



# NAEDA Update

NORTH AMERICAN EQUIPMENT DEALERS ASSOCIATION e-newsletter

Thursday, October 11, 2012

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## Legislative & Regulatory News

### 1 million additional conservation acres to support wildlife habitat restoration

Agriculture Secretary Tom Vilsack underscored the Obama Administration's commitment to partnerships in conservation by announcing the allocation of 400,000 acres to support conservation and restoration of wildlife and their habitats as part of the Conservation Reserve Program, or CRP. Under Vilsack's leadership, the U.S. Department of Agriculture (USDA) has enrolled more than 12 million acres in CRP, a voluntary program available to agricultural producers to help them use marginal and environmentally sensitive land to bring conservation and economic benefits for their land and communities. Today's announcement of 400,000 state acres for wildlife enhancement (SAFE acres), fulfills Vilsack's commitment made last spring to commit 1 million acres for special initiatives to restore grasslands, wetlands and wildlife habitat. "Since 2009, USDA has worked with producers and private landowners to enroll a record number of acres in conservation programs," said Vilsack. "These efforts have not only conserved our natural resources, but bolstered rural economies for current and future generations. That's why it's important for Congress to pass comprehensive, multi-year food, farm and jobs legislation—so that America's rural communities have certainty that millions of acres of conservation lands will be there tomorrow to sustain and create jobs in the small businesses that reinforce our tourism and recreation industry."

[Read more...](#)

Source: USDA

### Affordable Care Act guidance issued for employers

There is new guidance for employers that clarifies safe harbors in determining if they are a "large employer" and need to file under the "play or pay" mandate ([IRS notice 2012-58](#)). It was posted on August 31, 2012 by the IRS, in collaboration with the Department of Treasury, Department of Labor, and Department of Health and Human Services (HHS). The guidance explains how employers can use a moving average to determine the status of full time employees, and answers questions employers might have about handling automatic enrollment of new employees, employer shared responsibility, and the 90-day limitation on waiting periods. The guidance provided by the Affordable Care Act also helps you forecast some of the impacts the new mandates will have on your workforce and/or your tax penalties under the mandate.

The new safe harbor guidance is effective through the end of 2014.

Source: KPA Blog

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### "The Way I See It..."

#### "It's a Two-Way Street" October 2012

In today's world, dealers often find themselves doing business with large global suppliers. It is therefore easy to fall prey to the notion that the relationship is a "one-way" street, where the supplier is in control. As a result, we start believing that there is little reason to evaluate the relationship because our only choice, as they say, is to take it or leave it. However, it is imperative that we not be lulled into that mindset. After all, the word "relationship", in and of itself, implies that at least two parties participate in determining whether it is working satisfactorily or not.

[Read more...](#)

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"We Have A Tractor For That!"

**Become A Dealer**

## NYC 'Bioheat' mandate begins Oct. 1

A New York City mandate to blend 2% biodiesel into heating oil known as Bioheat takes effect Monday, Oct. 1. "All heating oil sold within the city of New York must contain 2% biodiesel, regardless of the fuel's grade or the building's application," John Maniscalco, CEO of the New York Oil Heating Association, told Telvent DTN.

He noted the mandate is for all five New York City boroughs.

Read [more](#).

Source: DTN / Progressive Farmer

## Basics of bonus depreciation and 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.

## The fiscal cliff tax hikes alone are half a trillion dollars

The fiscal cliff's tax increase is \$536 billion high, according to a new, nonpartisan analysis released on Oct. 1 by the Urban Institute and the Urban-Brookings Tax Policy Center. Adding up to nearly \$3,500 per household, taxes would rise by that much in 2013 if Congress and the White House don't do something to change the course of policy. It would raise federal tax collections by a fifth from what they would have been without the cliff.

The study—"Toppling Off the Fiscal Cliff: Whose Taxes Rise and How Much?"—doesn't analyze the automatic-spending-cut part of the fiscal cliff, which amounts to more than \$100 billion in 2013. The combination would be enough to knock the entire, fragile U.S. economy back into recession, estimate many economists.

