



Legislative Assembly of Manitoba

STANDING COMMITTEE

ON

STANDING COMMITTEE ON AGRICULTURE

Chairman

**Mr. Robert Anderson
Constituency of Springfield**



Wednesday, July 12, 1978 8:00 p.m.

**Hearing Of The Standing Committee
On
Standing Committee On Agriculture
Wednesday, July 12, 1978**

Time: 8:00 p.m.

CHAIRMAN: Mr. Robert (Bob) Anderson.

Nomination and Election of Mr. Anderson as Chairman. (Agreed).

MR. CHAIRMAN: The first item of business should be the determination of a quorum. There are 11 members of our Committee. A motion would be in order to determine a quorum. I would suggest six in number. (Agreed).

A motion would also be in order that the proceedings this evening be recorded and transcribed.
uMOTION presented and carried.

MR. CHAIRMAN: This evening we are considering Bill No. 25, The Cattle Producers Association Act. There are 39 briefs. Is there anyone here who wishes to present a brief and whose name is not yet on this list?

MR. ALBERT DRIEDGER: Mr. Chairman, before we start, I wonder whether we couldn't maybe establish a length of the presentations per individual?

MR. CHAIRMAN: Is there some wish of the Committee as to the length of presentations?

MR. DRIEDGER: I believe the other Committees have a limitation of 30 minutes, and I would so move this.

MR. CHAIRMAN: Moved by Mr. Driedger, and seconded by Mr. Einarson, that the presentations be restricted to 30 minutes.

MOTION presented and carried.

MR. CHAIRMAN: Mr. Uskiw.

MR. SAMUEL USKIW: I don't know what it is, Sir, that the member who moved the motion has in mind. It seems to me that we don't have very many briefs, and to that extent, that it would be reasonable for the Committee to give a great deal of latitude with respect to the time that an individual may wish to utilize in the presentation of any one brief. There is no necessity for a restriction on the time limit on presentation, so I object to that motion, Mr. Speaker, on that those bases. It's not as if we had hundreds of briefs to hear.

MR. CHAIRMAN: According to the list I have here, there are 39 in number. As I understand it, or as is the practice in our other Committees, the presentations are restricted to 30 minutes, but there is no restriction on the time for questions. Will that be satisfactory to the Committee?

MR. USKIW: Well, Mr. Chairman, if I may pursue the point. If it were that we had 100 briefs or so, I could understand such a motion, but given the fact that we only have 39, I don't think that it's necessary. It seems to me that members of the government seem to be in a hurry to get through with this Committee. I don't see the urgency. I don't believe that the other Committee is going to be through before another day, and therefore there is ample opportunity to hear out the people that are presenting views on Bill 25 in this Committee. Most likely, as it appears to me, the two committees will probably wind up at about the same time. So I would suggest that we not have any restriction on the time for presentations. If the Chair wishes to pursue it, or the government wishes to challenge that, that's fine. It's their prerogative to vote for a time limit but I object to

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it, Mr. Chairman. DRIEDGERMR.: Mr. Chairman, I believe that a precedent has been set in the other committees. When you have any amount of presentations that are going to be heard, we're looking at 39 briefs that have to be presented and if there's no time limit on it, I can see all kinds of problems and, Mr. Chairman, I would like to call the question on the motion.

MR. CHAIRMAN: Mr. Downey .

MR. DOWNEY: Mr. Chairman, I would like to make a brief comment. I believe in the other committees so far this session, they have set the time limit to 30 minutes. However, if individuals were to run over that particular time, I'm sure that if it were near the end of a brief that some extra time could be allotted at the request of the individual giving the brief and I'm sure that the members of the committee would be quite reasonable in that regard. I think that if we could get co-operation to a 30-minute limit, that we could get along quite well.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Mr. Chairman, I simply want to point out that while I can understand the logic of the government who want to wind up the session, I can't understand the logic of the government not wanting to hear presentations in full on a measure that takes away the freedom of the people of Manitoba, the very fundamental point at issue here. Therefore, I think it's a very dictatorial move on the part of the government to curtail the rights of the citizens of Manitoba on an issue that is going to remove their freedom. This is just another move to reduce the participatory policy of our past years in government.

MR. CHAIRMAN: Mr. Einarson.

MR. EINARSON: Well, Mr. Chairman, having listened to the comments from other members of this committee, I don't think that we want to take any more time than necessary in order that we may hear the briefs of the people that have come a long way that we may hear them tonight. I believe that having listened to the Member for Lac du Bonnet, followed by the comments from the the Minister of Agriculture, I feel that the Minister has been very reasonable. If someone has a brief that may go beyond slightly beyond the 30 or 40 minutes, that we are prepared in this committee to allow tolerance and agreement. I think that we have to have some guidelines, and I don't accept the comment from the Member for Lac du Bonnet that we're being dictatorial. I am one who has never been that kind of person. I don't want to give the impression to the people that have come in here to present their briefs that we are being dictatorial. That's the farthest from the truth, Mr. Chairman, and I would not want the people to leave this committee having the impression that we are being dictatorial. I think the Minister of Agriculture has made the point very reasonable insofar as we are concerned and I think that while we are saying 30 minutes as a guideline, the Minister has indicated that we are prepared to, if necessary, extend a little beyond that time. So, Mr. Chairman, I believe we will now deal with the motion and go from there.

MR. CHAIRMAN: Are you ready for the question?

MR. USKIW: Mr. Chairman, in light of the remarks of the Member for Rock Lake, that the committee is very much disposed towards a great deal of flexibility, I fail to see the reason for the motion. It seems that we are in agreement but we have the motion now in our way, so I suggest to the member that he withdraw the motion.

A COUNTED VOTE was taken, the results being as follows:

Yeas 6, Nays 4.

MR. CHAIRMAN: The motion is carried.
Mr. Uskiw.

MR. USKIW: Mr. Chairman, perhaps the Clerk can clarify for us what is provided within the rules with respect to challenging that motion beyond this committee. In other words, Mr. Chairman, can the Clerk advise whether this committee can call Yeas and Nays on this motion.

A MEMBER: Wait four years, Sam, we'll have an election.

MR. CLERK: My understanding of the rules is that the Chairman of the Committee will decide all questions of order within the committee themselves.

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MR. USKIW: Okay, that's fine.

MR. CHAIRMAN: Shall we proceed? (Agreed) The first name on the list is Mike Taczynski from Gypsumville.

A MEMBER: Mr. Chairman, I'm just wondering if there is consideration as looking over the list I see there's some in from Swan River, Beulah, and Elkhorn, that are well in excess of 200 miles. I wonder if there's any thought on your part to serve those people that wish to be on early that do come say mileage in excess of 200 or some . . . Is there a possibility of that being considered?

MR. CHAIRMAN: Your point is well taken. Perhaps if we can start with Mr. Taczynski's brief and those people within the audience who come from those substantial distances could make themselves known to the Clerk and your briefs will be heard before we finish this evening. Is that suitable?

MR. USKIW: Mr. Chairman, on that point, I'm wondering whether there has been any commitment given to any of these people with respect to the time that they might be expected to present their brief because if that were the case, then we would be wrong in trying to deviate from that commitment.

MR. CHAIRMAN: To my understanding, there has been no commitment made to anyone.

MR. USKIW: Okay.

MR. CHAIRMAN: I think we perhaps may well proceed and let good judgment and good will and common sense preside and we will attempt to accommodate the most distant people in the best way we can. Is Mr. Taczynski present?

The next name is Jacie Skelton, Regional Co-ordinator, National Farmers Union.

MS. SKELTON: That's Jacie.

MR. CHAIRMAN: I stand corrected. It has also been called to my attention that this is a peculiar sound system and you have to speak very close to the microphones or the equipment picks up some radio stations within the surrounding area.

MS. JACIE SKELTON: I was just wondering on a point of order. I know that some people aren't here tonight and would like to have their names put to the bottom of the list. I'm asking if this is possible to be done.

MR. CHAIRMAN: That is normal procedure.

MS. SKELTON: When they're not here, their names go to the bottom of the list.

MR. CHAIRMAN: That is correct.

MS. SKELTON: Okay.

The purpose of this submission is to reiterate the view of the National Farmers Union on the principles contained in Bill 25. The Conservative election campaign platform in 1977 was to free Manitobans from Legislative government controls, thus developing a competitive, free enterprise system.

Bill 25 places controls on cattle and beef producers in Manitoba. It is telling, not asking, them to belong to a government legislated organization. The government is creating a private association. In no way will Bill 25 help the economic well-being of the farmer.

Principles of democracy have been violated. The National Farmers Union challenges the government to conduct a plebiscite to prove that the majority of beef and cattle producers do want this association. The majority decision will be accepted as the wish of the producers.

In February, 1974, a beef checkoff plebiscite was conducted. 3,245 were against; 2,450 won in favour. With this being the consensus of beef and cattle producers four years ago, a plebiscite is a necessity to prove that attitudes have changed. Forming such an association could result in an embarrassment to this Manitoba Government. For example, the Alberta government established such an association without a plebiscite. They have discovered that producers are not interested in

in a legislated compulsory organization. It is evident that people must be participants in the planning and structuring stages of the formation of an organization before they are interested.

Even though the legislation states that producers will elect their own producer representatives only 4 percent bother voting. This was in Alberta. When government legislates the formation of an organization without asking those concerned, it perverts freedom of choice. The Alberta government is now facing political embarrassment. Even though it believes in the Crow rates, the legislated organization, the Alberta Cattle Commission, is promoting the removal of the Crow rates' agreement. This is causing growing discontent amongst the majority of farmers who traditionally, over the years, have supported the retention of the statutory rates. This is resulting in growing pressure on the Alberta government to put the credibility of the Alberta Cattle Commission to a vote of the producers.

The Manitoba Government has opted out of an objective position by introducing Bill 25. The government has said that producers want this legislation. The producers have not stated this fact. The government has not publicized Bill 25 to the cattle producers of Manitoba. It has dealt with the principles of the association but it has not attempted through public meetings, etc., to set out to explain the regulations which will govern all cattle producers in Manitoba.

In conclusion, the National Farmers Union challenges the Manitoba Government to prove that the majority of the beef producers in Manitoba do want this legislation.

MR. CHAIRMAN: Thank you, Ms. Skelton. Will you submit to questions from members of the committee?

MS. SKELTON: Yes, I will.

MR. CHAIRMAN: Mr. Driedger.

MR. DRIEDGER: Mr. Chairman, I wonder if it would be in order for clarification for the members of the committee if the people who make submissions whether they would identify what their position is in the beef industry in terms of how many cattle they own and how much land they operate, this type of thing. I think it would maybe help committee members to justify some of the statements that are made.

MR. CHAIRMAN: Are you raising that as a point of order or are you simply directing a question to the . . .

MR. DRIEDGER: I'm asking that as a question.

MS. SKELTON: Do you want me to answer your question or do you want the committee to decide?

MR. DRIEDGER: I'd like to direct question to yourself , please.

MS. SKELTON: To me?

MR. DRIEDGER: Yes.

MS. SKELTON: Okay. I'll answer that I am the Region 5 Co-ordinator of the National Farmers Union and that organization is a national organization of farmers, of all commodities. We speak for all commodities throughout Canada for the members of the Union, so any person who is a member of the Union, speaks on any commodity.

I am a farmer; I do not have cattle. You may think that this does not allow me to speak on this issue, but I, as a farmer, produce grain, and being a grain producer that interwinds me with the problem of the beef industry, because the beef industry cannot be without the grain industry, and as a consumer, without being a farmer, let alone a beef producer, I have an interest in this.

MR. CHAIRMAN: Mr. Downey.

MR. DOWNEY: Yes, you represent the organization. I have two questions. First, what is the amount of membership of the organization that you represent?

Ms. SKELTON: National or provincial?

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MR. DOWNEY: Both.

Ms. SKELTON: National, over 8,000; provincial, 800, family farm units.

MR. DOWNEY: Second question. You made the statement that the Alberta Cattle Commission had embarrassed the Alberta Government. Is that why they have such a large majority in the Alberta Legislative Assembly?

Ms. SKELTON: What do you mean, a large majority?

MR. DOWNEY: The Conservative Government have such a large majority in the Alberta Legislative Assembly. Is that being embarrassed by the legislation? **Ms. SKELTON:** No, no, that isn't the point was trying to make, Mr. Downey. The point I was trying to make was that this was a government legislated organization in Alberta, as would be the one in Manitoba, and that this organization is now going against a principle that the Alberta Government believes in, and that being the crow rates, or I presume they believe in the crow rates. And the same thing could happen in the Manitoba situation with such legislation going into force.

MR. CHAIRMAN: Any further questions? Mr. Enns.

MR. ENNS: Your brief states on Item 10, that the . . . and I take it that is one of the major objections that when a government legislates the formation of an organization without asking those concerned, it perverts freedom of choice, and your objection to Bill 25 at this time, is that an organization is being formed of certain producers without their being asked in a formal way by vote or plebiscite their opinion about it. Is that a position that the Farmers Union is putting forward?

MS. SKELETON: The Farmers Union in this case is against this because this is the formation of a commodity group and there is no need for such an association to be formed through a government legislation. This can be done by any organization going out and gathering membership. There is no need for this.

MR. ENNS: The National Farmers Union has no objection, however, if producer boards are otherwise set up within the farm community without a vote being held.

MS. SKELTON: Well in orderly marketing we are talking about a different thing than we are in this kind of association. There is a difference there.

MR. ENNS: Well that of course is a little difficult for us, at least some of the committee members do understand, but formation of the Hog Marketing Board, formation of the Milk Producers Board, both of these boards were formed in the last relatively short number of years without any reference to the producers involved. But that didn't disturb the National Farmers Union organization as such?

MR. CHAIRMAN: Mr. Einarson.

MR. EINARSON: Ms. Skelton, you say that you are not a producer of beef?

MS. SKELTON: No, I am not.

MR. EINARSON: And you are a farmer?

MS. SKELTON: Yes.

MR. EINARSON: So therefore you are speaking on behalf of an organization, namely the National Farmers Union.

MS. SKELTON: Yes.

MR. EINARSON: You also are concerned about the freedom that you feel that you are losing? How do you interpret the Act as losing your freedom if, on one hand, that you pay whatever the Association, as I understand it, suggests — 25 cents per head or whatever — if you don't agree, if you are allowed to make application to have that money refunded. Is that what you call losing your freedom?

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MS. SKELTON: That's not the principle. The principle in losing your freedom is, to begin with, in it being legislated by the government, by the government introducing this, that's where the freedom is lost.

MR. EINARSON: Are you speaking on behalf of the beef producers of this province and do I understand you to say that you don't want to see the government involved in any way, shape or form? Do you agree that government should not be involved in the beef producing business?

MS. SKELTON: That depends. You look like you are going to be very involved in the beef producing business but the thing is what your end goals are. Now setting up a commodity group such as this in Bill 25 is going to do in no way like the purpose states it should do, improve the economic well-being of the cattle industry in Manitoba. It can't possibly do that. It hasn't done it in any of the other provinces that have these check-offs.

MR. EINARSON: Well as I understand, you are going to be allowed to establish an association. You talked about the referendum that was held over a year ago?

MS. SKELTON: No, I didn't talk about that.

MR. EINARSON: Well you mentioned . . .

MS. SKELTON: That was four years ago. That was a beef checkoff referendum.

MR. EINARSON: Yes, I'm sorry, right. It has also been mentioned about a referendum that was held just over a year ago or thereabouts. Do you agree with what the referendum contained, whether you agree with the marketing board or not?

MS. SKELTON: Hm'mmm.

MR. EINARSON: Then therefore you don't agree with many producers of beef in this province that they are not interested in a marketing board?

MS. SKELTON: Okay. There's a difference between this and the vote that was held a year ago and the vote that was held four years ago. There is no vote in this Act. There is no referendum. There is no choice of the people. You don't know if you have the majority of the producers.

MR. EINARSON: Then I ask you, Ms. Skelton, if you are allowed through an association to elect boards of directors to operate this association, do I understand you to say that you don't feel that you have the freedom of electing someone, some farmer, on that board to express the wishes and probably carry out the decisions that you feel should be carried out through this association?

MS. SKELTON: Okay. In Alberta — that was the example I was getting to in paragraph 9 — in Alberta they legislated through such a bill, not the same, but they legislated, through the same idea, they told the people they were going to have this commodity organization and then when it came to the time to elect the delegates for the board, only 4 percent of those people voted. The point is, unless the people have the choice to work in the planning and the structuring of the organization, in working and forming something like this themselves, they won't participate.

MR. EINARSON: I fail to understand your comments when you say that they won't have the opportunity to participate. If it's only 4 percent in Alberta that exercised their prerogative, whose fault is that?

MS. SKELTON: That was their choice. The fault is the interest wasn't in it, so why are you legislating it? The same thing would happen here in Manitoba when the delegates are elected. The interest won't be there because those people haven't had the choice in drawing up something they really want. Put this to the vote, put it to a referendum, ask the people, then the majority rules, but you won't do that because you know you wouldn't win.

MR. EINARSON: Are you then telling me, Ms. Skelton, that farmers in the beef business in the Province of Manitoba over the past number of years have not been asking for such legislation to give them an opportunity to establish an association to be able to do things for themselves.

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MS. SKELTON: Certainly there have been farmers who have been asking but there also have been armers who have been asking for such a thing as a national meat authority.

MR. EINARSON: Ms. Skelton, I would like to ask you, do you believe in supply management of he commodity we are talking about . . . ?

MS. SKELTON: Would you explain to me what you feel is supply management?

MR. EINARSON: No, I am asking you, I am questioning. . .

MS. SKELTON: There are different meanings. I have to have the answer to the meaning before will answer that.

MR. EINARSON: In other words, Mr. Chairman, Ms. Skelton is refusing to answer my question when I . . .

MS. SKELTON: No, I am asking you to clarify the point.

MR. EINARSON: Supply management, it is simple terms.

MS. SKELTON: Clarify what you mean by supply management, then I will answer you.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Well, Mr. Chairman, I would like to question the Farm Union on why they are prepared to accept a bill that would bring into being a farm organization even if there was a referendum and a majority of people wanted it? The reason I ask that is that it is obvious that in some instances a group of people who have a particular vested interest in something may even unanimously want it but in getting what they want they deny basic fundamental freedoms to other sectors in society since it becomes a law of the land. Why would you want to tread on such dangerous ground, Madam?

MS. SKELTON: If I get your question right, you are asking me why would we accept a majority — yes?

MR. USKIW: Yes.

MS. SKELTON: Because in a democracy the rule of the majority should rule, or am I not answering what you want to know.

MR. USKIW: No. Let me pursue it further then.

MS. SKELTON: Oh, definitely. If the majority were to say yes for this bill, I would be very afraid because the powers that this bill has in it are unreal.

MR. USKIW: That is the very point that I am getting at then. Are you making a distinction between a vote asking for the right to establish an association and this particular piece of legislation that is before us now? Are you making a distinction between asking that a vote be held for the purposes of establishing an association and the bill that is before you? In other words, the powers in this bill which are government powers delegated to a private club which no other organization has, nor should they have, would you want that embodied in the powers of an association even if they had a majority? That's the point.

MS. SKELTON: No, I would not.

MR. USKIW: The second question I then ask you is, whether or not it makes sense to you that an association, if it is formed pursuant to the passage of this bill — that is the association decisions — should not be appealable to a public authority as is provided in this bill.

MS. SKELTON: That would be asking for amendments in this bill and I want this bill opposed. But, yes, definitely it's ridiculous to have such powers and no appeal system.

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MR. USKIW: So you are suggesting then that you are opposed to the principle of the bill in itself since it is a bill that introduces into being an association not by choice but by the law of the land as opposed to the contents of the bill itself?

MS. SKELTON: Yes.

MR. CHAIRMAN: Mr. Adam.

MR. ADAM: Thank you, Mr. Chairman. Ms. Skelton, in your comments to the Member for Rock Lake you mentioned that you did not want to lose your freedom of choice to belong to whatever association that you so desire. Do you have this opinion because the government is introducing Bill No. 25 which will set up another association which compels you to belong or to be out. Is it because you feel — I know that you do speak for many livestock producers who are NFU members — is it because, if you have to come to government for any reason, that you would not be recognized then as an association representing cattle producers? Is that why you feel that your freedoms would be lost? Is that one of the reasons?!

MS. SKELTON: Yes. That's what I was speaking about when I said a private organization is being formed, a private organization. In a letter from Mr. Church, a statement was made in that this would be the only organization to recognize the beef producers in Manitoba, and the only way such an organization can possibly be set up democratically is if the people in that organization go out and get that kind of support, then it's democratic. The way it is being now, it is legislated, everyone is in the plan whether they want to be or not. That's an easy way to get a majority.

MR. ADAM: Mr. Chairman, then you feel that if this bill passes and becomes law, that in the future your organization may not be recognized as speaking for your members, your producers, either your association or any future association, any group of farmers who may wish to band together to form an association to represent their own views? That is the point you are . . . ?

MS. SKELTON: In the area of livestock, yes.

MR. ADAM: I was going to ask you the very same question that the Member for Lac du Bonnet asked in regard to your comments in your brief, in that you said that if the majority of the producers voted for this bill, that you would go along with it. I certainly want to advise you, Ms. Skelton, that I would have great difficulty in supporting this legislation regardless if 100 percent of the farmers supported it. I know that I am one of the farmers also and it would not have 100 percent.

I am surprised that the Minister of Agriculture has asked you for your membership. As I recall, in Agriculture Committee, I requested the Minister to provide information on the Manitoba Beef Growers and the Manitoba Cow-Calf Association and he undertook to provide that information but we are still waiting. We haven't received it yet although he undertook to provide it.

MS. SKELTON: Well, I would just make a comment that the Minister of Agriculture had asked us on several occasions before what our membership was but I guess he must have a short memory.

MR. CHAIRMAN: Any further questions? Mr. Uruski.

MR. BILLIE URUSKI: Ms. Skelton, are you aware that this piece of legislation will require all or any persons connected with the cattle industry to supply whatever information this association desires or be subject to prosecution without any recourse to the courts?

