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NORTH AMERICAN EQUIPMENT DEALERS ASSOCIATION e-newsletter

Wednesday, November 21, 2012

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Legislative & Regulatory News

Gallup Poll: Partisans agree on many top goals, but disagree on taxes and immigration

A new Gallup survey shows a strong majority of Americans favor simplifying the tax code by lowering rates and closing loopholes (70%), saving our biggest entitlement programs (88%), and making needed spending cuts (72%).

Read the [survey results](#).

Source: Gallup

House passes Russia free trade legislation

After a solid bipartisan vote, 365 to 45, the House voted on November 16 to end restrictions on trade with Russia in place since the depths of the Cold War four decades ago. Sen. Reid has promised to get the legislation cleared through the Senate by the end of the year. The debate on establishing permanent normal trade relations was put off until the lame duck session to get around lawmakers' anxiety about the poor relations between Washington and Moscow. But the business community is eager for the bill, because it's sure to bring a surge in exports now that Russia has joined the World Trade Organization, which requires it to lower tariffs and take other market-opening steps. NAEDA has been supporting this legislation (H.R. 6156).

Washington must get serious about entitlements letter sent

A multi-Industry Letter, signed by NAEDA and 231 associations, Chambers, and groups, has been sent to the Members of the United States Congress and the President telling Washington that policymakers must overhaul entitlement programs if they want to get the nation back on the right fiscal track.

In the letter, they contend that demographics alone account for a substantial portion of the nation's debt, as the country's population ages and takes advantage of programs like Social Security and Medicare. As a result, any major fiscal initiative taken on as part of a deal to avert the fiscal cliff or address the deficit must include changes to those programs.

"Demographics are destiny. No one can dispute that our nation's entitlement programs are unsustainable, and it is mathematically impossible to fix our spending problem without serious entitlement reform," said Bruce Josten, the chamber's chief lobbyist, in a statement. "We urge the President and Congress to work

"The Way I See It..."

Basics of Bonus Depreciation and Section 179 expensing rules for equipment sales in 2012

It's that time of year again to starting thinking about how to strategize your year-end sales recommendations to customers and/or your own capital purchases.

The [attached document](#) prepared by Jack Selzer, NAEDA's tax attorney and general counsel, contains some important year-end tax planning provisions updated for the 2012 tax year. This will allow you the ability to discuss the tax options available with your customers and/or make the best capital purchase decisions for your company.

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together to address the fiscal cliff, and achieve a Big Deal."

The groups warned that the nation's aging population — 10,000 Baby Boomers a month are retiring — are a primary reason for the nation's climbing deficit. But while they call policymakers' attention to entitlement programs, but do not make specific recommendations about what should be done with them, instead saying Washington must "fundamentally restructure" them.

House Speaker John Boehner (R-Ohio) opened post-election talks over the "fiscal cliff" — the combined automatic spending cuts and expiring tax cuts set to take effect at the beginning of 2013 — by saying he could accept increased revenue (but not higher rates) in a deal, so long as it also addressed entitlement programs.

The groups also call on policymakers to promptly avert the cliff. They want to see all lower tax rates extended, as well as various tax provisions (including a patch to the alternative minimum tax). Furthermore, Congress should find spending cuts that could replace the across-the-board sequester cuts set to take effect.

Once the cliff is averted, the groups want to see Washington take on comprehensive tax reform and establish a long term plan to "address America's excessive spending, particularly entitlement spending."

Read a copy of the [letter](#).

Source: The Hill

NAEDA and 59 organizations send EU trade letter

NAEDA and a broad-based group of U.S. food and agricultural organizations and companies has written a letter to Ambassador Ron Kirk, United States Trade Representative, expressing support for the proposed U.S.-EU free trade agreement. The letter urged that the negotiations ensure that any resulting agreement be comprehensive in nature and address important impediments to trade in agricultural products.

The letter applauded continued statements by Administration officials confirming their intention to insist on such an outcome, but recent statements by EU officials suggest they are thinking differently. Press reports in connection with the recent approval by the European Parliament of the FTA negotiations have raised doubts about whether the EU will be prepared to deal with sanitary and phytosanitary issues and other non-tariff barriers, which have become the most important form of barrier to U.S. food and agricultural exports to the EU. Read the [letter](#).