[Read more...](#)

Source: Bloomberg Business Week

## California creates first state-run retirement plan for private sector employees

On Sept. 28, 2012, California Governor Jerry Brown signed legislation that will create the nation's first state-run retirement plan for private sector employees. The legislation, Senate Bill 1234, establishes the California Secure Choice Retirement Savings Trust for more than 6 million low-income, private sector employees whose employers do not offer retirement plans.

The plan will require all employers with more than five employees to withhold 3 percent of employees' pay unless employees opt out of the plan. The new retirement plan is designed to supplement Social Security and provide low-income workers with a portable savings plan with a guaranteed return. The plan will be administered by a board chaired by the state treasurer, which will select either a private investment firm or the state's public pension system to invest and maintain the plan's funds.

[Read more.](#)

Source: Barnes and Thornburg, LLC

## 3 Charts that explain why Washington has to avoid automatic tax increases

The Tax Foundation put together a set of charts illustrating the reality of the U.S. tax system. Here are three charts that should be understood when talking about the threat of automatic tax increases on businesses. To see the three charts, click [here](#).

To download a copy of the charts, click [here](#).

Source: Tax Foundation

## Resources

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## About NAEDA Update

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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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## Industry & Manufacturing News

### **Paul Kindinger, President & CEO of NAEDA, announces departure**

At the September meeting of the Board of Directors of the North American Equipment Dealers Association (NAEDA), Paul Kindinger announced that he would be leaving the organization. His resignation was effective October 4, 2012.

"NAEDA has benefited greatly from Paul's tenure as President and CEO," said Joe Nash, Chairman of the Board. "We are very sorry to see him leave, but certainly wish him all the best."

Among Kindinger's accomplishments during his tenure at NAEDA were greater focus on manufacturer and government relations, improved financial resources for the organization and greater visibility, acceptance and stature for the organization among members and throughout the industry.

The Board of Directors expects to form a search committee for the next President and CEO.

"I am very appreciative of having the opportunity to serve equipment dealers throughout North America and proud to lead NAEDA," Kindinger stated. "It has been an opportunity of a lifetime and I would like to thank the board, affiliates, members and all those I have met and had the honor to work with these past twelve years. I wish the dealers and the organization only the greatest success in the future."

### **New Holland Trade Center unveiled at World Dairy Expo**

The New Holland Trade Center, a newly expanded indoor exhibit space at the World Dairy Expo in Madison, Wisconsin, was unveiled as the world's largest dairy event opened its gates to thousands of dairy enthusiasts. The new 26,000 square foot New Holland Trade Center offers additional indoor display space to accommodate exhibitors showcasing the latest cutting-edge equipment, research and services in the dairy industry. Read [more](#).

### **Jim Irwin, retired Case IH executive, inducted into the Nebraska Football Hall of Fame**

Jim Irwin, of Genoa, Neb., was a four-year letterman in football (1960-1963) at Kearney State College/University of Nebraska-Kearney who earned honorable-mention NAIA All-America honors as an end his senior year while leading the Antelopes to their first NAIA playoff appearance. [Read more...](#)

### **GIE+EXPO Professional Technician Training**

NAEDA and The Engine and Equipment Training Council will be offering EETC and Power Pro(SM) certified training for dealership personnel at GIE+EXPO. The sessions will be held on Wednesday, October 24 at 9:00 a.m., 11:00 a.m. and 1:30 p.m. The training sessions offer dealerships the opportunity for hands-on training for their technicians in electrical diagnostics, basics of two stroke engines and diagnosing EFI engines.

The industry's best trainers will be conducting the sessions:

#### **Basic Electrical Diagnostics**

Instructor - Erik Sides - Jacobsen/Textron

Erik has been involved in the power equipment industry for the past 15 years. In 2007 he has developed and managed the Jacobsen University and has developed all the training materials for the program. He oversees the development of all service manuals and operator's manuals for Jacobsen. Erik has been training in electrical diagnostics for the past seven years.