MS. SKELTON: Yes, that's in 7(1).

MR. URUSKI: Do you feel that many of the associated industries, especially the truckers and the recorders, are aware of this type of provision?

MS. SKELTON: No, they are not aware, and neither are the majority of the producers of Manitoba aware of this. This is why I have said that nothing has been said to publicize this. Certainly there have been blurps on the television set talking about Bill 25 and this sort of thing, but other than that, nothing, to go out into the country and explain to beef producers what this bill is all about.

MR. URUSKI: Thank you.

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MR. CHAIRMAN: No further questions? If there are none, thank you very much, Ms. Skelton.

The next brief is to be presented by Margaret Hayward, Sinclair. I would also like to point out to people in the audience that it is a hot night and it is quite permissible to remove jackets and ties. Beyond that, the choice is yours.

Mrs. Hayward.

MS. MARGARET HAYWARD: Thank you for giving me this opportunity to present my views on Bill 25. As a National Farmers Union member, a grain producer and a consumer, I feel I have a stake in Bill 25. As an NFU member, I have learned the importance of maintaining people's democratic rights. As a grain producer, I have learned that beef and grain producers are jointly dependent on one another. As a consumer, I must buy food. With all the natural resources available in Canada, I question why so much of our food is imported. The beef industry is a financial burden on the farmers because of the instability of the marketplace. To honour people's democratic rights, a referendum must be held. The wishes of the majority should be respected.

When one commodity group is singled out for special attention, as is done when the government proposes establishing such a group as the cattle producers association, the government pits the beef producer against the grain producer instead of creating policies to further the understanding of the need to work together. Whatever our commodity, we are in the agriculture to produce food to feed people, and the government should not be a party to legislation which will help destroy the unity of the farmers and Canadians alike.

I feel that the economic well-being of the cattle and beef industry in Manitoba needs to be improved, but nowhere in Bill 25 is this accomplished.

In conclusion, the implementing of this Act in this manner is totally undemocratic, so therefore it must be withdrawn.

MR. CHAIRMAN: Thank you, Mrs. Hayward. Will you submit to questions from members of the committee?

MS. HAYWARD: Yes.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Yes, I am again going to pursue the same question that I asked the previous speaker, Mr. Chairman, and that is that you dwell on the need for a referendum and my question is, if there was a referendum and it carried, do you believe that such an association should have the powers contained in this bill, without appeal to the government?

MS. HAYWARD: No, I do not.

MR. USKIW: Thank you.

MR. CHAIRMAN: Any further questions? Mr. Einarson.

MR. EINARSON: Mr. Chairman, for the record, you say you are a farmer?

MS. HAYWARD: Definitely.

MR. EINARSON: A grain producer?

MS. HAYWARD: Yes.

MR. EINARSON: But you are not a producer of beef?

MS. HAYWARD: No.

MR. EINARSON: Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mrs. Hayward.

George Higgs, Bowsman (absent), Ted Wilson, Durban (absent), Ken Sigurdson, Swan River.

MR. KEN SIGURDSON: Mr. Chairman, I would first like to say that I am a member of the National Farmers Union. I participated in the Canadian Agriculture Movement. I'm a member of the Manitoba

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Maine Anjou Association, the Canadian Maine Anjou Association and I guess I am a member of the Farm Bureau, I don't really know. But anyway —(Interjection) — Yes, right. But the problem with the Maine Anjou Association and the Farm Bureau, they never ask my opinion on anything and yet they still claim to represent me, and this is the basic problem with these organizations.

I would like to present this brief now. In making presentation to the Agriculture Committee, I would first like to deal with the beef checkoff in general. In telephone conversations with MLA they stated that the government would be bringing in the checkoff because they had a mandate to govern. However cattle producers understand that part of the mandate to govern was in the election platform. At no time during the election campaign did cattle producers hear of a beef checkoff, rather the election promises to farmers was that of no interference, eliminate government waste, cut taxes and free Manitoba. This legislation breaks all of these promises to the farmer as Bill 25 will interfere with the cattle producers' business and will create another tax on farmer and is an exercise in government waste and could infringe on the freedoms of all cattle producers.

Also a mandate was set in a 1974 vote on a beef checkoff at which time the checkoff was rejected by a vote of 3,245 against to 2,451 in favour, and a grain checkoff was rejected less than four years ago. Cattle producers would reject this beef checkoff if they were given their democratic right to a referendum on the issue.

If there is a pressing need for this checkoff it certainly isn't evidenced from actual cattle producers. Rather, I believe, the push for the association is coming from the large feedlots and a few registered cattle producers. These represent less than 3 percent of the cattle producers in Manitoba. These same people could fund their own organizations if they supported their convictions strongly enough. Funding by other producers is typical of these feedlot men who have lived off the grain producer and the cow-calf operator and now desires an association to maintain this tradition.

Another problem with the special commodity group is that by its special commodity nature, it has little concern of other agriculture producers. A good example of this is the Alberta Cattle Commission which has come out against Crowsnest freight rates in Alberta. This has caused a great deal of consternation among the Alberta farmers who realize organizations should work for the betterment of all agriculture. Also the relevance of the Alberta Cattle Commission is that less than 2,000 of approximately 35,000 Alberta producers voted for the elected members of the Alberta Cattle Commission. The complete indifference to the ACC clearly shows it is of little use or benefit to Alberta producers. All major farm organizations in Alberta are questioning the very existence of the ACC and are thinking of a plebiscite to remove this monstrosity from the agricultural scene.

It seems hard to understand why Manitoba is proposing this legislation when it has done nothing meaningful for the producers in other provinces. Someone has stated that cattle producers have been asking for this checkoff for the past 20 years. All I can say is that for the last 20 years justice, sanity and freedom have prevailed in Manitoba.

MR. CHAIRMAN: Thank you. Will you submit to questions from the Agriculture Committee. Mr. Driedger.

MR. DRIEDGER: Are you a cow-calf operator?

MR. SIGURDSON: I feed my own cattle out, yes.

MR. DRIEDGER: How many head do you run?

MR. SIGURDSON: I have about 80 head right now.

MR. DRIEDGER: How many do you market in one year?

MR. SIGURDSON: I have been marketing approximately 50 in the past years and now I am down to around 20 head because of the economic conditions of the cattle industry.

MR. DRIEDGER: What amount would you be faced with in terms of a levy if this bill came through?

MR. SIGURDSON: Pardon.

MR. DRIEDGER: What would your levy be in terms of the amount of cattle that you roughly market in one year?

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MR. SIGURDSON: My levy would probably be very small. I spent more fighting the checkoff than he levy will ever collect from me in the rest of my life. It's the principle of freedom we are fighting for.

MR. DRIEDGER: Thank you.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Mr. Chairman, how many meers are there in the breed association that you belong to?

MR.: I don't know. I believe there is roughly — I really can't SIGURDSON/ say, Mr. Uskiw.

MR. USKIW: Well is it a thousand, or is it in the hundreds or is it in the tens or . . . ?

MR. SIGURDSON: It would be in the hundreds.

MR. USKIW: It would be in the hundreds. And do you know whether or not that association has canvassed the opinions of its membership on this bill?

MR. SIGURDSON: No, they have not. This is an executive decision as far as to my knowledge.

MR. USKIW: You talked about the possibility of a referendum defeating such a proposal. If a referendum was to carry, do you believe that such an association created by law should have the powers that are now contained in Bill 25 or should there be an appeal provision?

MR. SIGURDSON: Yes. I don't agree with the legislation at all but I can't see any producer sanely favouring this type of legislation that would require him to submit records and information to an association that he would so strongly disagree with.

MR. CHAIRMAN: Any further questions? Mr. Adam.

MR. ADAM: I understand, Mr. Sigurdson, that there was a meeting at Swan River on this particular proposal and was there support shown at that meeting?

MR. SIGURDSON: There was one person who vocally supported it at the meeting and we later passed around a petition asking for a vote on the referendum. We didn't know Bill 25 and its contents at that time but we asked for a referendum on a checkoff and 70 percent wanted a vote on the checkoff. I am sure nobody there would possibly support Bill 25.

MR. ADAM: How many were at that meeting, Mr. Sigurdson?

MR. SIGURDSON: There was around 30.

MR. ADAM: Thirty, eh. Was the MLA for Swan River at that meeting?

MR. SIGURDSON: Right.

MR. ADAM: Yes. That's why I asked because the Meer for Swan River indicated in the House, he is on record as saying that he hadn't met anybody who was opposed to the checkoff in Swan River and that's why I am just asking those questions.

MR. SIGURDSON: Yes, well you know how these politicians get carried away.

MR. ADAM: Thank you.

MR. CHAIRMAN: Any further questions? Mr. Downey.

MR. DOWNEY: Do I understand, are you opposed to the organization?

MR. SIGURDSON: I am opposed to everything in Bill 25. I was going to introduce an amendment that was a deletion of everything after the first word..

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MR. CHAIRMAN: Mr. Galbraith.

MR. GALBRAITH: Mr. Sigurdson, are you opposed to an association that is designated to try to advertise and promote your own industry?

MR. SIGURDSON: Yes, we don't control the price of our own products so why we should advertise and promote it when we can't price it.

MR. GALBRAITH: In other words, you really don't care whether your product is promoted at all and you don't care to try to help and promote it.

MR. SIGURDSON: What has it done for producers in other provinces, that's what I would like to ask you.

MR. GALBRAITH: Has it done them any harm? How can you weigh this?

MR. SIGURDSON: Well sure it has done them harm. Most producers produce grain as well as beef and if they are going to come out against Crowsnest rates like they have done in Alberta, the group out there isn't representative of farmers, it is only representative of 2,000 farmers and they are coming out against Crowsnest rates.

MR. GALBRAITH: You don't care to form an association that is going to try and encourage research towards preventing diseases in cattle?

MR. SIGURDSON: Isn't this the government's responsibility?

MR. GALBRAITH: In other words, you as a cattleman don't care to try to promote research?

MR. SIGURDSON: Well I feel that we will probably be letting the government off the hook for research when we start doing it ourselves, eh?

MR. GALBRAITH: I don't agree with you there.

MR. CHAIRMAN: Any further questions? If there are none, thank you, Mr. Sigurdson.

The next name is Jim Chegwin. Is Jim Chegwin present? —(Interjection)— He is not present? Bruce Medd, accompanied by Mac Lelond. They are not here. Brad McDonald.

MR. McDONALD: My name is Brad McDonald, Strathclair, National Director, National Farmers Union, Secretary Strathclair Consumers Co-Op, Committeeman Manitoba Pool Elevators, member of Canadian Seed Growers, hog producer, beef producer, grain producer, seed grower, farmer-at-large, Vice-President, J. McDonald and Sons, partner, McDonald Farms.

Recommendations to the Law Amendments Committee re Bill 25, The Cattle Producers Association Act.

To begin with, I refer to Section 2, the purpose of the proposed act, to provide for the establishment and financing of an organization to initiate, support and conduct programs for stimulating, increasing and improving the economic well-being of the cattle and beef industry in Manitoba by developing through marketing methods, grading standards, quality standards, research and educational programs.

I now refer to clause (f), subsection 6(1), subject to the such acts as it deems necessary and advisable to enable it to administer the Act effectively and to promote and assist producers in the production and marketing of cattle in Manitoba.

I now refer to subsection 6(2): The association shall not engage in the production, sale, marketing and processing of cattle on its own behalf or exercise any of its powers in a manner contrary to this Act or the administration by-law.

I refer to this subsection 6(2) because it is a contradiction of the two previous parts mentioned and its inclusion means that the proposed Act will not be able to meet its objectives in any meaningful way. This is 1978, and we live in an organized society. The private planning system effectively controls the food processing and retailing system, not to mention many of the other important sectors which affect our lives. We know that beef producers do not have effective bargaining power, the bargaining power necessary to provide an income equitable to other sectors in our society. The marketing system at the producer level can be described as antiquated at best, designed to dispose of cattle rather than market them.

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Federal and provincial enquiries have outlined the discrimination in prices received by producers, market rating, lack of real competition at the packer and retail level. We have a situation where the price to the producer changes from sale to sale while wholesale and retail prices are set weekly. In the last four years, beef producers were bankrupted by inadequate returns. Canada Packers' five-year average return on equity was 12.4 percent — this from the Financial Post.

Subsection 6(2) will ensure that all these wonderful things will remain. It ensures the maintenance of the status quo. It means the rural economy will not receive its share of the nation's wealth. For a government which is responsible for the financial health of a province to propose legislation which maintains our present inadequate system suggests they're either gutless or incompetent to deal with the problems in our society. It is my recommendation that subsection 6(2) be removed from the proposed Act.

Having discussed what the proposed Act can't do, I will draw to your attention what the Act will probably do. Choosing not to deal with the real powers in our society, organizations such as the one proposed usually pick on someone they can handle to solve their problems. I point to the Alberta Cattle Commission and its constant harassment of grain producers. "The Crow must go!" and "On with the Wheat Board!" they cry. "If you can't get grain producers in the same mire we're in, we can all be miserable together!"

Three years since its inception, Alberta farmers are now beginning to understand the nature of the monster in their midst. It's nothing short of horrendous to propose an Act which gives one part of a community power, while not protecting the other parts from being savaged by that power. The proposed legislation could never be acceptable to any rational person unless safeguards are added to protect all farmers from harassment.

In conclusion, I'd like to suggest the name of the proposed organization be changed to The Two-Bit Organization. Its nature is two-bit, and given the powers, its accomplishments will be two-bit.

MR. CHAIRMAN: Thank you, Mr. McDonald. Will you submit to questions from members of the Committee?

MR. McDONALD: I will.

MR. CHAIRMAN: Mr. McKenzie.

MR. McKENZIE: I heard you raise the words "gutless" and "incompetent." Are you talking about the cattle industry or government?

MR. McDONALD: I referred to any government. For a government which is responsible for the financial health of a province, the proposed legislation which maintains our present inadequate system suggests they are either gutless or incompetent.

MR. McKENZIE: Mr. McDonald, are you familiar with the legislation that's just been passed in Saskatchewan?

MR. McDONALD: Somewhat.

MR. McKENZIE: Are you prepared to accept that the Minister shall look after the funds that have been checked off from the Cattlemen's Association — the government?

MR. McDONALD: What I am aware of is that . . .

MR. McKENZIE: Well, answer my question. Are you yes or no?

MR. McDONALD: Repeat the question.

MR. McKENZIE: Are you satisfied with the legislation which has just been recently passed in Saskatchewan where the checkoff from the Cattlemen's Association, that those funds will flow into the Minister of Agriculture's office?

MR. McDONALD: Yes.

MR. McKENZIE: You are satisfied with that? Then you're . . .

MR. McDONALD: Farm members in Saskatchewan have fought for several years for the complete repeal of that Act. They are not satisfied with the Act at all.

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MR. McKENZIE: I'm just asking you, Sir, are you for state control of the cattle industry? Because once that . . .

MR. McDONALD: I'll tell you what I am for, and that is sufficient bargaining power to provide an income equitable to other sectors in our society. Now, we have tried various means to obtain these.

MR. McKENZIE: Well, I'm just asking you a polite . . .

MR. McDONALD: . . . And if that means given the bargaining power the producers can get under The Natural Products Marketing Act, then so be it.

MR. McKENZIE: Well, Mr. McDonald, I'm only wondering, cattle producers like yourself and others across the province — and this is what the Committee is here for and this is why the hearings are here — are you, as I read from your brief here, opposed to the legislation that's before us? Now you say you would prefer a state control system where the checkoffs will flow into the office of the Minister of Agriculture sitting here on my left.

MR. McDONALD: The Natural Products Marketing Act is a statute of this province responsible to the people of this province.

MR. McKENZIE: I have no more questions, Sir.

MR. CHAIRMAN: Mr. Adam.

MR. A.R. (Pete) ADAM: Yes, Mr. McDonald, is it? You passed reference on what was happening in Alberta insofar as the checkoff there. Are you aware that the 1976 statistics put the Alberta farmer at the poverty level, as far as income was concerned? That the average income in Alberta for farmers there with the beef checkoff is between \$10,000 and \$15,000 a year?

MR. McDONALD: Yes, I'm aware of that.

MR. ADAM: So then you would say that the beef checkoff there hasn't performed miracles for the Alberta producers?

MR. McDONALD: Well, let's look at it in terms of common sense, because that's usually the term I deal with. In terms of dealing with the power of society, all this legislation at the very best could do is talk. Now, since I wasn't very big, farmers have been talking about their inequitable position in our society, that they should get a better deal. Now we know from the numerous studies that all this thing can do is talk, and talk isn't going to change a damn thing. If the Packers and Safeway were going to be benevolent, they would have been benevolent a long time ago.

MR. ADAM: Mr. Chairman, do you have any information on what is being spent by the Alberta Livestock Commission — or whatever they call it — on marketing? How much of their expenditures — or do you have that information?

MR. McDONALD: No, I don't have that information right handy.

MR. ADAM: Well, perhaps it would be unfair for me to comment on that, then. The checkoff farm raises between \$500,000 and \$600,000 a year, and of that amount only \$8,500 goes to develop marketing for livestock. The rest of it goes I don't know where.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Yes, Mr. Chairman. The witness before us has indicated a total objection to Bill 25 for reasons stated, but in his comments has indicated that he favours a more meaningful structure. I believe he touched on the facility of the Natural Products Marketing Act as being a more meaningful structure that could change the situation in the marketplace favourable to the producer. I want to ask him, since that opportunity was available to the beef producers only a year ago by way of a referendum, what he sees as a solution to that very problem, since that's what he believes is the ultimate answer. How are the producers to become knowledgeable, or what would change the producers' opinion with respect to that question? Or why did the vote not carry, in your

MR. McDONALD: Why did the vote not carry? I suppose because the legislation on a provincial level, while it deals with the ability of a provincial agency to deal with price quality between producers - in other words, you receive the same price for the same quality of product on the same day - it does not have the power to effectively raise the price quantity, and the price quantity is as important to producers as anything. I suppose, in reflection on the Act last year, I was not happy that the proposed plan went far enough, that it could have gone farther in dealing with price quality.

On the other hand, we had one of the most terrific scare campaigns. Just, and it's a general comment that isn't mentioned in my submission, but Section 7(1) of the Act that deals with books, records, imposing fees payable to it, I found with some interest that the producer organizations were quoting this Act last year in their campaign material and threw this out as a red herring as something for the beef producers in Manitoba to be afraid of.

MR. USKIW: Mr. Chairman, to pursue that, what is the interest of the group that launched the campaign, to either confuse or to educate, whichever way you want to take it, the farmers against the proposal that was put to them a year ago? What was motivating that particular group of people? Who are they? What is their status in the industry, in your opinion?

MR. McDONALD: From my own experience, and last year I served as a member of the Joint Livestock Advisory Committee and was able to travel over the western side of the province, I found the people who were defending the system most were the feedlot operators. As a person who grows his own grain and feeds it to his own livestock, the price is what is important to me because that's what determines my return per acre. Feedlot operators, if they can get either cheap calves or cheap grain, they can maintain their margin, and what they were determined in was in maintaining a system in which they had flexibility. They were more concerned with the margin on each turn-around and maintaining that. Not all that similar to the packer who is between the producer and the retailer and looks on with disfavour any action at the producer level which might interfere with his margin.

MR. USKIW: Well, Mr. Chairman, to pursue that further, the Advisory Committee of a year ago recommended that we proceed towards the establishment of a marketing authority - marketing board, to be precise - that would have all the powers contained in the Natural Products Marketing Act and recommended by the inquiry commission, once that board was elected.

How do you explain the fact that some of the same people who signed that recommendation were subsequently involved in a campaign against the proposal when it was put to the people of Manitoba?

MR. McDONALD: I can't answer that, Mr. Uskiw, because I wasn't one of those eight members who signed that part of the proposal.

MR. USKIW: Well, I'm sure you can't answer for those particular individuals, but what is your assessment as to the reason for that turn-about that took place a year ago on the part of those members or their group?!

MR. McDONALD: Well, it was my feeling at that time that they were interested in bringing in just an organization which would not have any power, much similar to the proposition which is before us today. When it appeared that legislation might be coming forward with some power, they just took the negative position.

MR. USKIW: No, but, Mr. Chairman, the very recommendations that they presented to myself, then in charge of the department, had all the powers of the Natural Products Marketing Act and all of the recommendations built in of the inquiry commission. The only question mark was that those powers would not be utilized in full until there was an elected board, and of course the government of that day chose to move towards the election of a board from Day One of the operation of that agency.

Therefore, given that the government was willing to comply with that provision that there would be no marketing powers until a board was elected, why would then anyone who was a signatory to that recommendation oppose that particular referendum or the proposal in the referendum?

MR. McDONALD: I quite honestly suggest that if Charlie Mayer or any other member shows up to present at this hearing, that you ask him why they changed their position.

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MR. USKIW: My last and standard question: If this particular bill was submitted to the producer and a majority of producers wanted this kind of an association, do you think the government ought to proceed with the establishment of it and, if so, in its present form, or should there be provision for appeal to the Government of Manitoba?

MR. McDONALD: I missed the first part of your question.

MR. USKIW: All right, I will repeat it. If this measure was referred to the producers for a decision by way of a referendum and the vote carried, should that association have the powers contained in Bill 25?

MR. McDONALD: If that is what they are voting on.

MR. USKIW: Do you believe that any private organization should have the powers contained in Bill 25 without recourse or appeal?

MR. McDONALD: No, and I mentioned that in the latter part of my submission.

MR. CHAIRMAN: Mr. McKenzie.

MR. McKENZIE: Mr. McDonald, do you support the concept of going to the public referendum on this bill?

MR. McDONALD: You know, an argument can be made that you were elected to govern, but the fact is, that the past history regarding these marketing proposals, they were in two previous ones and they've both gone to the producers. In terms of consistency, you know, it's inconsistent that a third one would not.

MR. McKENZIE: Do you believe, would you somehow help us MLAs, there's 57 of us here, we have 70 bills roughly, on the Orders of the Day, that we should go to the people on all bills that come before the Legislature?