EPA rejects calls for RFS waiver, keeps ethanol volume requirements intact

EPA said today that it has found no evidence to support a finding of severe "economic harm" that would warrant granting a waiver of the federal Renewable Fuels Standard (RFS). The agency said the decision is based on economic analyses and modeling done in conjunction with USDA and DOE.

"We recognize that this year's drought has created hardship in some sectors of the economy, particularly for livestock producers," said Gina McCarthy, assistant administrator for EPA's Office of Air and Radiation. "But our extensive analysis makes clear that Congressional requirements for a waiver have not been met and that waiving the RFS will have little, if any, impact."

To support the waiver decision, EPA officials said they conducted several economic analyses and those studies of impacts in the agricultural sector, conducted with USDA, showed that on average, waiving the mandate would only reduce corn prices by approximately one percent. Economic analyses of impacts in the energy sector, conducted with DOE, showed that waiving the mandate would not impact household energy costs.

"EPA found that the evidence and information failed to support a determination that implementation of the RFS mandate during the 2012-2013 time period would severely harm the economy of a State, a region, or the United States, the standard established by Congress in the Energy Policy Act of 2005 (EPAct)," the agency said in a statement.

EPA says the 2005 law requires the agency to implement a renewable fuels standard to ensure that transportation fuel sold in the United States contains a minimum volume of renewable fuel. A waiver of the mandate requires EPA, working with USDA and DOE, to make a finding of "severe economic harm" from the RFS mandate itself.

Today's decision marks the second time that EPA has considered an RFS waiver request, the first coming on



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North American Equipment Dealers Association

1195 Smizer Mill Road
Fenton, MO 63026-3480

Phone: 636/349-5000

Fax: 636/349-5443

www.naeda.com

E-mail: 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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2008 from Texas Gov. Rick Perry. In both cases, analysis concluded that that the mandate did not impose severe harm and the requests were denied.

Read [more](#).

Democrats push on Farm Bill

Lawmakers Reject Possible Extension as a Lame Duck Outcome - Senior Democrats on both the House and Senate ag committees said Thursday they won't accept an extension of the 2008 farm law in the lame-duck session. Will there or won't there be a new farm bill by the end of the year? Sen. Tom Harkin, D-Iowa, told Iowa reporters on Thursday he is hopeful that a farm bill could be completed by Congress before the end of the year. That would require the House of Representatives to bring its own committee bill to the floor and debate the legislation. "Bring the bill out, let the House do its work, vote on it and we'll meet you in conference," Harkin said.

Speaking Thursday on the farm-radio show AgriTalk, House Agriculture Committee Ranking Member Collin Peterson, D-Minn., described the lay of the land right now in the House. Peterson said he has not communicated with House Ag Committee Chairman Frank Lucas, R-Okla., but Peterson said he understands Republicans have been talking about how to handle the farm bill. A proposal on how to proceed could be announced, he said.

Read [more](#).

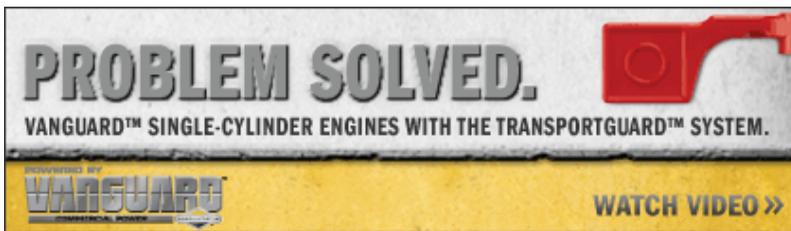
Source: DTN / Progressive Farmer

NAEDA's 2013 Washginton DC legislative fly-in scheduled

Every spring NAEDA holds its Legislative Fly-In in Washington, D.C. The Fly-in is an intensive two-day program that provides participants with an inside look at the political process. Dealers are encouraged to attend to let their voices be heard. Beginning with briefings on the latest agricultural issues pending in Congress, participants also visit with their representatives and senators on Capitol Hill to educate and lobby them on issues important to their dealerships. The 2013 dates are March 20 and 21.

The 2013 Legislative Fly-In will be extremely important for NAEDA's legislative and regulatory agenda for 2013. Given the election results from this fall's election and a start of a new Congress, they will be listening which will serve as a great opportunity to get commitments from representatives and senators to move on matters that are important to equipment dealers. Please mark your calendars and hold the date to attend this event.