#### **Basics in Two-Stroke Engine Diagnostics**

Instructor - Andrew Kuczmar - Husqvarna

Andrew has been in the power equipment industry for over the past 32 years and has worked for Echo Inc., Red Max, and Husqvarna. He has been training technicians in two-stroke engines for over 30 years and is the most respected trainer in the industry. Andrew is also cofounder of the Equipment & Engine Training Council and has developed the two-stroke engine certification test.

### **Basic EFI Systems**

Instructor - Scott Mack - Kohler Company

Scott has worked with the Kohler Company for over 21 years and helped develop the training program for the EFI engines sold by Kohler Company.

### **FAPRI report says corn price would fall less than 1% with full RFS waiver**

A full waiver of the Renewable Fuel Standard's (RFS) conventional biofuel requirement might reduce corn prices by just 0.5% (\$0.04 per bushel) in 2012/13, according to a new analysis conducted by the Food and Agriculture Policy Research Institute.

The study also found corn ethanol production might slip by just 1.3% with a waiver in 2012/13, while corn available for livestock feed might increase just 0.6%. Further, the analysis concluded a waiver of the RFS would have no effect on retail beef prices in 2013, and might shave just 1 cent per pound off of retail pork prices.

The Renewable Fuels Association (RFA) said the new FAPRI study adds to a mounting body of evidence showing that a waiver of the RFS would not meaningfully impact feed prices.

[Read more...](#)

Source: 25 x' 25 Weekly Resource

### **Free resource to fill open jobs with unemployed national guard members**

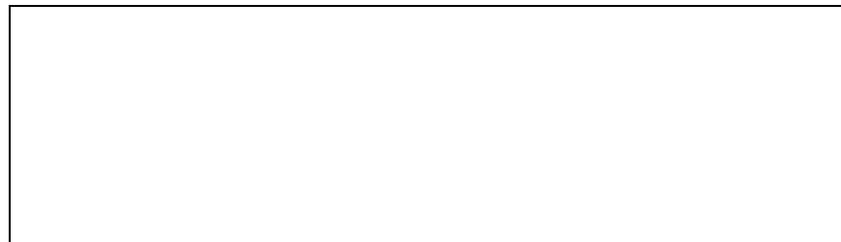
Members looking for qualified employees have free and direct access to thousands of unemployed National Guard members and military veterans through the American Jobs for America's Heroes alliance. With more than 60,000 unemployed National Guard members nationally, this is a huge resource for employers looking for skilled, experienced and reliable employees. Register now for posting jobs at no cost at [www.CenterForAmerica.org/register.html](http://www.CenterForAmerica.org/register.html)

Operating under an official Memorandum of Understanding with the National Guard and funded through private donations, alliance members Corporate America Supports You (CASY) and Military Spouse Corporate Career Network (MSCCN) work with employers using a case management approach to actively match National Guard members and military veterans to the specific job requirements of employers. Both nonprofit organizations have been providing free employment services to employers and military applicants since 2004 and have helped to place thousands in private sector jobs.

American Jobs for America's Heroes is a win/win program. Small to mid-size employers looking for skilled employees now have an avenue to post job openings at no cost, and the more than 60,000 unemployed National Guard members, veterans and spouses have a well-organized place to match their skills with available jobs. NAEDA wholeheartedly supports this effort to create jobs and encourages dealers to post applicable open positions on the National Guard job portal.

[Read more...](#)

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

### The future is mobile payment

Secure Mobile Payment Solution Turns Smartphones into Terminals

- What is VirtualMerchantMobile?
- How does it enable mobile payments?
- How can I make certain I'm ahead of the curve?
- What are the steps I need to take to enable VirtualMerchantMobile?

VirtualMerchant Mobile offers a mobile payment solution backed by the expertise and security of a payment provider with a 20-year track record of success. For the first time, merchants can accept payments without boundaries and add value with mobile POS, while leveraging the benefits of a leading payment gateway. This includes extensive reporting and the flexibility to adapt payment solutions as the business grows.