MR. McDONALD: No, I did not say this, I said, but in regard to beef legislation to be consistent there has been two previous referendums, and to be fair, you know, if you're going to keep it consistent with the previous two we should have another one. But, in terms of legislation in general no, you're elected to govern.

MR. McKENZIE: Well, I'm a rural member, why should beef have a special status?

MR. McDONALD: I suppose you could ask that of the previous Minister of Agriculture.

MR. McKENZIE: A referendum on beef.

MR. McDONALD: Well, okay.

MR. CHAIRMAN: Order, order please. Could we have one speaker at a time? Mr. McKenzie please.

MR. McKENZIE: Well, I can debate with the other members at a later date, Mr. Chairman, on this matter. I see, Mr. Chairman, and to Mr. McDonald, that the word National Products Marketing Act is now in the debate. Do you support that concept?

MR. McDONALD: Natural Products Marketing Act?

MR. McKENZIE: The Natural. I apologize if I said National; I mean Natural Marketing. Do you support that concept for the cattle industry?

MR. McDONALD: It's given producers more bargaining power than any other method we've come up with to date.

MR. McKENZIE: Would you suggest then that there's no need for Bill 25 today?

MR. McDONALD: Would I suggest that?

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MR. McKENZIE: Yes.

MR. McDONALD: That would be correct.

MR. McKENZIE: Would you then explain it to me, that is it possible that there should be some vehicle, such as is going on in other jurisdictions of the province where some private group, dairymen, cattlemen, farmers, and various grain producers, breeders, should have their own private organizations?

MR. McDONALD: Are you referring to a marketing organization, or a political organization?

MR. McKENZIE: I beg your pardon?

MR. McDONALD: Are you referring to a marketing organization, or a political organization?

MR. McKENZIE: No, I'm talking about the Limousin, the Hereford breeders, the seed growers, the various farm groups. Do they have a right to form an organization by themselves, away from government?

MR. McDONALD: That's right.

MR. McKENZIE: Thank you, sir.

MR. CHAIRMAN: Mr. Adam. Could you speak into the microphone?

MR. ADAM: Yes, I am. I wanted to ask you if you have had an opportunity to attend any meetings in reference to this bill?

MR. McDONALD: Not in reference to this bill, Pete.

MR. ADAM: Have you met with any other farmers to talk about a beef checkoff at all? Have you attended any meetings?

MR. McDONALD: Within our own organization, and we have consistently posed it as part of our policy, resolutions that have been passed at local district and regional levels.

MR. ADAM: Yes, the reason I ask is that there was a meeting at Elkhorn, I believe.

MR. McDONALD: No, I wasn't in attendance.

MR. ADAM: You weren't at that meeting. There was apparently 43 farmers in attendance and they passed a unanimous decision opposing this particular.

MR. McDONALD: That's correct.

MR. ADAM: You are aware of that, eh?

MR. McDONALD: Yes.

MR. ADAM: That that meeting took place?

MR. McDONALD: Yes.

MR. ADAM: And am I correct in saying that there was a unanimous decision to oppose this checkoff?

MR. McDONALD: It was unanimous, the position was unanimous that they request a plebiscite.

MR. ADAM: It was unanimous that they have a referendum before such a bill be passed?

MR. McDONALD: Yes.

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MR. ADAM: Do you know who sponsored this meeting?

MR. McDONALD: It was just farmers in the local area.

MR. ADAM: It wasn't an NFU meeting, or a Canadian Agricultural Movement meeting or anything of that nature, or Independent Producers?

MR. McDONALD: Well, I wasn't at the meeting.

MR. ADAM: As far as you know, it wasn't sponsored by the National Farmers Union anyway?

MR. McDONALD: No, it wasn't sponsored by the National Farmers Union.

MR. ADAM: Thank you.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Mr. Chairman, I would like to pose a hypothesis to our witness. If this legislation passes and it appears likely to pass, do you believe that to be fair to all other groups in society, that we should pass an Act for the establishment of a pork producers association, a chicken producer association, one for the turkey producers association, one for the sheep producers association, one for the Federation of Labour giving them all the powers contained in Bill 25 —(Interjection)— Yes for all of the groups that we have in society, should they have the same kind of privileges as this particular group is going to enjoy?

MR. McDONALD: In plain simple, two wrongs aren't going to make a right. If this legislation is put into place I'm just going to go out there and keep on beating it on the head, until it's removed.

MR. CHAIRMAN: Any further questions from the Committee?

MR. ADAM: Well, let me conclude by this then, am I reading you correctly, Sir, that you believe that in principle this is just bad legislation and should never be passed for any group?

MR. McDONALD: That's correct.

MR. CHAIRMAN: If there are no further questions from members of the Committee, thank you very much, Mr. McDonald.

Keith Proven, Basswood. Keith Proven. Bill Bajus. Brian Bajus. John Bucklaschuk.

MRS. NICHOLSON: Mr. Chairman, I'm not John Bucklaschuk, but we worked jointly on this brief and I would like to present it.

MR. CHAIRMAN: Could you identify yourself, please?

MRS. NICHOLSON: My name is Clarice Nicholson from Shoal Lake.

MR. CHAIRMAN: Would you proceed please?

MRS. NICHOLSON: Thank you. In order to clarify my status in presenting this brief I would like to say that I am a partner on a mixed farm. We have a grain and cattle enterprise. I am a co-director on the Agricultural Extension Advisory Service in the Shoal Lake ag rep area; I am a member of the Shoal Lake Agricultural Society, a member of Pool Elevators, a member of the Farm Bureau, and a member of the NFU, and I have been associated with agricultural problems all of my life.

We would like to thank this Committee for the opportunity to present this brief in opposition to Bill 25, The Cattle Producers Association Act.

Firstly, we take extreme exception to the introduction of this bill without a referendum of bona fide cattle producers. Last year there was a great outcry about the threat to freedom of the cattle producers when a marketing board was proposed after the following measures had been taken. The completion of the Enquiry Commission Report, which indicated the necessity for regulatory measures in livestock marketing and the Livestock Advisory Committee which held a series of meetings

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all over Manitoba, at which producers were free to make presentations and indicate their wishes. There followed a referendum which determined the ultimate result of the question. Now we have Bill 25 thrust upon us with no opportunity for genuine producers to be part of this decision. The bill in itself is a travesty of democracy. The definition of the word "producer" in the bill opens up the field to practically anyone you could name. If you'll check back in your copy of the bill you will note that any banker can be a producer under the definition of this. From there on the total power of the association is thrown into the hands of 12 or 15 members who will have absolute authority to dictate who will have a vote, who will pay the checkoff, how the money will be used, with whom the association will be allied, what regulations are to be made, on whom they will be enforced, if they will be enforced, where they will be enforced, all without any restrictions under the Natural Products Marketing Act.

Since the association has the power to enter into agreements with other organizations we may find ourselves allied with organizations such as The Canadian Cattlemen's Association, which advocates the abolition of the Crows-Nest rates and also low feed grain prices so as to be able to continue to produce cheaper beef at the expense of the grain producer.

The government, after forcing this Act on cattle producers, abdicates all responsibility for the operation of the association. Under the scope of regulations the unrestricted powers of the association allow it to discriminate against any individual group or locality. The government endorses the setting up of a spy network under Regulation 7(1)(a) of the Act, and further deprives the individual of his or her freedom by delegating the authority to the association to prosecute persons under the Act.

Section 11(3) virtually makes it impossible for amendments to the Administration By-law without the co-operation of the association in notification of all registered voters.

If this Act is going to be rammed down our throats we insist that producers have a right to indicate at the time of sale if they wish to contribute to the checkoff, as has recently been brought into force in Saskatchewan. However, we still hope that democracy is not altogether dead in Manitoba, and this dictatorial Act will not be proclaimed in a free country. We would not want to lose our freedom of choice.

This is on behalf of farmers from Strathclair, Oakburn, Shoal Lake, and Elphinstone areas.

MR. CHAIRMAN: Thank you, Mrs. Nicholson. Will you submit to questions from members of the committee?

MRS. NICHOLSON: Yes.

MR. McKENZIE: Mrs. Nicholson, and I know you have a very difficult position because it's not your brief, it's Mr. John Bucklaschuk's brief, but you listed off a long number of organizations at the start of your brief; do you belong to those organizations and speak on behalf of them or does John?

MRS. NICHOLSON: I belong to those organizations, and therefore I justify my being here to represent . . .

MR. McKENZIE: Yes. Are you speaking on behalf of them tonight?

MRS. NICHOLSON: As much as they speak on behalf of me, many times.

MR. McKENZIE: It's got to be clarified. Are you speaking on behalf of Pool Elevators tonight?

MRS. NICHOLSON: I am a member of Pool Elevators, and I am expressing my opinions as a member of Pool Elevators.

MR. McKENZIE: Thank you, Mrs. Nicholson. On the bottom of the brief it's got "Submitted by John Bucklaschuk, on behalf of farmers from Strathclair, Oakburn, Shoal Lake, and Elphinstone." Is that all the farmers in that area that you are speaking on behalf?

MRS. NICHOLSON: No.

MR. McKENZIE: How many?

MRS. NICHOLSON: I believe that would be rather difficult to say, but in consultation with a number of farmers in that area they had asked that a brief be presented to this effect.

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MR. McKENZIE: One hundred? Seventy-five? Fifty?

MRS. NICHOLSON: I couldn't put a number on that.

MR. McKENZIE: Thank you.

MR. CHAIRMAN: Are there any further questions? Mr. Uskiw.

MR. USKIW: Yes, could you tell the committee whether or not a good number of cattlemen and farmers generally, in your area, have become acquainted with the legislation? Are you aware as to the amount of information that people have received to date on this piece of legislation? And I raise that question for this reason, perhaps I'll put it in context, that the government takes the position that the reason they are introducing this bill is because it was a commitment that they gave during the election campaign. Could you indicate to me whether anyone in your group recalls such a commitment or whether this is part of the Conservative Party platform, during the election campaign?

MRS. NICHOLSON: I can't recall any commitment to a checkoff for any particular group during the election campaign. I seem to remember a good deal of shouting about freedom, freedom of the individual. I don't recall any specific group who were to get more freedom than any other group.

MR. USKIW: Well, Mr. Chairman, since I don't want to doubt the words of the Premier of this province, if he suggests to me that he has given a commitment, then I believe that he has given a commitment. To whom do you think he has given that commitment?

MRS. NICHOLSON: Well, there were quite a few people who did a lot of shouting about freedom when the marketing bill was being put in, and I believe that they are getting their reward when this bill goes through.

MR. USKIW: Well, do you believe then that this commitment was given openly in the campaign, or behind closed doors somewhere in the closet?

MRS. NICHOLSON: Well, your guess is as good as mine, but since the general public wasn't made aware of this promise in the open I guess you can draw your own conclusions.

MR. USKIW: I then want to pursue my standard question, and that is that if this bill was referred to the farmers by way of a referendum, and if it carried, do you believe that any association should have the powers contained in Bill 25 without appeal to the government or the courts?

MRS. NICHOLSON: I don't believe that any group should have the powers that are given in here because the bill abdicates all responsibility. It turns it completely over, gives legal responsibilities to this group. Now, I would like to know, would the government be prepared to do the same for every other commodity group, every other organization? We would have complete anarchy in this province if every little group had the same powers as this group is being given.

MR. CHAIRMAN: Mr. Driedger.

MR. DRIEDGER: Mrs. Nicholson, how many head of cattle do you run on your farm?

MRS. NICHOLSON: Usually about 70.

MR. DRIEDGER: Are you opposed to corps organization for the livestock industry?

MRS. NICHOLSON: I beg your pardon?

MR. DRIEDGER: Are you opposed to some kind of organization for the livestock industry?

MRS. NICHOLSON: Not if it's funded by its meers.

MR. DRIEDGER: Thank you.

MR. CHAIRMAN: Any further questions? Mr. Adam.

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MR. ADAM: Mrs. Nicholson, did you mention in your brief or prior to introducing your brief, that you are a member of the Farm Bureau?

MRS. NICHOLSON: Every person who is a member of Pool Elevators is a captive member of the Farm Bureau.

MR. ADAM: Well, I'm a member of Grain Growers and Pool, as well, so indirectly I'm a member of the Farm Bureau, I guess, a long ways back.

MRS. NICHOLSON: Right.

MR. ADAM: I understand the Minister, introducing Bill 25, indicated that he had had a letter of support from the Farm Bureau, in principle. I don't know whether they support this bill the way it is set out, but at least I believe in principle that they did support a checkoff, and some sort of an association. Then that would not be your views, as an indirect member of the Farm Bureau you would not take that position, then, eh?

You would not support it?

MRS. NICHOLSON: The members were not consulted on that.

MR. ADAM: No, I didn't think they were — I didn't think they were. Thank you very much.

MR. CHAIRMAN: Mr. Galbraith.

MR. GALBRAITH: Mrs. Nicholson, would you be in favour of a Marketing Board for cattle?

MRS. NICHOLSON: If it was set up under a Natural Products Marketing Act with preparation made to eventually work into a national meat authority, which would protect the consumer as well as the producer, because we are all consumers.

MR. GALBRAITH: Okay, now we seem to be very concerned here tonight about freedom. Now a marketing board would greatly curtail our freedom of market outlets within the cattle industry, like farmer to drover sales and farmer sales at auction marts, farmer to packer sales. How would you accommodate persons wishing to market their cattle on their own behalf without going through the marketing board, you are talking about freedom?

MRS. NICHOLSON: It would give every farmer the same freedom, this bill does not.

MR. GALBRAITH: He has the freedom to opt out of it if he wants to.

MRS. NICHOLSON: If he opts out he has no further say in the cattle industry in Manitoba, because he will not be listened to unless he is a member of this so-called organization.

MR. GALBRAITH: What does he have now?

MRS. NICHOLSON: He at least has the freedom that someone isn't looking over his shoulder and telling him what he can do.

MR. CHAIRMAN: Mr. Uskiw, on a point of order.

MR. USKIW: Yes, on a point of order, Mr. Chairman.

Conservative members, on two or three occasions this evening, have said that there are things in this legislation that there is not. There is no provision for opting out in this bill. The member is confusing the witness by trying to suggest to her that there's an opt out provision, so I think the members have to be fair to the witnesses, and not suggest to them that there is something in the legislation that is not contained therein. There is only provision that there could be a means for refunding fees, but not define how that will be done. That will be up to the association whom the government will have no control over and that is the extent of opting out. The controls and regulations will still apply to all the cattlemen in this province, even if they opt out of the fees, so let's not confuse the witnesses.

MR. CHAIRMAN: As I understand the Rules of Procedure that does not constitute a point of

MR. USKIW: Mr. Chairman, let me then draw to the attention of the committee that some members of this committee are dishonest.

MR. CHAIRMAN: Is that a point of order?

MR. USKIW: Take it for what it's worth.

MR. CHAIRMAN: Do you wish to have . . .

MR. USKIW: Mr. Chairman, There should be some ethics in our procedures, that's all I'm saying and members should not confuse the witnesses by pointing out that there are things in legislation that are not before this committee.

MR. CHAIRMAN: Mr. McKenzie on a point of privilege.

MR. McKENZIE: Mr. Chairman, the honourable member has made a point that there are some members of this committee that are dishonest. I ask the member to withdraw that remark. That is absolutely unfounded.

MR. USKIW: Mr. Chairman, I am very much prepared to withdraw that statement if the member who alleged that there were these provisions in this bill withdraws that suggestion.

MR. CHAIRMAN: Mr. Einarson.

MR. EINARSON: Well, Mr. Chairman, I don't want to prolong this debate, but I'm speaking on the point of order, I think the comments coming from the Member for Lac du Bonnet, we should just consider where they came from.

MR. CHAIRMAN: Order please. I think the point of order has been confused with a point of debate and I think we should proceed with the questioning that was being carried on by Mr. Galbraith. Mr. Galbraith please.

MRS. NICHOLSON: Mr. Chairman, may I add a further comment with regard to the refund of your checkoff. When you apply for a refund on your checkoff you nullify your opportunity to be a part of this association. In the meantime, while you are waiting for six months or probably a year for your checkoff refund to come back and you are funding the organization, you are still not able to have any say in it.

MR. CHAIRMAN: Mr. Hanuschak.

MR. HANUSCHAK: Yes, Mr. Chairman, I would like to ask Mrs. Nicholson whether she supports the concept that an organization, in no way responsible to the people of the Province of Manitoba should be granted the right to initiate legal action which could result in putting people in jail or fined?

MRS. NICHOLSON: No, Mr. Chairman. This is what I had already indicated, that if we had 50 organizations in Manitoba with the powers that are proposed for this organization, we would have complete anarchy.

MR. HANUSCHAK: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Downey.

MR. DOWNEY: I would just like to ask Mrs. Nicholson the question, if she is familiar with the legislation passed by the last administration. I will clarify that it was a Private Member's Bill, but it was an Act to allow the Red River Community College to set up a student organization that if you are a student of the Red River Community College that you have to participate, you have to be a member of that association, and that they can set unlimited fees and there is no opt-out rights or no recourse. That student body have complete power to charge you any fees or dues that they so desire.

MRS. NICHOLSON: I was not aware of that, but do they also have the power to prosecute individuals

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r discriminate against individuals, areas, localities, groups of people, etc., which are the powers which are given to this group.

MR. CHAIRMAN: Mr. Hanuschak.

MR. HANUSCHAK: Yes. Mr. Chairman, just simply on a point of order. I simply want to re-emphasize the point that, as the Honourable Minister has indicated, that was a Private Member's Bill setting up a private member organization granting the members of that organization certain powers and do not believe that the Minister has indicated that that organization had the power to initiate action which would result in any person of the Province of Manitoba being sent to jail, as this bill does.

MEMBER: It certainly has. It is no different. It uses the same right as the other Act.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Well, Mr. Chairman, since we are now on Private Members' Bills, let me take this opportunity to clarify for those who are presenting briefs, that there is a world of difference between authority given to individuals and associations by Private Bills, which are different from government legislation which have the force of the law of the land, the government and in fact the force of the power of the government. A private bill is something that is voted on voluntarily by a majority of members of the Legislature without having any particular support from any particular political party. So there is quite a difference.

MR. CHAIRMAN: Mr. Downey.

MR. DOWNEY: Would Mrs. Nicholson be prepared to support it if it had been a Private Member's bill?

MRS. NICHOLSON: Certainly not a bill with these powers. I wouldn't be prepared to support it under any circumstances.

MR. CHAIRMAN: Are there any further questions by members of the Committee? There being none, thank you very much, Mrs. Nicholson, for your presentation.

At this time I would like to apologize to all members and all members in the audience that I perhaps have allowed somewhat wider latitude than would normally be considered proper in these proceedings.

I would like to caution all members of the Committee to stick as closely as possible in your remarks and in your questions to Bill 25, and I think we will conduct our proceedings somewhat more expeditiously.

The next name on the list is Tony Riley, Strathclair.

MR. RILEY: I am presenting this brief to you the Law Amendments Committee today as a member of the Manitoba Pool, The Manitoba Beef Growers, The Cow-calf Organization, National Farmers Union, Palliser Wheat Growers, Farm Bureau, and spokesman of the Canadian Agriculture Movement, also a member of the MICP.

I have stood at the unloading docks at the stockyards and talked to several hundred farmers concerning the checkoff and other farm problems. Ninety some percent said they were against the checkoff with no vote. I have worked with members of the NFU trying to persuade the Manitoba Government not to make the mistake of railroading this through, all to no avail. There are times, throughout this brief you may think I am talking through my hat, but not so. I have seen and I have heard enough to arrive at the conclusions that follow. The Manitoba Government offer no just reason for ignoring us.\$

It seems we farmers must not be content just to produce food products but must be prepared to keep control until it is in the hands of the processor and perhaps even to the hands of the consumer. There is an never-ending line of leeches waiting their chance to bite into the fruits of our labour for an easy living if we allow it.

That is why we are here before this Committee to explain the situation and how it will affect working people on the farm and the consumer in the long run. Every time we are forced to defend ourselves from bad government, production is shut down on the farm, which not only costs us, but costs all people within our country dependent on handling our produce for a living. This in turn costs the government tax dollars. Many of we farmers are well aware of what is taking place within our country, in fact, the so-called free world. To put it quite plainly, organized crime is making a

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strong move to take over the food supply. Not only is it more powerful than bombs and bullets but more profitable. They are well on their way to having the grain business sewed up and the cattle business is muchly in their control, but Manitoba hasn't got their organization in control of the farmers yet. How do they get control? By using the government of the day to pass the necessary laws to give it to them. The only visible hope of stopping it from happening here is an immediate farmer revolt.

We are well aware the Manitoba Government knows full well the majority of farmers are strong opposed to a checkoff to finance this planned new organization. It is really the Beef Growers a brand new set of armour bestowed on them by the Manitoba Government. The Manitoba Beef Growers couldn't possibly con the cow-calf men into supporting a checkoff to be handled by them because it is a well known fact the money is to be used against the cow-calf man. The Beef Grower Organization has stated publicly many times they shall fight to keep the present system of marketing alive and thriving where thieves determine what they care to dole out to the producers for the animals. Why do the Beef Growers like this type of system? Simply because they are managing feedlots that prosper with low-priced feeder cattle and low-priced feed grain. They have invested nothing to produce either product so have nothing to lose and everything to gain. They just love their role of pitting consumers against producers whenever the price of cattle gets anywhere near realistic.

In times of depression in cattle prices and they are common, they spread stories of over-production when in actual fact we are importing meat supplies. We haven't produced enough beef in Canada in ten years to meet the needs of the people — for a very good reason too, which is, we don't have security at market at a reasonable price for a very costly and perishable product. Only a numbskull would spend money he doesn't have to produce something he can't sell. If he does he will be bankrupt soon and they are. The cow-calf man is going to have to get businesslike and put a price on his product if he is going to survive.

The Manitoba Government is guilty of using their power position to bring organized crime in the back door to rule over us all, including themselves, for all time if they put Bill 25 into effect. The law will then be: produce under their rules or quit.