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Industry & Manufacturing News

Manitou, Gehl and Mustang dealer agreement changes made

NAEDA legal counsel, Lance Formwalt and Dave Shay, have been in contact with Manitou legal counsel to discuss the terms of the new Manitou dealer agreement, security agreement and form of personal guarantee. These discussions have concluded and we are pleased to inform you that Manitou has agreed to make some changes to these agreements. On balance, we believe that the revised terms of the dealer agreement and security agreement reflect fair and reasonable terms based on our review of other dealer agreements and the forms of dealer agreement under which Manitou, Gehl and Mustang dealers are currently operating. In addition, we want to complement Manitou for being willing to listen to, and in many cases address, our concerns throughout this process. In our opinion, this process represents a win-win for our members and Manitou – Manitou will be able to move toward a uniform dealer agreement for all of its brands and both Manitou and the dealers will be able to receive the benefit of a dealer agreement that reflects commercially reasonable terms when taken in the context of the industry as a whole. NAEDA looks forward to continuing an

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open and productive dialogue with Manitou about industry issues in the future.

Fiat International announces reorganization

Fiat Industrial S.p.A. is pleased to announce organizational changes effective immediately.

With the objective of enhancing the operational integration of Fiat Industrial S.p.A. and CNH Global N.V., Fiat Industrial S.p.A. is announcing the formation of a Group Executive Council ("GEC"), the creation of 4 Regional Chief Operating Officer positions and a Chief Financial Officer, all reporting to a Group Chief Operating Officer.

Richard Tobin is appointed Group Chief Operating Officer of Fiat Industrial S.p.A. He will also retain the role of CEO and President, CNH Global N.V.

[Read more...](#)

Source: Growing Georgia

AEM Board of Directors acts on strategic initiatives to expand and strengthen services

The AEM Board of Directors held its final meeting for this year on November 9, approving a number of strategic initiatives and activities for 2013 implementation to expand and strengthen services.

To read the actions, [read more...](#)

Source: AEM

Cummings Elected as the 61st President of the Farm Equipment Manufacturers Association

During the 62nd Annual Fall Convention, October 31 to November 3, in Jacksonville, Florida, the Farm Equipment Manufacturers Association elected Andrew Cummings, T. G. Schmeiser Company, Inc., as the 61st President of the Association. Cummings has served on the Association's Board since 2005, and has also served as the Chairman of the Association's Membership Committee since 2009.

Cummings is the President and General Manager of T. G. Schmeiser Company, Inc., located in Fresno, California. For over 80 years, T. G. Schmeiser has been manufacturing and delivering versatile solutions for progressive soil management. The company's years of proven performance in the demanding agricultural arena, also bring efficiency and reliability for other specialized soil management needs.

[Read more...](#)

Source: FEMA

AEM elects 2013 officers

Industry leaders guide equipment manufacturers trade group

The Association of Equipment Manufacturers (AEM) announces its newly-elected 2013 officers:

- Chair is Stuart Levenick, Group President of Caterpillar Inc., Peoria, Illinois
- Vice Chair is Richard Patek, President Telsmith & Group Vice President Aggregate & Mining of Astec Industries Inc., Mequon, Wisconsin
- Treasurer is Michael Haberman, President of Gradall Industries Inc., New Philadelphia, Ohio
- Secretary is Dennis Slater, AEM's full-time President, Milwaukee, Wisconsin
- AG Sector Board Chair is Robert Kolb, Vice President Global Business Development of GEA Farm Technologies Inc., Naperville, Illinois
- CE Sector Board Chair is John Patterson, Chairman and CEO of JCB Inc., Pooler, Georgia

AEM's Board of Directors, led by the officers, sets the guidelines and operating policies of AEM on behalf of members in areas including public policy, equipment statistics and market information, trade shows, technical and product safety support, global business development, education/training, workforce development, and worksite safety/educational materials.

