate Minority Leader Mitch McConnell (R-KY). "After Citizens United, Democrats realized they couldn't shut up their critics. So they decided to go after the microphone instead by trying to scare off the funders...If Democrats don't like the level playing field ensured by the First Amendment and reaffirmed by Citizens United, they should do a better job convincing the American people of the wisdom of their policies."

NAEDA opposed passage of this bill.

## Trying to duck health care's employer rules? Don't bother

In the wake of the Supreme Court's health care decision, several companies with 50 or more full-time workers have embarked on a quest.

Their aim: Get below 50 and dodge the employer mandate.

Read [more](#).

Source: CNNMoney

## Industry & Manufacturing News

### NAEDA / Manufacturer Meetings Scheduled

NAEDA's Industry Relations Task Force has one last summer meeting scheduled with manufacturers. The IRTF will meet with Kubota on August 23 and 24. Dealers are encouraged to contact a member of the IRTF or their affiliate association with any issues they might have prior to that meeting.

NAEDA's IRTF members can be found on our Web site at: [www.naeda.com](http://www.naeda.com).

### BP says new biofuel energy grasses targeted for market by 2014

BP Plc is testing two advanced biofuels that could be commercially available by 2014, said Philip New, chief executive officer of the U.K. petroleum company's biofuels unit.

The company is planting energy grasses to feed a 36 million gallon-a-year cellulosic ethanol plant planned in Florida, he said in an interview in London today. A demonstration biobutanol plant in Hull, England, is operating, New said. A bioethanol plant in the same location should be producing by the end of this year, he said.

Biofuels could account for 9 percent of global transport fuels used by 2030, up from 3 percent now, according to BP. Drivers include climate-change targets in the U.S. and Europe, energy security concerns and the possibility the fuels may be a lucrative crop for ailing rural communities, New said.

"If you believe that demand for transport fuels is going to grow significantly, if you believe that for the foreseeable future we're going to carry on using internal combustion engines and liquid fuels, then biofuels are going to be the only complement to crude oil that's out there," he said.

or the scholarships to students excited about our industry, we need your support. Please consider a generous donation to the NAEDA EDF. Simply fill out the contribution card included with this publication (or you can go to the NAEDA web site—[naeda.com](http://naeda.com)), make out your check or provide your credit card information and send it in today. Please mail your completed card with your donation to:

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1195 Smizer Mill Road  
Fenton, MO 63026-3480

Please don't wait—we want to be there when you need us! Besides, you can produce your own endorphins and feel better by giving to others at the same time. I would like to emphasize your helping hand is greatly needed and appreciated. 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, construction, large property/rural lifestyle and outdoor power equipment dealers in the United States and Canada



## Resources

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## About NAEDA Update

### North American Equipment Dealers Association

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[read more](#)

Source: Renewable Energy World

### **NAEDA Industry Relations Taskforce Update**

NAEDA Industry Relations Taskforce (IRTF) has met with AGCO and Case IH management to discuss dealer issues recently. Both meetings focused on strategic issues impacting dealers throughout North America. Some of the topics included dealer consolidations; product availability; market share; parts availability and pricing; warranty among others. Dealers of each respective brand should receive reports from their NAEDA affiliate following the meetings.

NAEDA Industry Relations Fund has provided funding to conduct a legal analysis of the new Gehl/Manitou/Mustang contracts. Several NAEDA affiliates have been contacted by dealers seeking NAEDA's input and analysis of these new agreements. They are being compared to existing contracts by NAEDA legal counsel, Siegfried, Bingham, Levy, Selzer and Gee. They will also contact the company if any change in language is determined to be in the best interest of dealers carrying those lines. Once the process is complete, NAEDA will provide a summary to our affiliate organizations for distribution to dealers of those product lines.

### **Case IH Announces Goodfield Plant Expansion**

Case IH recently broke ground on an expansion of the company's Goodfield, Ill., plant, which manufactures industry-leading tillage and fertilizer application equipment. The 168,000-square-foot expansion project, which will begin immediately, will increase the size of the plant by approximately two-thirds. To read [more](#).

### **Agriculture Secretary Vilsack Announces New Efforts to Assist Farmers & Ranchers Impacted by Drought**

WASHINGTON, July 23, 2012 - Agriculture Secretary Tom Vilsack today announced new flexibility and assistance in the U.S. Department of Agriculture's major conservation programs to get much-needed help to livestock producers as the most wide-spread drought in seven decades intensifies in the United States. Vilsack also announced plans to encourage crop insurance companies to provide a short grace period for farmers on unpaid insurance premiums, as some farming families can be expected to struggle to make ends meet at the close of the crop year.

The assistance announced uses the Secretary of Agriculture's existing authority to help create and encourage flexibility within four USDA programs: the Conservation Reserve Program (CRP), the Environmental Quality Incentives Program (EQIP), the Wetlands Reserve Program (WRP), and the Federal Crop Insurance Program.

Read [more](#).

Source: USDA Press Release

### **NOAA: Drought to hang on**

No End in Sight to Drought of 2012, Government Weather, Climate Experts Say.