There are no provisions built into the bill to give us any protection as with a marketing board whereby 10 percent of producers signing a petition can force a referendum to be held.

There is nothing democratic about Bill 25 and the government on the matter. In fact, if the Manitoba Beef Growers and the Manitoba Government were being paid by the Soviet Union to destroy the freedom and the confidence of the Manitoba farmers in western democracy, they couldn't do a better job. Communism never came to power in any country where there was a fair and just treatment to its citizens by the previous government. It has always been brought on by dishonest ruthless racketeers gouging the working people for their own selfish interests.

Why anybody tries to hog more than they need, I suppose I will never know. They can't take it with them and if they pass large sums on to their next-of-kin, it can only serve to deny them the pleasure of earning their own, never really knowing the value of a buck. To amass large sums one must take the means of earning a living from many people, leaving them nothing but welfare or starvation. To pass on to the next generation the means of earning a living far exceeds any alternative.

I was of the opinion the Conservative Party policy was to make it possible for people under its government to own and operate their own business, but I see it is rather to make a few lords to enslave the rest of the populace.

Points not acceptable in Bill 25 are:

1(e) Producers in my opinion can only be honestly defined as those people who own and care for cows bearing calves yearly. Anyone else would have to be classed as one of the parasites feeding off the producer.

In 3, there could be as low as four board members making the decisions affecting the cattle industry in Manitoba, the way the regulations read.

No.5 is a lie as 6(2) says so. The board will not have the rights of a natural person.

6(a), No. 6(1)(a) is stupid, as any advertising or promotion of the beef industry has to bring unnecessary hardships on other farmers, either in the cattle business or in other types of animal meat production. Frequently the farmer gives his cattle away below the cost of production, and advertising the meat the retailer is making a handsome profit on, only adds insult to injury, and the advertising media gets fatter on our bucks.

The spy network setup known as information reporters should not be allowed for reasons shown right herein. No. 6(1) whereby the producer is forced to pay for the collection of data on themselves concerning their cattle business, and then the board sends this information to the people who are stealing our cattle. We dispose of our cattle in what some term a free market system. Of course this area is overrun with with every kind of con man and leech imaginable, stealing by any means what he can. The only small glimmer in the farmer's favour is when the so-called buyer gets a little

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anicky and really does start bidding against the other buyer in order to get his supply. Now if the board is going to compile all the information on supply and send it to our might-be buyers, they are never going to have to put the price up unnecessarily to get us to keep those heifers home or breeding. We won't even have the myth that "supply and demand" sets the price. In short, our buyers will be able to program us to fit their needs, but never us them to fit ours.

6(b) — to sponsor research into production and marketing is just a pretence to provide world buyers for more bums.

6(c) is a prime example of the retarded dreaming of the Manitoba Beef Growers' Board believing, or more probably hoping, we will be believing that to produce a finer quality animal would result in more money for the producer. The fact is, he probably takes less because it puts more beef on the retail shelves, but more profit for the packer and retailers with the quality improved, of course they must charge more for it. Here again, it can be said that Manitoba Beef Growers are falling all over themselves to please the packers, not the cow-calf man. We don't want more markets for a low cost of production cattle, we want a fair price and all these problems will take care of themselves.

6(d) is just explaining and making legal their intention to conspire with the Canadian Cattlemen's Association against the cow-calf man of North America.

6(e) is to have binding contract with undesirable organizations so as to insure against the possibility of some decent people in the future getting power to withdraw from them.

6(f), in the first part, could mean jail for anybody who disagrees with the board. The second part concerning assisting producers in production and marketing cattle gives them too much room or skulduggery here. Could be more or our money going to Imperial Oil, Royal Bank, Willy Obrant, the Dubois boys, or Harvey Dand's Miami feedlot.

7(a) — Requiring the keeping of books and records in relation to our cattle business and forced to submit such information to the board is nothing but state control designed to squeeze out of us the information so vital to organized crime to keep their milking machines running smoothly.

7(a) or (b) Violation of people's rights to force them to contribute to a fund designed to finance a program to keep them in perpetual poverty under the control of the provincial thugs. There is no outline specifying the procedure for reclaiming money that has forcibly been removed at the time of selling one's cattle.

7(2)(a) It also states it will be a compulsory checkoff after the appointed board install an elected board.

And 8, this is the one that really tears it. This openly gives the board the right to discriminate against anyone or group they like. An example would be to collect checkoff from cow-calf people and exempt feedlot operators.

Administration by-laws: 11(a) The government appointed board makes the decision of who can be a registered producer. This again gives them total control to decide who is going to sit on an elected board.

11(b) Also they have the power to set term of office to 25 years or more.

11(d) Gives them more protection from democracy interfering with their plotting.

11(e) Gives them power to establish a head office convenient to packers and not to cow-calf people.

11(h) Establishes for all time the trusted group to select the best possible board to perpetuate the exploitation of the cow-calf producer.

11(2) The establishment of districts and subdistricts is a clever plot used by Manitoba Pool Elevators to keep local bickering going on between one another at the local level, and keep the members out of the director's hair. If a member approaches a director with a problem at the top, he simply tells him to bring it through the proper channels. See your local man, and there it dies.

11(3) To repeal or amend a by-law that didn't have the approval of the board would be next to impossible, as the ordinary producer would not have the facilities or finances to notify all the other producers, so another big score for the bullies. Obviously nothing is left to chance. The majority at the meeting can't change it either.

12(1) Dealers collecting fees. I wonder who and how this is to be policed. There is no way the intended leech is going to receive the fee as far as I can see, but no worry, it will do less harm that way.

12(2) Producer selling one to another. This is a matter of protecting the one cattle producer who can put a price on his product. The purebred breeders sell their cattle this way and are the one group that might get benefits from research and promotion paid for by the checkoff.

13 Corporate Act not applying to the board. I presume gives the board immunity of responsibility of a natural person, and isn't skipping easy.

14 Placement of Bill 25 in the statutes of Manitoba, I would presume is to make it most difficult

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for God himself to remove it and free the people.

15 Since this Act comes into force on a day fixed by proclamation, we can only hope it won't be retroactive to 1945.

In conclusion, if the Committee thinks I have a negative attitude, then I say thanks. I must be doing something right. To protect oneself from his enemies, one must know them, and know then I do, so I have done my very best to seek out the very worst in Bill 25 and expect it to be fact. I ask you to remember even if you can't believe me, ask yourself if Bill 25 is so good and so many cow-calf people want it, then why do we need the legislation to force it on the people? Why don't we have a referendum and let democracy decide the issue? Conscientiously submitted by Tony Riley.

MR. CHAIRMAN: Thank you, Mr. Riley. Will you accept questions from members of the Committee?

MR. RILEY: Yes, I will.

MR. CHAIRMAN: The first name I have on the list is Mr. Driedger.

MR. DRIEDGER: Is your main source of income from livestock?

MR. RILEY: No, it is not.

MR. DRIEDGER: How many livestock do you market in a year?

MR. RILEY: I would refrain from divulging my supply of livestock on the grounds that it tends to lower price if we tell what cards we hold in our hands.

MR. DRIEDGER: Do you believe in a livestock organization?

MR. RILEY: Only if it's truly run by by the producers like, I don't like the illusion that we have a producers' organization. I want it to be truly a producers' organization, only producers involved in it.

MR. DRIEDGER: Do you believe in an elected organization?

MR. RILEY: If it's done in a democratic way, yes I do.

MR. DRIEDGER: Well, do you believe that provisions under Bill 25, because I believe you are probably acquainted with it having gone through it step by step, do you believe that there is provision for a properly elected board?

MR. RILEY: Absolutely and definitely not.

MR. DRIEDGER: Thank you very much.

MR. CHAIRMAN: Mr. Hanuschak.

MR. HANUSCHAK: Mr. Chairman, through you to Mr. Riley. Looking at Bill 25 and the definition of an information reporter, and also at the same time looking at your brief within which you describe yourself as a member of the Manitoba Beef Growers, the Cow- Calf Organization, I would take it that you would regard yourself as a producer.

MR. RILEY: That's right. Yes.

MR. HANUSCHAK: You may also recall from reading the bill, that information reporter also includes, within its definition, buyer of beef. Do you recall that?

MR. RILEY: It also includes which, pardon me?

MR. HANUSCHAK: Buyers of beef.

MR. RILEY: Oh, buyers of beef.

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MR. HANUSCHAK: Yes. So, now if I were to buy a side of a steer from you, in your opinion, would I be classified a buyer of beef?

MR. RILEY: Well, as far as Bill 25 goes, you would be, but in my opinion you wouldn't be.

MR. HANUSCHAK: Very well. Now, given that fact and that interpretation, Sir, do you feel that an organization such as this, or any organization, ought to be given the right, an organization not answerable to the people in the Province of Manitoba, should it be given the right to demand certain information as per Section 7(1) it is granted the right to do, under threat of sending those people to jail if they do not provide the information? Do you feel that is fair? Do you agree with that?

MR. RILEY: No, I definitely don't. I think it's an absolute menace.

MR. HANUSCHAK: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Adam.

MR. ADAM: Yes, Mr. Chairman. Mr. Riley, you belong to several associations, I see here by the first paragraph, and therefore any of these groups that have written in to the Minister in support of Bill 25 does not have your support?

MR. RILEY: No, it certainly does not. They didn't even bother to consult the regular membership.

MR. ADAM: Has the Manitoba Pool — I don't know if they wrote in in support of this legislation — have they contacted you to find out whether you in fact support this kind of legislation?

MR. RILEY: No, they've gone to great pains to avoid me, I would say would be more like it, and they do not wish to even discuss the matter with me as far as that goes.

MR. ADAM: Well, what about the — you're a member of the Manitoba Beef Growers, too. I'm surprised, because the Minister indicated that he had a letter, or some sort of support for beef checkoff. Are you a member of the Manitoba Beef Growers?

MR. RILEY: Yes, I have been in the past. I am currently lapsed, you might say, as of last March.

MR. ADAM: Is this what broke the camel's back here, this kind of legislation that convinced you to withdraw from that association?

MR. RILEY: I don't mind telling you why I am a member of Manitoba Beef Growers and the Cow-Calf Association. It is because I believe in farmers having an organization. I don't believe in getting in one organization and looking at all other organizations and saying they're all nincompoops, or they can't do anything for the farmer. I think the way we've got to improve ourselves is associating with one another in all organizations and be prepared to accept the good ideas from them all, and if they are right, tell them so and agree with them, and support them. And when they are wrong tell them so too. And once you confine yourself to one organization, you don't have the opportunity to even discuss these things. There's no room for improvement anywhere along the way and there never will be, so long as we stay separated from one another, and that is the reason. There is very little I was in agreement with the Manitoba Beef Growers Association, but just the same I think I've learned some good things from them, and I've tried to tell them a few things and my points of view. I'm not saying I got through to any of them, but I still think it's my duty to try.

MR. ADAM: Mr. Riley, do you happen to know what the membership of the Manitoba Beef Growers?

MR. RILEY: No, I couldn't give you a figure on that, a current figure like. I did when I was a paid-up member and attending the meetings; I knew what it was, the membership.

MR. ADAM: Well, would you hazard a guess?

MR. RILEY: I could believe they might have a few hundred, like 200 or 300.

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MR. ADAM: How much?

MR. RILEY: Probably a few hundred, 200 or 300.

MR. ADAM: A few hundred.

MR. RILEY: A few hundred. I could believe they did, paid-up members like.

MR. ADAM: One or two, three hundred, maybe?

MR. RILEY: Yes, they could have 300.

MR. ADAM: That would be about the maximum?

MR. RILEY: But I don't really know either, because I wasn't at their last annual meeting. No doubt they'd be discussing that type of thing there.

MR. ADAM: Have you any knowledge how many members are in the Cow-Calf organization?

MR. RILEY: No, I don't really, but just from talking to the membership I know that most of them have turned away from it.

MR. ADAM: The membership has really slipped.

MR. RILEY: Yes, you might as well say it's out of existence.

MR. ADAM: It's almost non-existent?

MR. RILEY: Yes.

MR. ADAM: Well, I could see you're quite disturbed about this legislation because you come on pretty strong on a lot of points. I guess you feel this bill is pretty odious, onerous, and odorous as well?

MR. RILEY: Yes, and that's a ten-four for sure.

MR. ADAM: I can tell by your brief that you certainly have. . .

MR. RILEY: There's a thing here like, (10) is a good example, like I never even mentioned it in my brief, that really the fee limit is unlimited, because they could have a special general meeting anytime they care, half a dozen of them, special general meeting, and they'd make the decision for calling a meeting. The method of calling a meeting and holding meetings of the Association of Registered Producers, they make that decision too. They make all the rules. So anytime there isn't a rule to apply to what they want to do they can make up another one, and they could have that fee \$10 a head if they wanted to, and they could charge me \$10 a head and the next fella could go free. They have that right because of the discrimination that they've got written in here that gives them the right. It's legal and it's proper, according to this bill if it goes through. It's not proper, but according to the law it is.

MR. ADAM: Do you think that under this bill — they have no rights according to the bill, under the restricted powers, to go into production, sale and marketing, or processing of cattle? Would you think there is enough latitude in there that they could restrict the number of producers in the province?

MR. RILEY: Yes, the way I see this bill they have the power to license all existing producers today, and if you don't abide by their rules, or they tend to decide that you're an unsatisfactory producer, they could withdraw that licence, and you're left with no markets. Even though the markets are not much good to us now, with no market at all we're out of business.

MR. ADAM: I want to ask you one more question here. You mentioned the Farm Bureau. Did the Farm Bureau contact you to find out whether you supported this type of an organization before they wrote to the Minister expressing their support?

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MR. RILEY: No, the Farm Bureau never contacts us directly at all. The only time it comes anywhere near us is when they're asking our Manitoba Pool to contribute more money or our hog board to contribute some money to them, like \$55,000 from Pool and \$4,000 from the Manitoba Hog Board, and those type of things. That's an annoying kind of, almost contact. And that's the only kind we ever get.

MR. ADAM: How then do they know the opinions of the grassroots when they make any decisions?

MR. RILEY: Well, I think they're like Colonel Klinck, they know what's good for the people and they make the decisions and they do not want the ordinary people having anything to do in the decisions of their future. They'll decide for them what is good.

MR. ADAM: Do you belong to the United Grain Growers too?

MR. RILEY: Yes, I guess you could say that but I withdrew my money so maybe I don't, I don't know.

MR. ADAM: They wrote a letter of support as well to the Minister for this bill. Did they ask you whether you supported it as a member of the Grain Growers?

MR. RILEY: No, they did not. No.

MR. ADAM: Thank you.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Mr. Chairman, I would like to ask Mr. Riley just how it is that he concludes that if you were to take the mask off this legislation, that it is really legislation for the Manitoba Beef Growers' Association?

MR. RILEY: Well, having talked to the Manitoba Beef Growers' representative in our area, Delmar Purdy he told me he and other ' Beef Grower board members were responsible for drafting that bill and they presented it to the Agricultural Minister for . . .

MR. ADAM: Are you saying the Minister did it?

MR. USKIW: Mr. Chairman, is the witness telling us that an outside interest drafted the legislation, is that what you're saying, Sir?

MR. RILEY: No, if we're talking about the Manitoba Beef Growers' Board, to my knowledge they were the ones responsible for drafting this. At least this is what Delmar Purdy told me.

MR. USKIW: Well, all right, if that is the case then, did they hold a general membership meeting and allow their members to peruse the draft bill or proposal, whatever it was, that was presented to the Minister?

MR. RILEY: Well, not to my knowledge, and if they did they did it without notifying me and, as a matter of fact, they sent us a letter earlier in the year notifying us that they had had a rough draft of such a plan and that there would be more discussion on it at the annual meeting and I was unable to attend the annual meeting so I know not, except what was printed in the paper, I know not what went on at that annual meeting.

MR. USKIW: Then I take you to the other organization which you are also a member of, the Cow-Calf Producers Association. You had indicated that they are virtually out of existence but we are led to believe by the Minister that that organization is in support of his legislation. I would like to know from you whether there was a general meeting of the Cow-Calf Producers Association with members present in a large body, all of them having been notified, that have voted on this proposal.

MR. RILEY: No, there never was to my knowledge any such meeting and even long before this, we never were notified of meetings. We never even had any meetings to my knowledge in our area which is District 7, I believe.

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MR. USKIW: Well, then let me take you another step. Have any of the associations that you are connected with held meetings to discuss this bill or a proposal for such a bill, of their general membership?

MR. RILEY: Well, the Manitoba Farmers Union has and MICP has had a meeting or two on it nothing too large as far as that goes. There wasn't the whole province in attendance but they were aware of what was being discussed though.

MR. USKIW: Are you suggesting to us then that it is the executive of some of these organizations that have taken it upon themselves to take on this responsibility?

MR. RILEY: Solely, I would say, solely.

MR. USKIW: I see. Do you think that the membership would support the executive decision of these associations, or do you think there would be a fairly large question with respect to that?

MR. RILEY: Well, in regard to the Manitoba Beef Growers and Cow-Calf, I think possibly because the memberships dwindled to almost nothing and the few that are left with them are loyal supporters.

MR. USKIW: How many are there?

MR. RILEY: But that is paid members like, they are direct paid.

MR. USKIW: How many would there be?

MR. RILEY: In the Manitoba Beef Growers or the total?

MR. USKIW: Well, the last time that you were a member of the Beef Growers or the last information you had, how many members were there . . .

MR. RILEY: There were 400.

MR. USKIW: . . . with respect to the Manitoba Beef Growers?

MR. RILEY: Yes, 400 in the Manitoba Beef Growers, the last information I had.

MR. USKIW: How long ago was that? Six months, a year?

MR. RILEY: No, no, it would have to be 1976, I think.

MR. USKIW: 1976. All right. To the best of your knowledge, how many members are there in the Cow-Calf Producers Association today?

MR. RILEY: Well, I suspect 20, but I don't know for sure.

MR. USKIW: Twenty?

A MEMBER: Twenty?

MR. RILEY: Yes, yes.

MR. USKIW: I see.

MR. RILEY: I think it might be that high, I'm not sure.

MR. USKIW: I see. So then you are alleging, obviously, that the Minister of Agriculture does not have the support of the rank and file cattle producer in this province for this legislation.

MR. RILEY: I know for sure he doesn't. He doesn't have the rank and file because I stood at that Auction Mart and I talked to those farmers — we didn't pick any particular farmers — we talked to them as they came in to deliver livestock, and it was very rarely we ran into a farmer who would

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upport this Bill 25, very rare.\$

MR. USKIW: In your opinion then, why is it that this Minister is pursuing this bill?

MR. RILEY: Well, the Manitoba Beef Growers gave me to understand one year ago in March — was at their annual meeting, they gave me to understand that “their guys,” as they referred to the Conservative Party, when they got into power were going to put this checkoff in for them and hey said it right there at the meeting.

MR. guskiw; Well, let’s then assume that you are correct, that it is “their guys” and therefore a subsequent government would presumably not be “their guys.” What should a subsequent government do to this legislation?

MR. RILEY: Well, in my opinion, it should be thrown out.

MR. USKIW: Well, let me put it in a different way. Would you agree with me that legislation that is introduced by government forcing people to become a party to an association is indeed the doom of that association and that no other party could afford to recognize such a group ?

MR. RILEY: Well, it’s not only the demise of the organization but the government in my opinion. It’s a foolhardy thing to do. We’re in a democracy here and we fought two world wars for it and many people suffered for it, and many people contributed and why we would go against it, I just can’t understand it.

MR. USKIW: The point I am making, Sir, is: Would I be correct in assuming that since this association is being brought into existence by a government, that that in itself must indicate that it is a Conservative wing of the Party and therefore is not an association of cattlemen but a front for the Government of Manitoba?

A MEMBER: That’s not bad.

MR. RILEY: Well, I hate to even call it Conservatives or else I haven’t learned what Conservatives really are because I never thought Conservatives were what this Bill 25 is. It’s certainly anti-Canadian, anti-Manitoban, anti-farmer, anti-human being, and if it’s Conservative, yes, and it is done by the party in office today for the benefit of the beef growers and that was planned and intended to be this way.

MR. USKIW: Let’s assume that this bill passes and subsequently this organization wants to influence the Government of the Day and in the process of doing that most organizations usually present briefs to every political party. What credence should any political party other than the Conservative Party give to this association?

MR. RILEY: Absolutely none.

MR. USKIW: Thank you.

MR. CHAIRMAN: Mr. Uruski.

POINT OF PRIVILEGE

MR. URUSKI: Mr. Chairman, I wish to at this point in time raise a matter of privilege of this Committee. Several minutes ago the Minister of Agriculture in his comments drew an analogy between Bill 25 to a member who proposed a brief to this Committee, and the Bill that he drew the analogy to was the bill organizing or setting up an Act to Incorporate the Red River Community College Students Association. In his analogy he indicated that those two bills were similar and like in all aspects.

Mr. Chairman, what the Minister has done and I will point out, first of all, in Bill 25 under Section 7. . .

MR. McKENZIE: Mr. Chairman, on a point of order.

MR. CHAIRMAN: Mr. McKenzie on a point of order.

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MR. McKENZIE: Mr. Chairman, this matter can be debated in the House. We are here tonight to deal with briefs from these farmers who have come from all across the province, and Mr. Chairman I insist that we are here to hear briefs only and not debate about points of order. And I suggest to the Honourable Member for St. George, Mr. Chairman, that he can debate this matter with the Minister of Agriculture in the House. Let's carry on and hear the briefs from these members that are here, sitting and waiting to be heard. We can hear the Honourable Member for St. George a next week.

MR. CHAIRMAN: Mr. Uskiw on the same point of order, Mr. Chairman.

MR. USKIW: The Member for St. George has introduced a matter of privilege of this Committee based on the statement of the Minister of Agriculture. It is your duty, Sir, to hear out the matter of privilege without the interruption of the Member for Roblin.