[Read more...](#)

Source: AEM

AEM Hall of Fame announces 2012 inductees

John Deere, Pierre Bataille and Wood Brothers honored

The Association of Equipment Manufacturers (AEM) announces the 2012 inductees into the AEM Hall of Fame, which recognizes and celebrates outstanding individuals in the off-road equipment industry, and their legacy of innovation, service and leadership. Their vision and hard work have been critical to advancing global economic and social prosperity; their legacy strengthens continued industry contributions to improving our quality of life, and serves as an inspiration for tomorrow's leaders.

The 2012 inductees into the AEM Hall of Fame are:

- John Deere (Deere & Company)
- Pierre Bataille (Poclair)
- Wood Brothers - Keith, Leonard and Mervel (Woods Equipment Company)

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Source: AEM

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NAEDA, Association & Program Partner News

Spader OPE 20 Group starting up

Spader Business Management is pleased to announce a new 20 Group specifically for outdoor power equipment dealers. A 20 Group is like having a Board of Directors for your business - a Board that is made up of other business owners who understand your business inside and out because they are in the same business themselves. This new group will meet two or three times a year. You will get the opportunity to

evaluate each others' businesses and advise what you like and where you think the dealer can improve. The meetings will also discuss trends, best practices, and topics that the group thinks will benefit them at that time. This new group will kick off when there are 12-15 non-competing applicants. The Spader 20 Groups have been proven for more than 30 years to be an excellent way to improve the performance of your business.

- [OPE 20 Group Application](#)
- [Spader 20 Group Benefits](#)
- [Why Spader 20 Groups?](#)

Source: Spader Business Management

Canadian News

Ontario moves to restore general farm groups' accreditation

Ontario's top three general farm organizations will be able to fund themselves through their usual membership fees for now, under a temporary reprieve from the province.

Rulings in May from the province's Agriculture, Food and Rural Affairs Appeal Tribunal saw all three -- the Ontario Federation of Agriculture, the National Farmers Union-Ontario and the Christian Farmers Federation of Ontario -- lose their accreditation, thanks to a new interpretation of changes made almost 20 years ago to the provincial Farm Registration and Farm Organizations Funding Act.

[Read more...](#)

Source: Alberta Farmer

U.S. halts antitrust probe in soy seed industry

The U.S. Department of Justice has ended an antitrust investigation into Monsanto's soybean genetic traits business and the seed industry, the company said Friday.

The DOJ had demanded information in January 2010 from St. Louis-based Monsanto on the company's soybean genetic trait business, after complaints that Monsanto was trying to limit access to push a new, pricier product instead.

[Read more...](#)

Source: Alberta Farmer

Job vacancy rate highest in Alberta

Smaller businesses being hit with labour shortage

Alberta has the highest job vacancy rate in the country, according to the Canadian Federation of Independent Business, and that is translating into close to 55,000 unfilled private sector jobs.

The CFIB said Tuesday that as Canada's labour markets continue to recover from the 2008-2009 recession, the percentage of unfilled private sector jobs increased slightly from 2.3 per cent in the second quarter to 2.4 per cent in the July-to-September period.

The latest 2.4 per cent vacancy rate is equivalent to about 275,900 full- and part-time private sector jobs, said the CFIB. Canada's construction industry has the country's highest sectoral vacancy rate (3.7 per cent), although hospitality (2.9), agriculture, forestry and fishing (2.8), oil, gas and mining (2.8) and professional services (2.7) are also high.

[Read more...](#)

Source: Calgary Herald

NAEDA Compliance Tip of the Month

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[November Tip of the Month - Update Your Labor Law Poster](#)

State and Federal agencies are busy. On average, they amend around 200 labor laws annually. They can change labor law regulations at any time throughout the year- and often do without notifying businesses. These changes often require employers to update their labor law posters, which notably happened earlier this year when the NLRB required employers to prominently display employee rights.

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

Free KPA Webinars

[Successful Facebook Marketing: Are You Ready for 2013 - November 28, 2012](#)

[OSHA's Top 10 Most Cited Violations by Dealers - November 29, 2012](#)

[Product Demo: KPA SEO: The Most Powerful Search Marketing in the Auto Industry. Period. - December 4, 2012](#)

[SEM: 5 Things You Need to Know, 3 Things You Need to Forget - December 5, 2012](#)

[2013 Healthcare Reform Checklist - November 12, 2012](#)

[5 Tools to Help Increase Your Online Productivity - December 19, 2012](#)

[Managing Millennials - December 20, 2012](#)

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