Get used to the drought. That was the message repeatedly sent by government weather and climate experts during a conference call Thursday on the forecast for August through October.

"There is a high probability of above-normal temperatures during August, and definitely over the central Midwest," said Dan Collins, a meteorologist with the National Oceanic and Atmospheric Administration (NOAA) Climate Prediction Center (CPC). "Soil moisture feedback due to the drought is a big factor in that," he added. Below-normal precipitation is also listed as a "high probability" in this same region.

The NOAA/CPC outlook for August through October calls for temperatures to remain above normal across the central U.S. with below-normal precipitation also likely. "The only areas with above-normal precipitation during August through October will be in the southwestern U.S. and the central Gulf Coast," Collins said.

[read more](#)

Source: DTN/The Progressive Farmer

### **USDA Weekly Crop Progress**

OMAHA (DTN) -- As expected, following another seven days of triple-digit temps and extremely scattered

Phone: 636/349-5000

Fax: 636/349-5443

[www.naeda.com](http://www.naeda.com)

E-mail: [naeda@naeda.com](mailto:naeda@naeda.com)

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The North American Equipment Dealers Association provides educational, legal, legislative, and financial services to approximately 5,000 retail agricultural, construction, large property/rural lifestyle, and outdoor power equipment dealers in the United States and Canada.

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rains, corn and soybean condition ratings continued to fall in the week ended July 22, according to USDA's weekly Crop Progress report.

Corn condition fell to 45% poor to very poor, compared to 38% last week. "Weekly corn crop conditions fell for a seventh straight week," said DTN Analyst John Sanow. "The DTN Corn Condition Index came in at only 18 points, well below last week's 43 points and last year's 149 points. This is the lowest number on record for the DTN CCI, easily besting the previous low of 72 points late in 2002 crop year.

Read [more](#).

Source: DTN / Progressive Farmer

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## NAEDA, Association & Program Partner News

### Death of Joyce Bowman

Joyce Bowman, wife of Jim Bowman, passed away on June 21, 2012 of an apparent heart attack. Jim served on the North American Equipment Dealers Association board from 1985-1996 and as president of the Alabama Equipment Dealers Association in 1980. Joyce was well known and she accompanied Jim on many occasions on business before Jim's retirement from Bowman-Weaver Equipment in Henagar, Alabama. The dealership is now operated by their son Jamie and their daughter Jane works and resides in Atlanta, Georgia.

Condolences can be sent to: Jim Bowman, 138 County Road 260, Pisgah, Alabama 35765

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. Dealers are encouraged to register [here](#).

### Facebook, Twitter and YouTube User Guide Available

Social media is all about building relationships, a key component in NAEDA's mission to forge a partnership between dealers, farmers and consumers. It is based upon something NAEDA has been doing for generations; having conversations. Social media is nothing more than the conversations we are having online and the tools used to enhance them. This includes Facebook, Twitter and YouTube as starters.

NAEDA entered the world of social media on behalf of North American equipment dealers with a goal to share the news and views of the honest and hard-working individuals who help feed the world and to give the average consumer another way to communicate with equipment dealers. You can find us (NAEDA) at: [www.naeda.com](http://www.naeda.com).

While NAEDA can speak on behalf of its members, there is no message that rings truer than that which comes from members themselves to their customers.

NAEDA wishes to thank the Ohio Farm Bureau for making their initial *Discover your Social Web: An Ohio Farm Bureau Guide to Social Media* publicly available. They were hoping to make it a valuable tool to Ohio Farm Bureau members, but little did they know the guide would become so quickly shared and distributed through not only Ohio, but the entire nation.

In the spirit of the social media habit of sharing, Ohio Farm Bureau has authorized NAEDA to copy, distribute and share this guide under some conditions. So, some graphics used in this copy of the guide are theirs and some have been inserted by NAEDA specifically for equipment dealer members.

Please enjoy the guide and share it with family, friends and strangers alike. But first, use it to join the online conversation and provide your unique point of view to the collective conscience. NAEDA again thanks the Ohio Farm Bureau for their permission to utilize their initial guide as a resource for dealers to learn more about using social media.

To download a copy of the Facebook, Twitter and YouTube guide, [click here](#).

### Tip of the Month



[July Tip of the Month: Don't let BYOD \(bring your own device\) become LFYO \(liability for your organization\)](#)

"BYOD" stands for "bring your own device," the practice of allowing employees and contractors to use personal devices, such as laptops, smartphones, home computers and tablets, to conduct the organization's business. The [May 2012 Juniper](#) survey shows that nearly nine out of ten business users, often referred to as "prosumers", say they use their personal mobile device to access critical work information. This trend demonstrates a blurring of personal and professional technologies and creates significant concerns for management because it raises the question of liability. Many employees circumvent their employers' official mobile device policies in the practice of BYOD, and the practice also leads to more frequent security breaches due to lost or stolen personal devices.

Find out more at <http://blog.kpaonline.com/category/tipofthemoth/>

### Free KPA Webinars

[How to Use the New Facebook Updates - August 1, 2012](#)

[Florida Auto Dealers are being targeted by State and County Regulators - August 14, 2012](#)

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