MR. URUSKI: Mr. Chairman, if I may continue. The Minister of Agriculture what he has done, he has led members of the public and members of this Committee right down the garden path into believing that the two bills that he has mentioned were somewhat analogous and that there is legislation on the books in Manitoba today which is totally compatible to the legislation that is being presented to members of the Committee and members of the public here at this Committee on Bill 25.

Bill 25 under Section 7(1) brings forward the powers of regulation that this group has set under Bill 25, and the regulations can be put into force by this group responsible to no one

Also under Section 9(1) of Bill 25, this group has the sole responsibility for enforcement and prosecution and they also have under the same Act the power to go to anyone connected with this industry to demand and receive information dealing with the cattle industry. And if you look at the Red River Community College Bill, there are no such powers in that bill. The Association has all the powers, privileges and immunities conferred by, and is subject to all the limitations and liabilities set out in The Companies Act, and in addition to the following powers which deal with the publishing of information and the like.

If the Minister is suggesting that he is prepared to amend this bill that is before this Committee and to confer on the Legislature that this organization be bound by the . . .

MR. McKENZIE: On a point of order, Mr. Chairman.

MR. URUSKI: . . . then this bill can be withdrawn right now.

MR. CHAIRMAN: Order please. Mr. McKenzie on a point of order.

MR. McKENZIE: Mr. Chairman, I again insist that you rule on this matter. We can debate this in the House for the next month or two weeks. I suggest, Mr. Chairman, we are here to hear briefs from these citizens who have come from across the Province of Manitoba to make their views known on Bill 25, not to hear the Honourable Member for St. George debating some point of order. And I suggest, Mr. Chairman, you rule him out of order and we proceed with the hearings.

MR. CHAIRMAN: Mr. Einarson on the same point of order.

MR. EINARSON: Mr. Chairman, I would like to for St. George had a point of ggest that the Member order.

A MEMBER: Point of privilege.

MR. EINARSON: All right then, a point of privilege, then if he had a point of privilege he should have raised it at the time that the Minister of Agriculture raised that matter. He has let a lot of time go by, listened to briefs and many comments from other people. I suggest, Mr. Chairman, that because he did not bring the matter up at the time the Minister mentioned this thing that he is out of order.

MR. URUSKI: Mr. Chairman, I put my name down before the Committee. It took me some time to go to the other Committee, to be able to check the legislation and to refer back to the comments that the Minister of Agriculture has made. What this Minister has done, he has misled the Members of this Committee and members of the public who have come here to represent and make representations on this bill, by making the analogy that these two bills and there is legislation on the books in Manitoba that is totally analogous, and that is totally false, Mr. Chairman.

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That is my point of privilege.

MR. CHAIRMAN: Mr. Downey on the same point of privilege.

MR. DOWNEY: Just a clarification for the Committee, Mr. Chairman. I would just like to say that did clarify when I made my opening remarks that it was a Private Members' Bill and I think that did not mislead any committee, that I did not refer to the fact that the penalties were the same, that the Act would penalize the people the same. I did clarify that it was a Private Member's bill and the rules apply as regulations state on that particular matter. So I would like to carry on with the hearings, and I have a couple of questions for the . . .

MR. CHAIRMAN: Mr. Uskiw on the point of privilege.

MR. USKIW: Mr. Chairman, on the same point, yes. The Minister is now backtracking and is suggesting that this committee should get on with the business and I don't blame him for suggesting that because he is in a bit of a corner. He has made a statement that is untrue, he has been found out in the same committee meeting, and he is now trying to get out from under by suggesting that his committee ought to get on with its business. Its business is to give the people of Manitoba the true facts and the Minister has failed miserably in that regard, Mr. Chairman.

MR. DOWNEY: Mr. Chairman, I think all I did was clarify that I did point out at the beginning of my statement that it was in fact a Private Member's bill and I didn't try to mislead anyone. Let the record show it.

MR. CHAIRMAN: To return to the subject at hand, the next name on my list is Mr. Einarson for questioning the witness. Mr. Einarson.

MR. URUSKI: Mr. Chairman, are you prepared to rule on the point of privilege that I have raised? The matter or point of privilege was that there was an analogy made by the statements of the Minister of Agriculture. My point of privilege was that there certainly is no analogy and that the statements made by the Minister of Agriculture have in fact have been borne out that they are untrue in the statements he has made. No one argued that it was a Private Member's bill, but the fact that he indicated that the same powers, he indicated the powers are contained within the Private Member's bill are the same as these that are sponsored by the government which is not true.

MR. CHAIRMAN: On the point of privilege, it would appear to me that there is a difference of opinion between the two members of the committee and they both have the privilege of stating them at any time.

MR. USKIW: Mr. Chairman, just on that point. I would like to point out to you, Sir, that there's not only a difference of opinion but a difference of fact and if you wish us to table the two pieces of legislation, side by side for your perusal, you can hold your decision on the matter of privilege in abeyance. It has to do with a matter of fact, not a matter of opinion.

MR. CHAIRMAN: Can we proceed with the questioning of Mr. Riley?

MR. PAWLEY: Well, Mr. Chairman, I believe that you should indicate whether you are taking this under review, whether you will be comparing the two pieces of legislation and giving a ruling later or are you advising us that you are not ruling at all or that you have already ruled?

MR. CHAIRMAN: To this point, I perceive the discussion as a difference of opinion between the Member for St. George and the Minister.

MR. PAWLEY: Then, Mr. Chairman, are you ruling that the Member for St. George does not have a point of privilege? You are refusing to compare the two pieces of legislation in order to ascertain whether the Member for St. George has privilege or not. I just would like to clarify the Chairman's position so it's clear and it's on record.

MR. CHAIRMAN: I would perceive the matter as being a difference of opinion between the two members of the committee.

MR. PAWLEY: So you're ruling that there is no privilege and you are refusing to coare the legislation.

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MR. CHAIRMAN: The member has stated his point of privilege and certainly called it to the attention of the committee. Can we proceed please, Mr. Einarson.

MR. EINARSON: Well, Mr. Chairman, I thought I was going to make some further comments on this thing was going to carry on because . . .

MR. CHAIRMAN: On the bill, on the presentation of Mr. Riley.

MR. EINARSON: Oh, I'm sorry. Yes, Mr. Chairman, I have one quick simple question. I understood a question was asked of you, Mr. Riley, by others. You indicated in the beginning of your brief that you are representing various organizations such as Pool Elevators, Palliser Growers, Cow-Calf the Beef Producers. Are you speaking on their behalf?

MR. RILEY: There is nothing indicating I represent any of those organizations I'm a member of.

MR. EINARSON: I will put the question differently. You are a member of Manitoba Pool Elevators the Manitoba Beef Growers Association, the Cow-Calf organization, the Farmers Union, the Palliser Wheat Growers, the Farm Bureau. Do you propose to speak on their behalf or are you presenting a brief strictly on your own?

MR. RILEY: This is strictly on my own.

MR. EINARSON: One other question, are you a producer of beef?

MR. RILEY: Yes, I am.

MR. EINARSON: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Downey.

MR. DOWNEY: Mr. Riley, I believe early on you had a question asked by the Member for Ste. Rose. You were asked by him, I believe . . .

A MEMBER: On a point of order.

MR. CHAIRMAN: Mr. Uskiw on a point of order.

MR. USKIW: Yes. It is our wish to appeal your ruling on the matter of privilege to the Assembly.

MR. CHAIRMAN: As I understand the rules then, this committee would have to rise and the matter be ruled on in the House.

MR. USKIW: Yes. Well, you want to play games, we'll play games. — (Interjection)— You're darn right.

MR. CHAIRMAN: Mr. Pawley.

MR. PAWLEY: Mr. Chairman, could I suggest that you take this matter under advisement, that at the conclusion of the briefs this evening, you indicate clearly whether you are accepting this as a point of privilege or not. At that point then, we can challenge your ruling, take it to the House but at least we could proceed with the hearing of briefs this evening if it's handled in that manner.

MR. CHAIRMAN: The point of order pointed out by the Member for Selkirk is well taken. I shall take the two items under advisement and shall give the committee a ruling at a later time.

MR. MCKENZIE: Mr. Chairman, on the same point of order, I don't see how the committee could proceed.

MR. USKIW: Mr. Chairman, the Chair has ruled on the point of order.

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MR. McKENZIE: Mr. Chairman, I'm speaking on the point of order that's before us. . . .

MR. CHAIRMAN: Mr. McKenzie.

MR. McKENZIE: . . . if the former Minister of Agriculture would give me the time.

MR. USKIW: There is no point of order.

A MEMBER: There is no point of order.

MR. McKENZIE: Mr. Chairman, the former Minister of Agriculture has put a motion before the committee that we deal with the matter that's before us. The only way we could deal with it, we have to go to the House. Now either proceed with the motion or withdraw it.

MR. PAWLEY: Mr. Chairman, I think you have done a very reasonable thing. I don't know why the Member for Roblin is now entering into further discussion. You've indicated you would take it under review, you would rule at the conclusion of the briefs this evening. If the ruling is unacceptable to either side, they may challenge that ruling, then it can be dealt with tomorrow morning in the House.

A MEMBER: He's already challenged it.

MR. USKIW: Mr. Chairman, on that point of order it is my understanding before the unruly intervention of the Member for Roblin that you had decided and announced to the committee that you are taking that question under advisement which is satisfactory to our side, Mr. Chairman, without the intervention of the Member for Roblin. We are satisfied that you are taking the ruling under advisement, or the question under advisement, and will deal with it in the Legislative Assembly tomorrow. We can proceed with the meeting this evening in the meantime.

MR. CHAIRMAN: Mr. McKenzie.

MR. McKENZIE: Mr. Chairman, on the same point of order. The Chairman of this committee already made a ruling on this matter. The former Minister of Agriculture came in here after a ruling was made and challenged the ruling of this Chairman. Now I asked the former Minister of Agriculture to withdraw that motion otherwise we can't proceed.

MR. USKIW: Mr. Chairman, it has been suggested to the Chair by the Member for Selkirk that the Chair could opt to take the matter under advisement and report later. That is acceptable to our group. The matter is settled. If the Member for Roblin doesn't understand that, that's his problem. We are satisfied with that position.

MR. CHAIRMAN: I would make it clear to all members that I've taken the matter under advisement. I will be given the committee a ruling at the end of the evening at which time should one side of the committee or other, some members of the committee or other, be dissatisfied, then the matter must be referred to the House. When it is done in this fashion, then all people present here this evening can present their briefs and this procedural matter can be dealt with at a later time and save a lot of time and inconvenience.

MR. McKENZIE: Mr. Chairman, let the record show — Mr. Chairman, this is for clarification — let the record show you made a ruling on this matter which is exactly what we're talking about now. After you made that ruling, the former Minister of Agriculture, the Member for Lac du Bonnet, came in and challenged your ruling. He challenged the ruling and let the record show that it was challenged by the Member for Lac du Bonnet. I don't see how we can proceed until he withdraws that motion.

MR. USKIW: Mr. Chairman, the Member for Roblin has had too much coffee. We have indicated that we are prepared to accept your alternative so, therefore, automatically that removes our objection.

MR. CHAIRMAN: Can we proceed with the questioning of Mr. Riley. The next name I have on my list is Mr. Adam.

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MR. ADAM: Thank you, Mr. Chairman. I wanted to know whether you attended a meeting at Elkhorn?

MR. RILEY: No, I did not.

MR. ADAM: You were not at a meeting at Elkhorn to discuss this?

MR. RILEY: No, I was not there.

MR. ADAM: Do you know approximately what the percentage is in opposition to this legislation?

MR. RILEY: I can only go on the records that I got from asking farmers who entered the livestock yards to deliver cattle, strangers to me most of them, to sign this petition and that I kept track on the first three auction marts that we attended and it worked out to about 95 percent, 90-some percent anyway, I forget the exact figure. It was in the 90s against this going through without a referendum.

MR. ADAM: Mr. Riley, you are telling us that you attended at three auction sales.

MR. RILEY: No, yes, that's right, yes.

MR. ADAM: Yes, three auction marts, sales, and in your canvass of these three auction marts, 95 percent were in opposition to Bill 25?

That's right, yes, just as they came in.

MR. USKIW: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Downey.

MR. DOWNEY: Mr. Riley, I believe you were asked earlier in your question period whether you knew or you had an idea of the numbers of people that were members of the Beef Growers and the Cow-Calf and I believe at that time — am I correct? — that you said you did not know how many people were involved in those organizations?

MR. RILEY: I don't know the exact number, yes, that's true but the last number that I did know was 400 though.

MR. DOWNEY: If I may continue, you were also asked by the Member for Lac du Bonnet, and at that particular time your memory came back and you knew how many there were. I think there's quite a bit of inconsistency in your answers.

MR. RILEY: No, that's not a current figure the 400. The present-day figure, I could not give you an exact figure because I was not at the last annual meeting and I have no way unless I was to make a specific mission to ask our representative in the Beef Growers Association in our area and possibly he would have told me, but I have never asked him that question.

MR. USKIW: Mr. Chairman, on a point of order.

MR. CHAIRMAN: Mr. Uskiw on a point of order.

MR. USKIW: Yes, Mr. Chairman. The Minister has implied that I had asked a question that I did not ask. The question that I put to Mr. Riley was: Could he tell us the number of members within the Beef Growers Association at the last time that he was involved with it and knew the membership, not the membership of today. So that Mr. Riley was completely consistent with his statement to the Member for Ste. Rose and to myself. We are dealing with two separate questions.

MR. CHAIRMAN: Are there more questions for Mr. Riley? There being none, thank you very much, Mr. Riley.

MR. RILEY: Thank you.

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MR. CHAIRMAN: The next name on the list is George Telford. Is Mr. Telford here?

MR. RILEY: No, George Telford was unable to make it.

MR. CHAIRMAN: Rudy Usick.

MR. RILEY: I brought his brief with me tonight but he won't be able to attend until tomorrow like, tomorrow night presumably, and if this hearing is going to terminate tonight, if I could have the permission, I would bring his brief in to this meeting — it's in the car — and present it. But I would prefer if he's able to present himself tomorrow if this carries on tomorrow.

MR. CHAIRMAN: I would be surprised if this committee were completed tonight. I would think Mr. Usick would have time to present the matter tomorrow. I'll simply move his name further down on the list.

MR. USKIW: Mr. Chairman, on a point of order.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Yes, on a point of order. It seems to me that the logical thing to do to protect all parties would be to suggest that Mr. Riley leave the brief with the Clerk but that it not be read and proceeded with unless it is determined that Mr. Usick is not going to attend the committee. But we would at least have it in our possession should he fail to appear tomorrow.

MR. CHAIRMAN: And should he fail to appear, it can also be put in . . .

MR. USKIW: Should he fail to appear, we should then deal with it.

MR. CHAIRMAN: . . . put into the record.

MR. USKIW: Into the record, yes. That we should hold it in abeyance in the hope that he will appear tomorrow. Should he not appear tomorrow, then we would deal with it before we conclude our committee hearing.

MR. CHAIRMAN: The next name is Richard Chorney.

MR. RICHARD CHORNEY: Mr. Chairman, honourable members, I oppose the beef checkoff and Bill 25 as a producer because I can't see what it will do for me. I am a grain farmer, a hog man, a cow-calf man, and a feedlot operator. I belong to the Manitoba Pool, the NFU, I participate in Canadian Agricultural Movement and I belong to the St. Clements and St. Andrews ag. society. I have a number of observations, and I'd like to refer them to the government.

First of all, I can't see how this bill, which supposedly is to promote meat, I'd like to know what kind of meat? Imported beef, or processed beef? I see, from what I read in the papers, that the other provinces like Saskatchewan and Alberta have a checkoff and the main support they give is to the Cattlemen's Association, which shows to me only the need for a National or Federal authority.

Also, with this observation, I can see that the three large packers operate nationally, and also world-wide. This also shows to me that we need, not a provincial organization, but work towards a Federal or a National authority.

All I can see from the bill, when it does form an organization, it will just fragment agriculture today, and take the onus off the government. In other words, it's passing the buck. And also the people who don't want to belong to that organization will be totally not represented.

I'd like to ask what market information do we need yet? The Federal Government provides information, the provincial government provides information, the only information that I can see that this organization collecting here today, or when it's formed, is more information from the producer, and who needs this information? Possibly, the packers need it; the buyers.

We need changes, and I'll be the first one to admit that, but the change we need is in the marketplace, not an organization that will maintain the status quo.

Today, as a producer, I drop my cattle off and go home and wait for the cheque. This is a problem that all producers face, whether they have a special deal with the packers or not. Imagine all our products in the country being sold this way — dropped off in the street, or some place, and then go home and wait for a cheque.

In closing, I can't see what this bill will do for me, and also the more I listen to the objections

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to it here today, the more it scares me. Thank you.

MR. CHAIRMAN: Thank you, Mr. Chorney. Will you submit to questions from meers of the committee?

MR. CHORNEY: Yes.

MR. CHAIRMAN: Mr. Adam.

MR. ADAM: Yes, Mr. Chairman. Mr. Chorney, you made two points, I think, in your brief. You are concerned that this association may use the data that it gathers to your detriment? Is that right?

MR. CHORNEY: That's what I believe, yes.

MR. ADAM: You feel that the information that they may compile . . . that they may say to the packer, well, so and so has so many head of cattle, that will be ready in six months, and therefore, you know what to expect. That's what you're concerned about, eh?

The second point you make is that, in reference to the Canadian Cattlemen's Association, the Federal group. y ou seem to feel that there should be something else besides that group.

MR. CHORNEY: Oh definitely. The point I wanted to make was that the two provinces that are involved with a checkoff provincially n contribute and see the need to a ational, so why should we form one here. Why not work towards a national meat authority across the whole country?

MR. ADAM: But you're not satisfied with the Canadian Cattlemen's?

MR. CHORNEY: No, because they apparently represent, or are an off-shoot of the Manitoba Beef Growers Association, which kind of puzzles me, because I've never been approached or never have found out how to join the Manitoba Beef Growers Association. I'd like to know more about them, who are they?

MR. ADAM: Well, I wouldn't know. I don't know them either myself. But the points that you raise are interesting in that you feel that there should be some national organization other than the Canadian Cattlemen's Association to represent you as a producer in the Province of Manitoba.

I would like to point out that the Saskatchewan legislation has been amended, not to provide funds for any national organization, so in that sense they have removed that objection that the Beef Producers in Saskatchewan have had, but this government hasn't seen fit to do that yet. They may reconsider as we go along; I'm hopeful that they will.

MR. CHAIRMAN: Are there any further questions for Mr. Chorney? Mr. Uskiw.

MR. USKIW: Yes, do you believe, Sir, that this association, or any association of a private nature, should (a) be introduced by legislation of government, and (b) have the powers that it has over other members in society?

MR. CHORNEY: No I do not.

MR. USKIW: So regardless of the amendments to this bill, you oppose then the principle of the legislation in itself.

MR. CHORNEY: I would, yes.

MR. USKIW: Yes. You believe that the only association that is worthy of the name should be self-motivated and self-formulated?

MR. CHORNEY: I would say so, yes.

MR. USKIW: What do you think any political party should do in response to this association after it is formed, in receiving its brief from time to time? Should it pay it any credibility or credence, or should it just ignore it on the basis that it was brought in through the instrument of government?

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MR. CHORNEY: I wouldn't know. I can't say right now.

MR. USKIW: Okay. Thank you.

MR. CHAIRMAN: Mr. Downey.

MR. DOWNEY: Do you belong to the Manitoba Farmers' Union?

MR. CHORNEY: That's right.

MR. DOWNEY: Have the Manitoba Farmers' Union received funds from any political party?

MR. CHORNEY: Not to my knowledge, that I know.

MR. DOWNEY: You are a member?

MR. CHORNEY: I am a member, yes.

MR. DOWNEY: And you, to your knowledge have not received funds for the Manitoba Farmers' Union from any political party or any government?

MR. CHORNEY: How do you mean, patronage payment of some kind or. . . .?

MR. DOWNEY: From any government, any funds from any government, that your organization

MR. CHORNEY: Oh yes, I received payment for my beef assurance plan here, the last few years, gasoline rebates

MR. DOWNEY: I'm asking you the question — did your association, the Manitoba Farmers' Union, receive funds from any government?

MR. CHORNEY: Not that I know of — I haven't been that active — not that I know of.

MR. DOWNEY: You are not aware of the fact that the last government of Manitoba, the NDP Government, paid the Manitoba Farmers' Union \$20,000 per year for each of the last four years?

MR. CHORNEY: Oh, wasn't that an educational grant?

MR. CHAIRMAN: Any further questions? Mr. Uskiw.

MR. USKIW: Mr. Chairman, on a matter of privilege, then, because the Minister of Agriculture is now alleging that a government of this province was involved in the setting up of an organization and financing an organization —(Interjection)— and he knows, Mr. Chairman, being Minister of the Crown —(Interjection)— Mr. Chairman, we are on a matter of privilege and a point of privilege has to be

MR. MCKENZIE: On a point of order, Mr. Chairman.

MR. CHAIRMAN: Mr. Uskiw, continue your point of privilege.

MR. USKIW: Yes. The Minister knows fully — because the records are within the files of the department — the purposes for which grants have been made by the Department of Agriculture Community Affairs Fund for a nuer of organizations, not only the National Farmers' Union, for specific programs, not for the funding of the association. And the Minister knows, Mr. Chairman, that that particular contribution had to do with an educational program. It had nothing to do with sponsoring the organization, as did the grants to the Manitoba Metis Federation, as did the grants to the Manitoba Indian Brotherhood, and a whole host of other associations who received grants from the Communities Affairs Branch of our department.

MR. CHAIRMAN: Mr. Downey.

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MR. DOWNEY: On that same point, Mr. Chairman, I do not believe the Meer for Lac du Bonnet had a point at all.

The question was, "Did the association, The Manitoba Farmers' Union, which he was a member of, receive funds from any government?" That was the question, and he has no point of privilege at all.

MR. CHAIRMAN: Mr. Einarson.