[Read more...](#)

Source: Elavon

### Do your pay plans invite a lawsuit?

Pay plans – the documents that summarize how compensation will be calculated for commissioned

employees – are a major source of confusion for dealers. Even worse, poorly written pay plans can cost you in the form of litigation alleging breach of contract or fraud.

While a newsletter article isn't quite the same as advice from a consultant or legal counsel, we can provide you with an overview of what a good pay plan includes, along with tips for typical positions at a dealership.

[Read more...](#)

Source: KPA

## Canadian News

### **XL Foods hopes to reopen plant**

Just as the Canadian Food Inspection Agency added more items to the recall list, the company in charge of the plant at the center of the recall hopes to reopen. The CFIA added raw beef and ready-to-eat products sold in B.C. under the Africa Trading and Hanahreum Mart Brands. Both products are associated with the same XL Foods recall that spread across the country over the past few weeks.

[Read more...](#)

Source: Calgary CTV News

### **Trade the theme of Harper's visit to Africa**

After years of apparent neglect, the Harper government has discovered Africa's potential. High-level visits to three key African countries this week are kickstarting a new emphasis on Africa as a fast-growing trade partner, not merely an impoverished aid recipient. Prime Minister Stephen Harper arrives in the West African nation of Senegal Wednesday, and will travel onward to the war-torn but mineral-rich Democratic Republic of the Congo Friday. It's only his second visit to sub-Saharan Africa as Prime Minister and his first in five years.

[Read more...](#)

Source: The Globe & Mail

### **Steady growth in Canadian economy led by Western Provinces**

According to the latest edition of the Provincial Monitor report from BMO Economics, the Canadian economy continues to grow at a steady pace, led by above-average growth in Western Canada. "The resource sector continues to fuel growth in Western Canada, and Alberta is expected to lead the country with 3.5 per cent real GDP growth this year," said Robert Kavcic, Economist, BMO Capital Markets.

[Read more...](#)

Source: Stockhouse

### **Canadian corporate tax revenues higher despite lower rate**

Corporate tax revenues coming in to Ottawa were up slightly last year, even as the Conservative government was in the midst of an aggressive plan to lower the corporate tax rate. The federal government raised \$31.7-billion from corporate taxes in the fiscal year that ended March 31, up from \$30-billion in 2010-11.

[Read more...](#)

Source: The Globe & Mail

### **After 25 years, free-trade deal with U.S. has helped Canada grow up**

A quarter century of free trade has transformed this country, but not in the way its champions hoped, or its critics feared. Canada has not, as opponents predicted, become an economic appendage to the American giant, a 51st state in all but name, since the Canadian and American governments reached a comprehensive free-trade agreement. We are, if anything, a freer actor in the world than we were before the

deal was signed, 25 years ago.

[Read more...](#)

Source: The Globe & Mail

### **Canadian employers add 52,000 new jobs, surprising economists**

Canada's economy added 52,000 new jobs in September, the third-largest gain of the year, surprising economists who had predicted a figure of 10,000. Finance Minister Jim Flaherty said he was "encouraged" by the news and said 820,000 jobs have now been added since July 2009, the strongest job creation record in the G7.

[Read more...](#)

Source: CTV News

## Tip of the Month



### [October Tip of the Month – Check the Tongue Guards on Your Grinders](#)

According to OSHA, unsafe grinders are one of their most cited offenses. There are several common safety issues with grinders. This month, we'd like to focus your attention on the tongue guard – a small protective shield located at the top of the grinding wheel.

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

### **Free KPA Webinars**

[Yuck! Housekeeping Regulations for Dealers that You Just Have to Know - October 11, 2012](#)

[How to Simplify Analytics to See the Numbers that Make a Difference - October 17, 2012](#)

[How to Avoid OSHA and EPA Traps at Your Collision Center - October 18, 2012](#)

[How to Double Lead Volume While Keeping the Best Quality Leads - October 31, 2012](#)

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