MR. EINARSON: Mr. Chairman, I just want to raise a point on the same point of privilege, that the Member for Lac du Bonnet, I suggest, had absolutely no point of privilege whatsoever. The member was asking a simple question, and I don't think we should peruse these things at all. Let's get on with this meeting and listen to people who have come a long way, people have come 100 250 miles to present a brief, Mr. Chairman. If we're going to be continually harassed by the Member for Lac du Bonnet, — I suggest, Mr. Chairman, that this is no point of order the Member for Lac du Bonnet has.

MR. CHAIRN: Mr. Bostrom.

MR. BOSTROM: On the same point of privilege, I believe the Minister attempted to make the point through implication that the National Farmers Union received funds from a political party. His first question to the witness here tonight, did the National Farmers' Union receive any funds from a political party, and when the witness did not answer that question, he proceeded to ask a second question, did the organization receive any funds from a government? Now I believe by implication he tried to make the point that somehow the National Farmers' Union received funds from the New Democratic Party, which is certainly not correct, nor is it correct to say that the National Farmers' Union, or any other organization in Manitoba, at this point, is receiving a grant or funds from the provincial government, is receiving funds from the Progressive Conservative Party. They are receiving funds through the elected government of the Province of Manitoba regardless of which political party may be in power, and it's not a matter of political patronage, as the member is trying to imply through his questioning.

MR. CHAIRMAN: Are there any further questions for the member. There being none, thank you, Mr. Chorney.

MR. CHAIRN: I would caution all members of the committee in the course of their questioning to stick as closely as possible to the bill under discussion, namely Bill 25.

MR. USKIW: Mr. Chairman, I presume you are including the Minister in with that admonition?

MR. CHAIAN: I believe my remarks said "all members".

MR. DOWNEY: And the Member for Lac du Bonnet.

MR. CHAIRMAN: The next name on the list is Ross Thomas.

MR. ROSS THOS: Mr. Chairman, —(Interjection)— it's interesting to sit at the same table with you and not have to say "Sir". Thank you.

Mr. Chairman, I speak as a private meer, speaking for myself. We operate a cattle farm and a grain farm — my three sons and myself — we operate about a 500 cow and calf operation right now — like many others we have reduced in the last three years. I've spent about 40 years publicly and privately working in one association and another. I happen to be the last president of the Manitoba Cattle Breeders, I happen to be the founding president of the Beef Growers, and I happened to be at a meeting in which Mr. Lucien Cancade, myself, and Mr. Hal Proven sat around and tried to work out a way in which more cattlemen could be involved in the cattle business. In fact, Mr. Proven was at three meetings and in general, our understandings were very amiable and our intents were very similar in that we were trying to involve more people in the cattle business.

I think that for those of you who have been in the cattle business very long, and maybe some of you have, you will realize that most of the organized cattle meetings at that time were held in the southwest corner of the province, and our intent was to try to come up with a system that would allow the people from the north interlake, from the east, as well as the southwest, to be involved.

I mention Mr. Proven, because I'm not here to fight with the group that he represents, because I respect people who will come out and work for what they believe. But we did part company at

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our third meeting because one of us had to join the other, and the NFU was not organized to join his new organization, and the new organization is not willing to join with the NFU. We did not feel that that was the way to go, so it wasn't through animosity that we separated, it was because we came to a parting of the roads.

But the Beef Growers originally were set out so that more people could get involved in the cattle business; more people could get involved in the prograing; more people could get involved in every aspect of it, and that's the way it started. Now the checkoff was something that followed as a means of financing. The voluntary system was the system that at that time seemed like the right route to take because there were people who couldn't accept the same philosophy that other people could accept. It's interesting that some of the former speakers have made quite a point about the Pool Elevators being in favour of fighting this checkoff and yet at the last subdistrict council meeting that I was at, every single member there said, "Why is it not a straight checkoff, an involuntary one?" What group can have some members in and some members out as they wish? Why is this not a straight checkoff? If you believe in it, why isn't it a checkoff? —(Interjection)— I heard you say that, Sir.

I'm sorry, Mr. Uskiw.

Well, if he's detracted me. I see you guys have fun. You deserve to have fun. If I sat on my butt like this and had to talk I wouldn't be nearly as good a singer as I am. When I'm on the tractor, I do something different. I don't blame you. Fair ball.

Now I strongly support this checkoff basically because I think that we have to have organizations properly financed. I don't think that the fee that will be extracted from the individual cattle producers is going to be such as to hurt. I can't think of very many organizations in which the fee is so small. The people who have to pay the most are the bigger operators. The people who receive benefit receive benefit on a basis of per animal sold. This is the philosophy, I believe.

But in any case, this checkoff is something that now under Bill 25 is being realistically looked at. It was looked at very carefully the last time it went around. It was looked at under the marketing aspect and it was, in my opinion, turned down because it was involved under the marketing aspect because those who are strong freethinkers were afraid that some of us were in bed not only with the NFU but with the NDP and as such, they were fighting us. I have to accept responsibility in the fact that at the time I was the on a an AAI board, at the time I had invited Mr. Proven to our meetings, and I personally felt that the reason I went down, I had to take a great deal of responsibility for it. But I have no doubt at the present time that if a vote was to be taken it would pass and it would pass because it is a different time, it is with different people in power, and it is with people in power whom the country, I feel, voted in.

I would welcome a checkoff vote but I do not question what is happening because the government, duly elected, are evolving what they believe is a workable solution to a cattlemen's group that speak for the cattlemen. A cattleman in my feeling is anybody who raises beef. That includes the man who spends his time planning and developing a cow breeding program, the person who spends his night calving out the cows, the person who feeds the calves, the person who buys the calves or feeds them or sells them to somebody else who feeds. Anybody who is involved in production of beef is a cattle producer. We're not trying to fight each other except that one guy buys and the other guy sells and that does put you on the opposite side of the fence sometimes. It does not mean that you are not interested.

I think that we have to be able to bear the weight of the expense of the Canadian Cattlemen's Association. I was listening to the farm broadcast today and I was quite interested to hear Charlie Gracey being questioned by the Minister of Agriculture — and he certainly doesn't belong to this party — in regard to saying that Canada does not need to accept the excess quota that the Americans have offered Canada at the present time. The Minister said we didn't need it. Mr. Gracey said we can produce all the meat that the Americans will allow us quota for. All we have to do is know that the market is there.

But, gentlemen, we need a program properly funded. If we all belonged to one organization we wouldn't need to be drawn together in this manner but we are a diverse group and, gentlemen, my contention is that it is drafting such as this that is required in order to draw us together.

Thank you, gentlemen.

MR. CHAIRMAN: Are you prepared to answer questions from members of the committee?

MR. THOMAS: Yes, Sir.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Yes, Mr. Chairman. Well, first of all Mr. Thomas, we appreciate your eloquent delivery, not unknown to me, Sir, having had association with you and we appreciated your contributions over a number of years so I respect fully your particular point of view.

My questioning is going to follow a line, however, that perhaps will want to test, sir, how far you are prepared to respect the point of view of others and I think that's what is at issue in Bill 25.

Traditionally, Bill 25, or a bill such as Bill 25, is never introduced by a government for the right reasons. The reasons are: That whoever the government is, whenever a government introduces legislation that creates an association that forces people to belong in one way or another to the association, that that in itself loses credibility amongst the populace. Certainly it can't be expected that this bill can be received without question by any subsequent government that comes into power in this province. So that it's a built-in demise that you have in Bill 25. No self-respecting group of political people would want to condone and carry on with this kind of legislation. An association of producers can only be respected by government if it is brought together voluntarily by members of the association, not by an Act of the Legislature. So, how do you view legislation forcing people to belong to an association against their will? If they opt out, nevertheless forcing them to meet the requirements of the association even though they may ask for their refund. How do you view that kind of loss of freedom of choice to the people of Manitoba?

MR. THOMAS: Well, your prelude to your question is sort of like my prelude to my answer in that at the present time, or up until now, I've always distrusted people who were in government and in parliament . . .

MR. USKIW: Well, this is a government bill.

MR. THOMAS: . . . and so I am very hesitant of wholeheartedly accepting what politicians decide. However, I also believe in the philosophy that when you have an elected government, you live with their decisions, like it or not.

MR. USKIW: Yes, that's right. Well, let me follow through then. Do you, sir, really believe that if this association is formed and appears before the Legislative-body some time in the future, that it will have the credibility of neutrality?

MR. THOMAS: I have no question about its credibility because I believe in the philosophy. Your word "neutrality"?

MR. USKIW: Yes, neutrality.

MR. THOMAS: The majority is neutrality and majority . . .

MR. USKIW: Well, I respect your position. I too agree that a majority is neutrality. In this instance we don't know that we have the majority because there is no way of finding out. Secondly, as a legislator, I would not pass this legislation if 100 percent of the farmers wanted it because it denies, it gives people, it abdicates the responsibility of government to a private association and you, sir, stated that you believe that governments are elected to govern. Do you believe that governments should abdicate their responsibilities to the people who elect them by delegating all of their authority, completely and absolutely, to a private organization?

MR. THOMAS: Your words are very well depicted and chosen and I'll have to think for a second while I put them together.

MR. USKIW: That's fair enough.

MR. THOMAS: But, I believe that the less government you get, the better. Nevertheless, nevertheless, I think that when you're dealing with an issue that people have been working for and struggling for and requiring for so many years, then we have to depend on those who are elected to come up with the right answers.

MR. USKIW: Then let me follow through with the subsequent question, sir. And that is that this kind of measure, even if it was acceptable in your mind, that government has abdicated its role of responsibility to the people that elected it, but this kind of measure would at least have to require as a minimum a complete consensus of the industry. Do you have that consensus is my

MR. THOMAS: That would certainly be an ideal but I am not a politician.

MR. USKIW: Well, how many members do you have in your association?

MR. THOMAS: I would refer you to the executive office. If you are interested in guessing why all right, but I . . .

MR. USKIW: Well, give us a rough idea.

MR. THOMAS: All right, roughly, you contact their office, sir.

MR. USKIW: Oh, all right, all right. Would you challenge the figure that was given to this committee by another witness?

MR. THOMAS: I chuckled to myself if that is what you would call challenging.

MR. USKIW: All right. So we are not in a position to know whether the Beef Growers Association has wide-spread support or whether it is a very small group for the purposes of our deliberations here.

MR. THOMAS: I accept that as your statement.

MR. USKIW: Well, Mr. Chairman, it has to be my conclusion, not a statement, based on the lack of information. Do you, sir, believe that it is proper to give the powers contained in Bill 25 to 12 or up to 15 people, wherein there is no appeal as to their decisions, to anybody?

MR. THOMAS: Well, sir, do you not believe in a democratic vote again?

MR. USKIW: Well, Mr. Chairman, I say that there is no provisions for redress of any grievance. The bill does not provide for a citizen of Manitoba to appeal a decision of this group, therefore, it is not a democratic instrument. All democratic instruments have a measure of appeal or provision of appeal. This one does not.

MR. THOMAS: This is for your group to wrestle with.

MR. USKIW: Well, my question is: Should there be a public authority to which a grievance can be brought?

MR. THOMAS: I couldn't argue with that.

MR. USKIW: You would agree with that?

MR. THOMAS: Those are your words; I couldn't argue with that.

MR. USKIW: Well, Mr. Chairman, I appreciate your hesitance to put yourself in a corner but essentially that is the major question when we talk about the denial of basic human rights and freedoms.

MR. USKIW: I have admired you as a speaker long enough to be fairly careful.

MR. USKIW: Thank you. Do you believe, sir, that if you were involved in the labour group here in Winnipeg, that a government should pass a law that suggests to you that you must be a member of the Manitoba Federation of Labour in order to get a job or, if not in order to get a job, that that group will supervise you as an employee, wherever you are, and your employer?

MR. THOMAS: Mr. Chairman, is this question directly involved in the questioning?

MR. CHAIRMAN: I must apologize to the committee that I was distracted by another matter but as I perceive it, the member has no obligation to answer questions.

MR. USKIW: That's correct. Mr. Chairman, do you believe that we should have a law for every group, every organization, that would want to be formed in Manitoba with the powers contained

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in Bill 25?

MR. THOMAS: I think I answered you before quite directly when I said the less government involvement the better.

MR. USKIW: Yes. Now that brings me to the ultimate question. Since we don't want any government involvement, why do we have Bill 25, because that is the greatest intrusion of government into the lives of men, into the lives of men that we have witnessed in this province in decades or in the history of this province. That is the intrusion; that is the interference.

MR. THOMAS: Well, obviously you preferred the former bill that we didn't get a vote on.

MR. USKIW: Well, Mr. Chairman, for purposes of clarification, it was not a bill that we voted on. What we voted on was a measure which was allowed under The Natural Products Marketing Act for a group of producers of agricultural products to do what they wished to do. That law has been on the books for many years providing that freedom of action but in that law there is also provision of appeal to the government, to the courts, etc. With all the wide powers in that legislation, there were strong measures within those bills to guarantee that the rights of a citizen could not be circumvented, unlike this piece of legislation. Do you not, Sir, see, and are you not concerned that some Manitoban, a citizen of Manitoba, or a group, might be abused by the decisions made by this association, and would not have any redress — no recourse for appeal, no opportunity to place their grievance. —(Interjection)— No, they didn't vote for him, no they didn't. My example, they didn't. Unless you are going to force them to vote for them too? —(Interjection)—

MR. CHAIRMAN: Order please.
Mr. Uskiw.

MR. USKIW: Well, the witness does not feel himself in a position to respond to that question, Mr. Chairman. Do you believe that the government or a legislator should pass a law giving another private group authority to impose its will and its costs on people who do not wish to belong to that association?

MR. THOMAS: I believe in the democratic right, and I think if votes are carried out we won't be too far wrong.

MR. USKIW: Well, as I interpret the democratic right, a person has the right to belong or not to belong. We are beyond democratic rights with Bill 25. It has completely removed democratic rights.

MR. THOMAS: I thought that about 25 minutes ago in the debate that was going up front here while we had to listen.

MR. USKIW: Do you believe, Sir, that a private association should have the right to pass regulations?

MR. THOMAS: So far, yes.

MR. USKIW: Even over those people who do not wish to belong to that association?

MR. THOMAS: If you are willing to accept a majority point of view.

MR. USKIW: Well, Mr. Chairman, I ask you, Sir, wherein is the majority? Can you demonstrate to this committee today, that there is a majority wishing to impose this legislation on the beef industry?

MR. THOMAS: I don't really think that is my responsibility, Sir.

MR. USKIW: All right. Then whose responsibility, Sir, is it, to indicate that there is a majority of support for this legislation?

MR. THOMAS: The group that I am facing, Sir.

MR. USKIW: Yes, well obviously, sir, there is a division of opinion amongst this group, and the

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purpose of our hearings here this evening, and presumably tomorrow, is to help clarify in the minds of the legislators, whether indeed there is a lot of support, a minute amount of support, or no support at all. And that is the purpose of my questioning, Sir, without an answer from you, we are none the wiser.

MR. THOMAS: Yes, but if I watch the faces around here, I don't think there has been one face change its opinion since I came here.

MR. USKIW: Well, Mr. Chairman, for the benefit of our witness, I don't believe that we are here to change opinions. I think we are here to receive briefs, which will be perused, which will be perused, Mr. Chairman, and after they are perused, then opinions could be changed, but I don't think we are in the process of changing them at the moment.

MR. THOMAS: I'm glad to hear that.

MR. CHAIRMAN: Mr. Downey.

MR. DOWNEY: Mr. Chairman, through you to the witness. Have you been involved as an individual or through a group in the proposal to the provincial government of Manitoba within the past ten years, of a program that might not be exactly the same, but a program or a similar type recommendation to the past government, one in the past ten years. Have you been a member of an association or as an individual, and have you heard the then leader of that particular group respond to that, or could you indicate what the response was? —(Interjection)— I said, "Within the last ten years."

MR. THOMAS: Well, as you know, Mr. Downey, I have. Now would you repeat the last part of your question.

MR. DOWNEY: Yes, I just wanted to know the response of the government of the day, of the leader of that government of the day, when that proposal, or a similar proposal was presented to him and discussed with that particular individual?

MR. THOMAS: As far as I'm concerned, when we were meeting with the Minister he was fair.

MR. DOWNEY: Yes, I think the point I would like to make is, was there a proposal presented to the last government, a proposal that would be similar indicating the desires of the cattlemen in Manitoba, and what was the response of the then First Minister of the Province? Approximately 1974.

MR. THOMAS: Well, of course, it was under The Marketing Act. The thoughts and intents were very similar.

MR. DOWNEY: Was the leader of the government of the day in favour or opposed to the proposed plan?

MR. THOMAS: As far as I'm concerned, he listened quite fairly.

MR. DOWNEY: Did he indicate whether he was opposed to this kind of a proposal or in support of it?

MR. THOMAS: I'd rather not answer because I may not be accurate, but I think that he was fair about it.

You aren't going to catch me in foolishness. Come on, let's talk business.

MR. CHAIRMAN: Mr. Adam. Mr. Downey with more questions?

MR. DOWNEY: No, I was quite serious, because I was at a meeting also that the Premier of the Province, some several years ago, indicated to a Beef Growers Organization and to a group of people, that he himself could see no objection to a proposal that was not exactly like this, but was similar to this, that was presented to him, and he said that he would recommend to his then Minister of Agriculture that they carry on with this kind of a proposal.

MR. THOMAS: I believe you're right, but I won't go on record.

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MR. CHAIRMAN: Mr. Adam.

MR. ADAM: Thank you, Mr. Chairman. Mr. Thomas, you made one comment that caused me some interest, and that is you mentioned, during your comments, that if a referendum was held today that it would be approved. Is that correct that you made that statement?

MR. THOMAS: That's my opinion, yes.

MR. ADAM: Yes. On what grounds do you arrive at that opinion?

MR. THOMAS: Because, I think that the basic reason that that vote was lost, and lost from my point of view . . .

MR. ADAM: You mean the checkoff?

MR. THOMAS: The checkoff, was that the people who were very individualistic thought that we were leading them down the rosey path and working them under a board.

MR. ADAM: Well, you know, it might be interesting to know that the impression I gather in my comments to beef producers, and I do have many in my constituency Ste. Rose, there seems to be more opposition to this proposal now than there was in 1974, and I sincerely say to you, and honestly to you, that in the last four months that this bill has been introduced — perhaps not introduced, I think it was introduced on May 12th but it was indicated in the Throne Speech, I believe — that you are the first person who I have met in those four months that we've been here supporting the checkoff.

MR. THOMAS: We're all inclined to talk to people of the same philosophy, aren't we?

MR. ADAM: So you're unique as far as my area is concerned.

What would you say, Mr. Thomas, after this association becomes law, is a fact, what credibility then would, say, the independent livestock producers or the Canadian Agriculture Movement, the National Farmers' Union, The Cow-Calf Association, or any other group that wish to band together to deal with government, or lobby with government, what credibility would they have as far as this government is concerned with this bill, since, by this bill it seems to me that they say, "We will recognize this group, and no one else, as far as beef is concerned." This is what this bill tells me.

MR. THOMAS: If there is an answer to that, I would think it was in the process of voting in the people onto that board, that represented the people as a whole.

MR. ADAM: If they wish to belong to this?

MR. THOMAS: I think everybody who ships, sells, handles cattle in any way, will have a democratic right to vote, and to have their own representatives on there.

MR. ADAM: They'll have a right to vote, but if it goes against their principles and their conscience . . .

MR. THOMAS: Then I hope they get the right people on the board.

MR. ADAM: Well, they won't even be involved, that's what I'm saying. There is no freedom of choice.

MR. THOMAS: Why not, for 8 or 10 bucks . . .

MR. ADAM: They have their reason, you know you have your reasons.

MR. THOMAS: Alright. Fair ball, alright.

MR. ADAM: You have your reasons. I think you made that point, you respected Hal Proven's opinions and his views, and they have their reasons for not wanting to join this. Where will they be, left out in left field, or where?

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MR. THOMAS: I would hope they would have every opportunity to participate.

MR. ADAM: Well, under this legislation, they will not. They will be obliged to contribute, but they will not have any say, and they will have to speculate on how they will get their money back, if they wish to have it back, or if they wish to bother to get it back. You know, I can see where it would probably be worth your while, as a big producer, to ask for a rebate if you so desired, but to a producer who sells 10 head, you know two dollars . . .

MR. THOMAS: Well, that big and little upsets me because there is no such thing as big and little. We're all people.

MR. ADAM: Well, I know, but I mean it would be worth your while if you sold 300 or 400 head of cattle to write for a rebate because you would be getting a certain amount of dollars, but a fellow that . . .

MR. THOMAS: It really wouldn't matter te banker owns it all anyway.

MR. ADAM: Well, that may be but then all the more reason for you to get your rebate. Thank you.

MR. CHAIRMAN: Any further questions for Mr. Thomas? Mr. Hanuschak.

MR. HANUSCHAK: Yes, Mr. Chairman. I take it from listening to your replies that you are a believer in, and a supporter of, equality of rights to all in the Province of Manitoba. Am I not correct?

MR. THOS: That's right.

MR. HANUSCHAK: Yes, so therefore you would endorse the notion that whatever rights beef producers may be entitled to others ought to be entitled to similar rights. Am I not correct in that?

MR. THOMAS: I hear the same story as I heard from this chair. Yes, I respect people, let's put it that way. The next question?

MR. HANUSCHAK: Well, taking that within the context of your answer to the first question, I take it that you are a believer in equality of rights to all, that no individual ought to be entitled to any greater rights than any other, nor any lesser rights. Am I not correct in my interpretation?

MR. THOMAS: That is my philosophy.

MR. HANUSCHAK: So then you would endorse the notion that the consumer ought to be entitled to the same rights as the producer. Am I correct in that?

MR. THOS: I believe in treating everybody right.

MR. HANUSCHAK: So therefore that being so . . .

MR. THOMAS: Careful now, these are mostly your words.

MR. HANUSCHAK: Yes, I believe, Mr. Chairman, that I heard the answer, that you believe in treating everybody right, was that your answer, Sir?

MR. THOMAS: Yes, Sir.

MR. HANUSCHAK: Yes. You believe in treating everybody right. Do I take it then, Mr. Chairman, that that means granting of equality of rights to all, that all are entitled to equality of rights? Well, Mr. Chairman, may I rephrase my question.

MR. THOMAS: That wasn't a question, Sir, that was fairly wishy-washy.

MR. HANUSCHAK: Do you support the concept that there ought to be no distinction in the degree or the level of rights that the people of Manitoba are entitled to, that all ought to be deserving

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of the same level of rights?

MR. THOMAS: Well, let's say that I think they ought to pay the same amount per animal that they sell, yes.

MR. HANUSCHAK: Pay the same amount. I'm not talking about . . .

MR. THOMAS: Per animal. Treated equally.

MR. HANUSCHAK: Mr. Chairman, I'm talking about rights that wouldn't they be entitled to with or without payment of a fee. May I then be more specific, Mr. Chairman?

I believe, to the witness again, I believe that you having read the Act, you appreciate the fact that the Act will give the association the right to demand, to request, certain information and upon the failure of production, of which, could result in an action which could end up in that individual not providing that information, paying a fine or going to jail. There is that provision.

MR. THOMAS: Sir, there are risks in every good intention.

MR. HANUSCHAK: I'm sorry, I missed the answer, Mr. Chairman.

MR. THOMAS: Would you like it again, Sir?

MR. HANUSCHAK: I'm sorry? ?

MR. THOMAS: There are risks in every good intention.

MR. HANUSCHAK: There are risks in every good intention. So, I take it that that is the risk that the witness is prepared to accept and I'm not quite sure just how he interprets that that is a risk because as a member of the association that's a right that he has.

MR. THOMAS: You're having fun, Sir.

MR. HANUSCHAK: Mr. Chairman, given the fact that the association which this bill will, if it passes, allow to come into being will have that right. I take it then, sir, that you would also agree that if it has that right, then there ought to be a reciprocal right. I'm not a beef producer. Then I ought to, as a citizen of the Province of Manitoba, I ought to have the right to demand of the beef producer information that I may require with the threat that if a beef producer does not provide me with that information, then I could initiate action that could send you to jail.

MR. THOMAS: Well, sir, I'm not afraid of any information I have to give. I'm not going to jail for what information I withhold and I just don't believe that the Manitoba farmer is going to be caught that way either. I think that we generally are doing our best to show integrity in our business.

MR. HANUSCHAK: Mr. Chairman, I'm not talking about what information . . .

MR. THOMAS: You were suggesting that it was a means of catching a person.

MR. HANUSCHAK: Mr. Chairman, I am talking about rights.

MR. THOMAS: Yes, sir, you were.

MR. HANUSCHAK: Mr. Chairman, I'm asking the witness, given the fact that the member, a member, or whomever may be appointed under this legislation, will be given the right to demand whatever information the Act or any regulations or by-laws emanating from it may allow him to demand and from whomever he wishes to demand it, and if that individual fails to provide it, then an action could be commenced that could result in that individual failing to provide the information being sent to jail or paying a fine. I'm talking about the right to demand information, not the willingness to provide it.

Hence I'm asking the witness, Mr. Chairman, whether given that fact that this Act gives this association those rights, would he not agree that I also, as a citizen of the Province of Manitoba, or any other one of \$1 million people of the province, should share similar rights, no less, no greater.

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A MEMBER: It's already in the Act.

MR. HANUSCHAK: The right, Mr. Chairman, to demand information which, if that individual of whom it is requested fails to provide it, should give the one demanding it the right to initiate action that would result in the individual being sent to jail or paying a fine.

MR. EINARSON: Mr. Chairman, I rise on a point of order. I don't think that the comments that the Member for Burrows is making has any relevance to the bill that we are now dealing with.

MR. HANUSCHAK: Mr. Chairman, if I may speak to the point of order, I'm speaking to a section of the bill, a right given to this association and, Mr. Chairman, . . .

MR. EINARSON: Mr. Chairman, on the point of order . . .

MR. CHAIRMAN: Mr. Hanuschak on the point of order.

MR. HANUSCHAK: Yes, Mr. Chairman, I'm speaking to a section of the bill and as you well know, as well as I do, that there is a section within the bill conferring that right, such a right upon the association and I simply want to know from the witness, Mr. Chairman. I'm referring in particular to Section 7(1) and there is also a further section which gives the blessings of The Regulations Act, Section 9(1), and I simply want to know, Mr. Chairman, whether the witness agrees that this association ought to be given no greater rights than any other individual or group of individuals could enjoy and whatever rights this association will be granted, that similar rights should be granted to other associations.

MR. EINARSON: Mr. Chairman, on the further point of order, . . .

MR. CHAIRMAN: Mr. Einarson on the point of order.

MR. EINARSON: . . . probably I should explain myself more clearly. The comments as I heard from the Member for Burrows were not relating to the beef producers of this province as they relate to this bill. Rather he was asking about the rights of all other members of society. I think we're talking about the beef producers as it affects them in Bill 25.

MR. HANUSCHAK: Mr. Chairman, further to the point of order, I am relating my comments to the rights of beef producers *vis-a-vis* the rights of the people of the Province of Manitoba.

MR. CHAIRMAN: Mr. Adam on the same point of order. Mr. Adam on the point of order.

MR. ADAM: Yes, the Member for Rock Lake is saying that this bill refers only to beef producers. Are you aware, Mr. Thomas, that this bill also covers . . .

MR. CHAIRMAN: Address the point of order, please.

MR. ADAM: The point of order is that it covers storekeepers, merchants, every merchant can come under this Act and be required to provide information and keep books without remuneration or whatever. It's right in the bill and I'm just wondering whether Mr. Thomas . . .

MR. CHAIRMAN: On the point of order, I would suggest that the Member for Rock Lake has no point of order. He is merely dealing in a difference of opinion in interpretation of Bill 25. Mr. Hanuschak please continue.

MR. HANUSCHAK: Mr. Chairman, may I repeat my question then? I am asking the witness about equality of rights granted to all people of the Province of Manitoba. Does he not agree that whatever rights are granted to this association, that similar rights ought to be granted to other groups, whoever they may be, similar rights and powers?

MR. THOMAS: My own feeling is that each association sets its own rules. You are talking in terms of laws. All right, that may be different.

MR. HANUSCHAK: Mr. Chairman, may I ask the witness again if he endorses the legal process, the legislative process of the land being the Legislative Assembly of this Province of Manitoba.

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MR. THOMAS: To this point, yes, sir.

MR. HANUSCHAK: If he endorses the concept that the Legislative Assembly of Manitoba can grant certain rights and powers to one group such as the Cattle Producers Association, would he not agree that similar rights and powers should automatically, upon request, be granted by the same Legislative body, the Legislative Assembly of Manitoba, to any other group seeking them?

MR. THOMAS: Your question is not entirely unreasonable but it has to fall within the context of the law and I can't answer for that.

MR. USKIW: Can I ask a question of Mr. Thomas?

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Yes, Mr. Chairman. The Minister of Agriculture inquired of our witness what it was or if there was some position taken by the previous Premier with respect to a request for a bill similar to Bill 25, — I'm paraphrasing now, I don't know his exact words. Could I ask you, Sir, whether there has ever been this kind of legislation prepared — not precisely the same, but similar — prepared and presented to the government of Manitoba before?

MR. THOMAS: As you know, I'm not knowledgeable enough to say specifically yes or no.

MR. USKIW: Oh, all right. As far as you are aware, you are not in a position to say anything, is that it?

MR. THOMAS: Fair enough.

MR. USKIW: Yes, all right. Are you of any illusion or impression that there was any kind of commitment given to your association, the Beef Growers Association of Manitoba by the previous government, members of the previous government, the Premier, etc.?

MR. THOMAS: You didn't quite finish that question.

MR. USKIW: All right, I'll repeat it. Are you, Sir, aware of any commitment given by the Premier or any member of the previous government with respect to a request for this kind of a measure?

MR. THOMAS: You're speaking specifically of a bill and I have not had that kind of contact.

MR. USKIW: Would I then be correct in suggesting to you that the request was for a measure that would allow for a voluntary checkoff?

MR. THOMAS: That is right.

MR. USKIW: That is correct. Has anyone in the previous administration opposed the concept of a voluntary checkoff?

MR. THOMAS: Not to my knowledge.

MR. USKIW: Thank you.

MR. CHAIRMAN: Any further questions for Mr. Thomas? Mr. Hanuschak.

MR. HANUSCHAK: Mr. Chairman, I just want to clarify one point from Mr. Thomas. Would you agree with me, Mr. Thomas, that if you were the person delegated by the Cattle Producers Association to seek information from me under Section 7(1), and if I were to refuse to give you the information, then I would be in violation of the Act which could result in my going to jail.

A MEMBER: Only if the judge decided.

A MEMBER: No editorial comment from the peanut gallery.

MR. HANUSCHAK: May I repeat my question?

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MR. THOMAS: You're asking my opinion and my opinion isn't worth too much tonight.

MR. HANUSCHAK: Mr. Chairman, I'm not asking the witness for his opinion. I'm asking the witness for his appreciation and interpretation of the Act. Would the witness agree? —(Interjection)— I'm asking the witness — Mr. Chairman, at this point in time there is someone from behind me who is attempting to interject and I'm sure that you would give him an opportunity to speak when he wishes to. At this point in time, Mr. Chairman, I believe I do have the floor.

Mr. Chairman, I'm simply asking the witness as to his interpretation of the bill before us. Does he not agree that if he were the individual delegated by the Cattle Producers Association to seek certain information of me, and if I were to refuse to give it to him, that an action could be initiated which could result in my going to jail?

MR. THOMAS: I would hate to be that person.

MR. HANUSCHAK: I'm not quite sure which individual the witness would hate to be, the one requesting the information or the one refusing to give it. Would the witness clarify that?

MR. THOMAS: Your question to me was whether I would like to be the policing person. My answer is I am not inclined to want to be a policing person.

MR. HANUSCHAK: No, that is not my question. Does the witness agree that that is the intent and that is the interpretation of the legislation, that the power is there for the association to demand certain information and if that information is not provided, then that individual who does not provide the information could be sent to jail?

MR. THOMAS: Well, to answer you straight, I'd have to have legal advice. What is your opinion, Mr. Hanuschak?

MR. HANUSCHAK: Well, Mr. Chairman, then I would ask the witness whether he has read Sections 7(1) and Section 9(1)?

MR. THOMAS: I've read it through.

MR. HANUSCHAK: Could I ask the witness then, Mr. Chairman, what his interpretation is of what those two Sections mean to him?

MR. THOMAS: Do you think they want to listen to me? I have to avoid your question, I will leave that to your judgment, Sir.

MR. HANUSCHAK: That's fine, Mr. Chairman, then the witness does not wish to answer that question.

MR. CHAIRMAN: Any further questions for the witness? There being none, thank you for your presentation, Mr. Thomas.

Mr. MacGregor.

MR. MacGREGOR: Mr. Chairman, I'm wondering if you would repeat for the benefit of those delegates present who, because of distance or commitment tomorrow, might want to make their presentations during this session rather than tomorrow. I think there are some that have come some several hundred miles I know won't be here tomorrow. If you would explain the proper procedure to get on it because we have been making pretty good time but we're 9 out of 39, obviously we will not finish tonight, or tomorrow morning.

MR. CHAIRMAN: Well, with the indulgence of the committee, I believe I indicated at the beginning of the meeting that if there were any individuals who could not be present at a later date and had come some distance, that they could make themselves known to the Clerk. Apparently none have but should there still be any individuals in the audience who are from some inordinate distance and would find it quite inconvenient to be present at another time. We could hear their brief now and simply continue with the normal list at the next meeting of the committee. I believe I see one individual.

Mr. Einarson.

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MR. EINARSON: Well, I see we have one coming forward, Mr. Chairman, so that's fine.

MR. CHAIRMAN: Could you identify yourself, please.

MR. LLOYD ATCHISON: Lloyd Atchison from Pipestone, Manitoba.

MR. CHAIRMAN: Where from?

MR. ATCHISON: Pipestone, Manitoba. It's known as Jim Downey country.

First of all, I'm a cow-calf operator. I carry 125 cows through the winter and 50 stocker calves, 960 acres owned, 320 rented, a member of the Manitoba Limousins' Association, councillor for the R. M. of Sifton. I guess that's all the organizations. I'm a member of all those other ones too, everybody else is.

Mr. Chairman and gentlemen, thank you very much for your opportunity to speak to your committee. I am very much in favour of a beef checkoff under this Act. As a producer, I don't want anything to do with marketing boards, agencies or commissions, even if they are only to collect the levies. Past history in other commodities has proven that one thing leads to another. They don't appear to have any real benefit to anyone except possibly the employees of the board commission, etc.

The beef producers in Manitoba were the first group to suggest checkoffs many years ago, and by political happenings in this province over the last 12 or 15 years, we are the last province in Canada to get one. These organizations have proven their worth now in other provinces so there is really no argument that they are not viable. The beef producers of Manitoba have been supporting their provincial farm bureau, not to the extent they need to or should be. As you no doubt know, the Quebec Federation has a budget ten times that of Manitoba and they appear to get ten times the benefit from the Federal Government. I agree this organization isn't, by itself, going to do that much about bringing this into line but at least we'll be able to pay our share instead of a token membership.

The same holds true with the Canadian Cattlemen's Association. Our Manitoba beef growers haven't been able to supply anywhere near the membership fee in comparison to the other provinces. We are maintaining voting privileges, etc. by the grace of the other provinces who are presently putting up the money. I feel a properly funded organization can be much more effective than relying on volunteer directors who continuously are digging into their own pockets for expenses. Under the new organization, everyone benefits from the organization and everyone supports it. I have been in so many organizations that rely on volunteer membership dues that are poorly funded, inactive, always scratching for funds. I feel this is a real way to do it; everyone pays and everyone will benefit.

Another possible thought is that the producer with one cow has as much privilege or voting rights etc., etc., as the person with a thousand cows, or steers, or whatever. I feel this is democracy in action. Thank you.

MR. CHAIRMAN: Thank you for your remarks, Mr. Atchison. Will you submit to questions from members of the committee?

MR. ATCHISON: I will.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Yes, sir. You related your support for this legislation to the fact that other provinces have passed similar legislation and that this is the last province to do so. Is that correct, sir?

MR. ATCHISON: That's correct.

MR. USKIW: Are you aware of the content of the legislation passed in the other provinces, sir?

MR. ATCHISON: Not totally.

MR. USKIW: Are you aware that no province in Canada has passed an Act that gives the kind of powers that is given to a private association in Bill 25?

MR. ATCHISON: May I take issue with one word you're saying only?

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MR. USKIW: Yes.

MR. ATCHISON: The word "private." I do not see this as a private organization. On that basis, I will not answer the question.

MR. USKIW: Well, Mr. Chairman, just for the benefit of our witness, a private organization is an organization of a group of people other than a government organization. Are you saying then that this is a government organization?

MR. ATCHISON: I am not.

MR. USKIW: Well, if it's neither private nor government, then what kind of an organization is it?

MR. ATCHISON: I said in my opinion it is a public organization, meaning it's run by people from grass roots, not from the top down, etc.

MR. USKIW: All right, I see. Yes, so all right, so a public organization that is not government is considered, in legislative terminology, to be a private association.

MR. ATCHISON: Okay, I'll take that under advisement.

MR. USKIW: All right. Now, the governments in all of the other provinces who passed similar legislation made provision that the Lieutenant-Governor-in-Council passed the regulations and enforced the legislation, and that an appeal provision was provided that anyone not satisfied with the workings of their association could go to their Minister, could go to the courts, they had a means of redress if they had a grievance. Do you not believe that that is much more reasonable than Bill 25?

MR. ATCHISON: I believe it is reasonable. May I ask you a question: Is it not possible to initiate a court action against this bill if you felt you had a grievance?

MR. USKIW: There is no way that any court could rule against the provisions of Bill 25 because the greatest court in our land is the Legislative Assembly which has ruled, when they have passed this measure, no other court can remove that ruling unless it was *ultra vires* or unconstitutional.

MR. ATCHISON: With my limited knowledge, I still beg to differ with you.

MR. USKIW: Well that, sir, is your privilege. Do you believe, sir, that if you did not wish to belong to this association, that you should serve the penalty of fine or jail sentence for not responding to the requirements of this association?

MR. ATCHISON: As I interpret this legislation, if I do not belong to the association, I will not be asked to submit records.

MR. USKIW: Well, sir, have you read the legislation?

MR. ATCHISON: Yes.

MR. USKIW: Have you consulted with legal counsel.

MR. ATCHISON: I have not.

MR. USKIW: May I suggest you do so, sir, because if you read this legislation and if you consult legal counsel, you will find that this association has the power to impose penalties on individuals who do not comply with its regulations or orders and the judge will determine, if it's taken to court, as to the size of that penalty. The Summary Convictions Act of Manitoba applies to this legislation.

MR. ATCHISON: Which means the minimum fine is \$100.00 which is probably what it will be.

MR. USKIW: Well, I don't know what the minimum fine is, sir, but I know that . . . you can be fined, ir, . . .

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MR. ATCHISON: I believe it says that in the legislation, if it's not in the legislation, it's in the preamble, or whatever you want to call it.

MR. USKIW: Yes. Do you believe that a person who does not wish to belong to this association should pay a fine for not agreeing with its rules, by-laws, orders and that that person should go to jail if the judge so rules?

MR. ATCHISON: As I stated before, I do not feel that a person who does not belong to the association will be under those rules, although I haven't got legal counsel beside me so you're not going to change my attitude.

MR. USKIW: Well, all right. Do you base that assumption, Sir, on the propaganda that you have heard, namely the Minister's news release which indicates that there is an easy opt-out provision in Bill 25. Is that the basis on which you are depending?

MR. ATCHISON: I have not read the Minister's release saying that.

MR. USKIW: I see. All right. The bill does provide that a person may choose to opt out of paying the fee. It does not, however, allow that person to opt out of the regulation, only of paying the fee, and that is provided that the association passes a by-law with respect to how a person could ask for his refund. So, therefore, there is no way in this legislation that anyone who disagrees with it can opt out, other than to simply ask for his money, but he is still controlled by this association. Were you aware of that?

MR. ATCHISON: I've got aware of it tonight. I would suggest that the people who are going to draw up, or have drawn up the by-laws to work under this legislation are far more broadminded than that.

MR. USKIW: Do you believe in the basic freedom of an individual to choose the association that he wishes to belong to?

MR. ATCHISON: I do.

MR. USKIW: On that basis then, how could you recommend to this committee that we pass Bill 25 which denies that basic freedom?

MR. ATCHISON: That is your opinion; that is not my opinion.

MR. USKIW: Well, sir, it is not my opinion. I suggest you consult with legal counsel and you will find that that will be their opinion as well.

MR. CHAIRMAN: Mr. Uruski.

MR. URUSKI: Mr. Atchison, as I understand, you are a councillor in the R.M. of Sifton?

MR. ATCHISON: That's right.

MR. URUSKI: Are there any community organizations that would report to council directly, or indirectly, in your community that would be an off-shoot of the municipal council of Sifton, like you would appoint members to the Wheat Board or to the Hospital Board.

MR. ATCHISON: Members to the Hospital Board are councillors and/or ratepayers. The Wheat supervisor is a hired employee, I guess you could call it appointed. The Municipal secretary is also appointed but he's also paid.

MR. URUSKI: Yes. The members of council would also appoint citizen members to that board, would they not?

MR. ATCHISON: I believe it is possible.

MR. URUSKI: Yes. Would council agree to delegate powers to that citizen board to ask information of all people who participate in that . . .

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MR. CHAIRMAN: Mr. Downey on a point of order.

MR. DOWNEY: Mr. Chairman, on a point of order, I think that you've allowed quite a bit of latitude in discussion. I think the member should stick to the bill that's before us and I cannot see how he relates the subject matter which he's discussing to Bill 25.

MR. URUSKI: Well, Mr. Chairman, if the Minister wants an explanation, I want to indicate that what I am saying is that the Government of Manitoba is delegating powers to this private organization which would have the power to prosecute and request information from anybody involved in the cattle industry. I'm asking whether Mr. Atchison, who is also an elected representative of the people of the R.M. of Sifton, whether he would . . .

MR. ATCHISON: I'm an appointed representative, maybe that will help you out.

MR. URUSKI: No, I'm sure you are elected. You are a councillor.

MR. ATCHISON: I am appointed.

MR. URUSKI: You're appointed. How have you been appointed?

MR. ATCHISON: Nobody ran in our district.

MR. URUSKI: Oh, you've been elected by acclamation.

MR. ATCHISON: I was not elected by acclamation, I was appointed.

MR. URUSKI: You were appointed. That's fair enough. I'll accept that you were appointed.

MR. CHAIRMAN: On the point of order, would all members confine their remarks as closely as possible to Bill 25 so that we can promptly proceed with our undertaking?

MR. URUSKI: Yes, I've just about finished asking my question. Would you be prepared to delegate powers to the committee that you appoint to the Hospital Board of demanding information from people who enter the hospital, of giving information, and if they do not give information, those people cannot appeal to your council of appointed or elected representatives but they would have to furnish that information or could be subject to prosecution with no appeal? Would you agree to that kind of a provision to that appointed board that you may take part in?

MR. ATCHISON: You're trying to come at something in a roundabout way. You're saying that if I was appointed to a hospital board, that interpreting Bill 25 . . .

MR. URUSKI: Yes.

MR. ATCHISON: . . . I really should have the right to ask the patients . . .

MR. URUSKI: Yes.

MR. ATCHISON: . . . their name, rank and serial number?

MR. URUSKI: Whoever participates in the hospital, the nurses, the doctors, whoever, whatever information you're dealing with.

MR. ATCHISON: Okay, I go back to my original comments. In my interpretation of the bill, that's not what Bill 25 says.

MR. URUSKI: Oh. Thank you.

MR. CHAIRMAN: Any further questions for Mr. Atchison? There being none, thank you for your presentation, Mr. Atchison.

MR. ATCHISON: Thank you very much.

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MR. CHAIRMAN: A number of individuals have indicated that they cannot be present tomorrow, four in number, and with the indulgence of the committee, we can proceed to them now.

The first one that I have is Charles Mayer. Mr. Mayer.

MR. CHARLES MAYER: Thank you, Mr. Chairman. By way of introduction, my name is Charlie Mayer. I live at Carberry. We are mixed farmers . there, largely involved in the cattle business. I would think over the past ten years that in excess of 75 percent of our income has been derived from cattle, largely a cow-calf operation. The Manitoba Beef Growers on whose behalf I am presenting this submission has a board of directors of 13 currently. We have one vacancy. Out of the 13, 11 of those people have cows and calves and two are strictly in the feedlot business, so really in a lot of ways we are a cow-calf association at heart.

I have prepared a brief , I would say a short thing to present to you this evening and I will go through it and elaborate on some of the remarks that I have.

Anyway, our association is pleased to be here tonight in support of Bill 25, The Cattle Producers Association Act. Our association has been trying for the past five years to bring about this kind of legislation. In 1973, the Manitoba Stock Growers Association, the Manitoba Performance Association, the Manitoba Cattle Breeders Association, and the Manitoba Dairy Producers Association supported the establishment of one association, the Manitoba Beef Growers Association, and that is really how we came into being. In one sense, we are relatively new, but in another sense we have roots that go back a long way in the province's cattle industry through the groups that our organization came from.

The Manitoba Cow-Calf Producers Association and the Manitoba Beef Growers Association, along with many other Manitoba cattle associations, support Bill 25 as a means of unifying cattlemen in the province.

I would also like to point out here that I am aware and attended personally five provincial Breed Association meetings that passed resolutions in the past year supporting this kind of legislation.

In general, then, we look forward to working with the new association in many areas, including our own market information service which we have operated for the last two years. We feel that once this new association is in place, we intend to go out of existence, because we feel that a single organization in this case would be better equipped to act on issues that affect beef producers' livelihood in the province.

In particular, we support Bill 25 because it embodies two principles that we feel are basic. The first one is the principle that it has very limited powers compared to those of a producer board under The Natural Products Marketing Act. In fact, Bill 25 expressly prohibits the association it will establish from becoming involved in the marketplace as per Section 6(2) entitled "Restricted Powers."

The second principle is that Bill 25 will let Manitoba cattlemen operate their own association in a democratic way with a minimum of government interference and I would like to elaborate here on what I mean by "democratic." The bill provides that there shall be no moneys collected until there is an elected board in place. We would fully think that the initial elections will be conducted at least partly on the basis of people either being for or against the establishment of a checkoff, so that once the new board is in place and they have their first meeting, it will then be up to them to implement the checkoff. If, at that time, the majority of those people who are elected to that board are not in favour of a checkoff, in effect there will be no checkoff and no association that goes with it. So, in effect, we will have a referendum on this bill before any money is collected from producers and spent on their behalf.

The second way in which we feel that this bill is extremely democratic is that even after the checkoff is in place, and we fully expect that it will be in place, the individual producer will have an opportunity each year, on his own free will, to decide whether or not he wants to have his money sent back to him. So each year, in effect, each producer has a vote on whether he will fund and therefore support the establishment and continuing the running of this association.

The third way in which this thing will be run by producers themselves is that we would hope, and I can't speak positively on this or at least with any degree of assurance because the administration by-laws haven't been drafted yet, but we would hope that in the administration by-laws, there will be provision for an open annual meeting, which means that anybody who has paid fees to this association will be able to go to an annual meeting and get up and propose and speak on resolutions. At that meeting, the level of the checkoff will be able to be set. So the third way is that if enough people at an open annual meeting decide that they are not supporting the association and the work that it has been doing on producers' behalf, they can then vote to shove the checkoff to nothing, or to zero, and that will be the end of the association.

So there are three ways that I have quickly outlined that to my way of thinking, this thing is democratic. To back up, and go back to what I have written, these two principles were laid out

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in a joint proposal presented to this government by the Manitoba Cow-Calf Producers Association and ourselves and we are pleased to see that the government saw fit to make use of these two principles.

This bill will not cost Manitoba taxpayers any money. It will simply provide beef producers with an opportunity to run their own organization with their own money. The majority of beef producers in this province welcome this opportunity and support Bill 25. They welcome this opportunity because for the first time in Manitoba, beef producers will be able to act effectively on their own behalf and relate their own story both to consumers and to government. I think that both groups are extremely important that producers have a chance to tell their story to.

We also feel that a strong, well-run provincial cattle producers association will be of immense benefit to governments when it comes to making policies affecting the beef industry. This is really obvious, and I'm sure it is obvious to you people who are elected because you have to rely on people for advice and if you have a representative commodity group in place, what better place to get advice from.

This new association, we feel, will be an excellent source of guidance on matters such as grazing leases, land use, taxation scheme, trade matters, taxation and so on.

There are, however, two areas in which we feel Bill 25 can be improved. Accordingly, we propose that the following amendments be considered. First of all, we feel that the penalty provisions in The Summary Convictions are inappropriate. An offense and penalty provision should be included in this Act, providing a straightforward financial penalty.

The second amendment that we would submit for your consideration is that the Act should guarantee that all producers who have paid fees in any fiscal year and who have not requested a refund of those fees will be entitled to be a registered producer and goes with that all the benefits.

Finally, Mr. Chairman, the beef producers in Manitoba look forward to passage of Bill 25 so that we can get on with the job of running our own association in a sensible, reasonable, and responsible fashion, which is in the exact same manner that the majority of Manitoba cattlemen operate their own farms.

Thank you very much, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Mayer. Will you submit to questions from members of the committee?

MR. MAYER: I will be happy to try to answer any questions that the committee may have, Mr. Chairman.

MR. CHAIRMAN: Mr. Uruski.

MR. URUSKI: Mr. Mayer, I appreciate the comments that you have made this evening with respect to the principles and what you felt should happen with this legislation. Could you tell me whether you now are setting policy on behalf of the Conservative Government as to how this bill will operate, by indicating the way the legislation and the opt-out provisions will be, and the like? Are you at least giving us some commitment that we were not able to get from the Minister of Agriculture during debate as to what amendments will be coming forth.

MR. MAYER: I'm not aware that I made any reference to an opt-out provision and I'm simply presenting our association's views on Bill 25 which is before us.

MR. URUSKI: I see. So those are just your views and not . . .

MR. MAYER: These are the views of our association.

MR. URUSKI: I see. With respect to your earlier principle that you had agreed with with the association not being involved in marketing, have you perused Section 6(1) which just precedes Section 6(2) about where Section 6(2) says: "The association shall not engage in the production, sale and marketing," and in 6(1) of the section preceding that, it does confer those powers on this association. Do you find that somewhat contradictory within the legislation?

MR. MAYER: I'm sorry, I didn't understand your question.

MR. URUSKI: In 6(1), the legislation indicates that the association may . . .

MR. MAYER: ". . . advertise and promote the cattle and beef industry in such a manner as it

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deems advisable and gather, compile, publish, distribute, and furnish information with respect thereto."

MR. URUSKI: "Research, production and marketing of cattle . . ." in (b). And in 6(2), the reverse statement is made: "The association shall not engage in the production, sale, marketing and processing of cattle." Which section did you indicate . . . ?

MR. MAYER: We're getting into a semantics game here. The way I interpret this . . .

MR. URUSKI: Which one do you want?

MR. MAYER: The way I interpret Section 6, it says that the association may advertise and promote, but it may not get into the business of marketing, or it may not get involved in the marketplace. I think that is, at least to me, very obvious in reading the bill. If my interpretation is correct, then we are in accordance or in agreement with that section of the bill.

MR. URUSKI: That you don't want any marketing powers?

MR. MAYER: We don't want any marketing powers.

MR. URUSKI: What do you hope to accomplish on behalf of the cattle producers in this province?

MR. MAYER: We hope to do some of the things — there has been reference made here this evening to some of the things that other provinces have done have not really accomplished anything, and I really can't answer your question except to give you some of , what I consider good things that other provinces have accomplished with this thing and if that would suffice, I would be prepared to . . .

MR. URUSKI: I would like to know what you feel this bill will accomplish for the producers.

MR. MAYER: For instance, the Alberta cattle producers in Alberta that is funded, might I say, by a compulsory checkoff, that there is no chance for a refund, has been involved substantially in market development. They have a sizable grant from the provincial government and they have worked and done a lot of work with small producers in helping them to group their cattle, to get better bids, to get buyers to come out to look at them. They run a substantial market information program. The Province of Alberta is a warble-free province, which is a benefit to all producers. The Province of Alberta has a Brand Inspection Act that is run by the use of a computer. In the Province of Manitoba we are in the dark ages. We don't even have a Brand Inspection Act. The only people we have in Manitoba looking at brands are the people from Saskatchewan that check Saskatchewan cattle coming in. If you would like to talk to the RCMP, they would very much like to see a Brand Inspection Act in Manitoba and I think that a lot of credit for accomplishing some of those things goes back to a commodity organization.

In the Province of Ontario they have a similar organization, just working on a financial security system for beef producers and other producers who sell to packing plants, to help them out in case of bankruptcies, they run both in the east and Alberta, a very substantial market information system that keeps track of markups between the packer and the consumer. By coincidence, the provinces that have been doing that the longest have the smallest markup and therefore the biggest return going back to the producer.

Those are some of the benefits that you may not think are very much individually but taken collectively I would argue that they are quite substantial benefits that have been derived from these kinds of programs in other provinces. And that is the really the kind of thing that I would hope to see or that we would envisage going on in this province.

MR. URUSKI: In the last couple of years, the cattle industry in the Province of Manitoba, or the farmers, have faced disaster returns for their cattle. Do you indicate that this measure will have any impact on the return to producers at all, by those measure that you have indicated, that will help?

MR. MAYER: Yes, some.

MR. URUSKI: In what way?

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MR. MAYER: But not very large because Manitoba is really a very small island in the North American market for beef. You know, we produce certainly less than 1 percent of the beef in North America and really, we have very little to do with setting the overall price. The only thing that this kind of an association could do, I think, is give each individual producer as he sells his cattle, a better advantage in terms of market information and market development, to market his cattle to the best of his ability within that overall price system that we have here in North America.

MR. URUSKI: What does that mean?

MR. MAYER: That means that it will help producers to a certain extent, but a very limited extent, to increase their returns.

MR. URUSKI: Does that mean that if the buyers at the stockyards in Winnipeg are bidding X number of dollars per hundredweight, that the farmer will get something extra by . . . ?

MR. MAYER: Yes.

MR. URUSKI: In what way?

MR. MAYER: If you want to look back at the past few months, and I don't know whether you can claim all of this, but for the first time in a good number of years the price for Alberta finished cattle was higher than it was in Manitoba. I think some of that can be attributed to the market information and the market work that the system in Alberta has done for the individual producer. And I might further elaborate in the sense that our market is usually set Toronto minus the freight rate, so ordinarily you would expect the Alberta price to be lower. In this case it was higher.

MR. URUSKI: Just one more question. Those benefits which you have indicated will accrue as a result of this legislation, is there anything preventing the cattle associations within the Province of Manitoba from now organizing and doing the things that you would like to do, without this legislation, and having a checkoff and the like, without the legislation? Is there anything preventing this?

MR. MAYER: The only prevention is funds and we have tried to do that on a very limited basis with our own association, and have had some limited success. We think with a universal funding by everybody, that we will have more success.

MR. URUSKI: No but, Mr. Chairman, you in your brief indicated that there will be an opting out, that producers will not have to participate. If they will not have to participate, where do you propose to get your funds?

MR. MAYER: We feel that the opting-out provision will only be used by a small percentage of the producers contributing.

MR. CHAIRMAN: Mr. Adam.

MR. ADAM: Mr. Mayer, you mentioned that the price of cattle in Alberta was higher, and the first time you attributed that to the work that the Alberta . . .

MR. MAYER: Now you are putting words in my mouth. I didn't say that. I said I don't know whether they can take all of the credit, but I said I think they can take some of the credit.

MR. ADAM: I see. Are you aware of how much the Alberta Commission spend on market development?

MR. MAYER: Actually, their budget is misleading, because they spend a considerable amount of money on their market development scheme, but it comes from a direct grant from their provincial government, so that figure of \$8,000 that has been bandied about tonight is actually fairly misleading.

MR. ADAM: Are you saying that the books are cooked?

MR. MAYER: No, I'm not saying that the books are cooked. But I'm saying that when you look at the amount of money that is spent on market development, that doesn't give you the total picture when you look at their financial statement.

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MR. ADAM: You're saying there are other funds coming outside of the \$600,000.00?

MR. MAYER: There are funds that are coming from the Alberta Government to the Alberta Cattle Commission to carry out specific projects to do with market development.

MR. ADAM: Does the 1977 Budget show \$8,500 as going for market development out of a total revenue close to \$600,000 or thereabouts?

MR. MAYER: No, you are looking at the surplus. Their annual budget is more in the area of \$300,000 to \$400,000, which is a considerable amount of money, but also in that figure there is a \$15,000 entry there for market information, which is also part of market development, at least I would consider it to be.

MR. ADAM: What would be the reason for, if things are going so well, that they have reduced the market development by \$2,000 this year, for 1978?

MR. MAYER: I can't answer that. I have nothing to do with the way their budget is drawn.

MR. ADAM: Out of a total of \$500,000 to \$600,000, only \$6,500 goes for market development.

MR. MAYER: You will have to ask those people that are responsible for that . . . \$

MR. ADAM: Well, I'm just wondering, in view of the fact, that this is supposed to create wonders for the producers, I see that the Alberta fee is 20 cents per unit, and that in Saskatchewan the fee there is 10 cents per head. Why would the fee be 25 cents in Manitoba?

MR. MAYER: In B.C. the fee is 55 cents per head, and in Ontario I think it's higher than 25 cents.

MR. ADAM: I think in Ontario it's . . . no, I'm not sure.

MR. MAYER: In B.C. it's 55 cents. One of the reasons is that Manitoba has a smaller number of cattle, and that if you are going to run an association then you probably need more from each head to cover some fixed costs.

MR. ADAM: In other words, you wanted to raise sufficient funds from the amount of cattle . . . there would be no differentiation between a thousand pound steer at 25 cents or a vealer calf for \$50.00.

MR. MAYER: Exactly, that's the proposal.

MR. ADAM: You would have to pay the same amount eh?
Thank you.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Mr. Chairman, I notice here on Page 1 of your submission, Mr. Mayer, that you indicate that the Manitoba Cow-Calf Producers Association, the Manitoba Beef Growers Association and many other cattle associations support Bill 25 as a means of unifying cattlemen in the province. Do you believe in compulsory unification of groups of different opinions?

MR. MAYER: No I don't, but I fail to see what that has to do with the sentence you read out from my brief.

MR. USKIW: Well, you're implying that Bill 25 will bring unity amongst the cattlemen, and here this evening we have had umpteen different points of view with respect to what should be done. A demonstration of a complete lack of unity. Do you think legislation is the way in which you would people together into one frame of mind?

MR. MAYER: No I do not.

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MR. USKIW: Well, then, how do you justify making the statement in your submission that Bill 25 is a measure to unify the cattlemen in this province?

MR. MAYER: Bill 25, in all probability, if we look at the experience in other provinces, will see 95 percent or thereabouts of the people that contribute leave their money in. Anytime, in a democratic system, when you can have 95 percent of the people support you, that is as close to unity as you are ever going to get in the kind of a system we live under.

MR. USKIW: Then let me ask you, sir, do you believe that because of 95 percent of the people in other jurisdictions leave their money in, that the same 95 percent support the measures of their association?

MR. MAYER: That would be the logical assumption that you would make, because if they disagree they have the provision, and it's spelled right out in the bill, in the legislation in front of us, that there shall be no money collected until there is a refund procedure in place, and if people disagree with the way the money is being spent or the way the association is being run, they have an opportunity to apply for a refund; and if they don't apply for a refund, then you would expect that they would be agreeing with some of the things that you are doing.

MR. USKIW: Do you, sir, believe that there should be a relatively easy way for a person not wishing to be part of this association, to remove himself from it and all its obligations?

MR. MAYER: Yes, we have stated that, and that's been our position for a long time, that the refundable procedure should be as quickly and as easily accomplished as it can, within the limits of some administration costs certainly on the basis of several times the refund being made during the year. That is the kind of a refundable procedure that we had envisioned.

MR. USKIW: In keeping with the easy opt-out provision in your mind, would it not make sense to opt in instead of opt out?

MR. MAYER: What are you suggesting, Sir? I don't understand your query.

MR. USKIW: Well, would it not be reasonable to suggest that anyone wishing to belong to this association and to contribute financially towards it, that they indicate at the time that they ship their livestock as is now the provision in the Province of Saskatchewan, as opposed to having to ask for their money back at some subsequent date?

MR. MAYER: We considered that in consultation with the Auction Markets and some of the people that sell cattle felt it would be administratively a nightmare, because the level proposed is so small that if you get into a lot of administration costs, you are going to eat up most of the money in administration. From an administration point of view, the simplest and the fairest way to do, is to check everybody off at time of sale, and then have a refund; in a lot of cases it will cost the association as much or more to do the paper work and send back the refund, than the actual refund that goes back.

MR. USKIW: Well, that perhaps demonstrates the lack of support you have for your proposal, the fact that people are not willing to advance voluntarily sums of money to your association. Are you admitting failure on the part of the Beef Growers Association to win the support of the majority of beef growers in Manitoba, which is why you are now asking for a provincial law to force them to do so?

MR. MAYER: No, we aren't admitting failure, quite the contrary. We are putting our reputation on the line . . . I should retract that. We are willing to put the performance of this new association on the line, each year, in the sense that each producer each year has the opportunity to ask for a refund, and I would challenge any member of you elected MLAs here, if you were to become Finance Minister, if you would be willing to run the Province of Manitoba on the basis of your performance, and give the taxpayers the option to ask for their money back at the end of the year, and see how far you'd get running the province.

MR. USKIW: The importance of the efficiency is relevant only to the person who wants to belong. It is totally irrelevant to the person who wishes not to belong, Sir.

MR. MAYER: And it will be his ability and capacity if he doesn't want to belong, to ask for a refund

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and withdraw.

MR. USKIW: On the same point, could you indicate to me whether you believe that, after a person has indicated that he does not wish to contribute and to belong to this association, that this association should continue to have power over his affairs, that is that their by-laws and regulation would apply to that individual?

MR. MAYER: What kind of powers are you talking about, Sir?

MR. USKIW: Whatever this association passes by by-law or regulation. It is your bill, sir, no mine.

MR. MAYER: It is not my bill, sir, it is the government's bill, and I would again ask you what power you are talking about, because on Page 4731 of the Legislative Assely Debates of Manitoba, I quote you as saying, "They have no powers." I would like to ask you what kind of powers you're talking about, because you're saying they have powers here tonight, and you've said in the House that they have no powers. So could you tell me what kind of powers you're referring to?

MR. USKIW: Let me then, refer you, sir, to Page 2 of the bill, wherein there is power delegated to this private association from the Government of Manitoba for the passing of regulations over people who will be forced to belong to this association. My question is, "If they do not wish to belong to this association, and if they indicate so, and ask for their moneys back, should these regulations passed by this association, or any by-law passed by this association, have any power over those people?"

MR. MAYER: Well, specifically, I think you must be referring to the information powers, because I think that's the only one that . . . am I correct in saying that?

MR. USKIW: I'm referring to all the Acts that are carried out by this association, as governed by the authority given to them by the Crown, whatever those Acts may be, and we don't know today what they will be. That's one of the problems of this bill.

MR. MAYER: Well, I have to go back and quote you in the House, where you say it has no powers. I can't see how you can say in one place that it has no powers and then here tonight tell us that it is going to have powers over people that don't want to belong to it. If you give me an indication of what powers you are referring to, I'd be more than happy to try to answer your question.

MR. USKIW: The powers of regulation, which we know not of at the moment, because we don't know what kind of regulations this association is going to pass. The reference with respect to no powers that were made in the Legislative Assembly, have to do with powers to deal with the inequities in the marketplace — that is not contained in this legislation. That is correct. But there are other powers given to this association over other people who may not wish to be party to this association, or members of it. I want to know from you, whether you believe that this association should impose its will on people who have indicated that they do not wish to be party or part of this association.

MR. MAYER: Mr. Chairman, I would be prepared to answer that question on the basis of talking about information powers, because I think specifically that has to be what Mr. Uskiw's referring to, if that's acceptable to Mr. Uskiw and the Chair?

MR. USKIW: Well, whatever the powers are, it doesn't matter what they are, I want to know — if they're minute or whether they're broad powers, it's of no relevance to me — I want to know whether these powers should be exercised over people who wish not to be part of this association and who express that desire to the association?

MR. MAYER: Again, I will answer the question specifically referring to market information powers, because in addition to the checkoff provision that the information power is the only other one in it, so I have to again assume that that's what Mr. Uskiw is referring to. And in the case of marketing information, the concept is that because producers have very little if anything to say about what they receive for their product, it should then therefore be their prerogative to have as much market information or as much information on their product as is available to them from the time it leaves them until the time it gets to the consumer. We would hope that this information power would be universal and it would apply to all segments of the industry, including producers, including the packing

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industry, including the retail industry. And these are very very minute powers, when they are compared to some of the powers that the marketing boards have in this province. In that sense, we would hope that there would be universal information powers available to this board to be used at their discretion.

MR. USKIW: I'm fully appreciative of the powers that they may or may not have. My question, sir, is, "Do you think that these powers should be imposed on people who do not wish to participate, who opt out and indicate that they do not want to have anything to do with this association?"

MR. MAYER: Again I would answer in saying that I feel that the information should be universal.

MR. USKIW: I'm not talking about information, Sir, I'm asking you whether the regulations passed by this association should have the force of law over people who do not wish to belong to this association, and who have indicated so?

MR. MAYER: Well, again I have to say, and this is getting to be extremely repetitive, that the only two powers in the bill are the checkoff powers and the information power, and in the case of the information I would hope that it would be universal.

MR. USKIW: You would hope that what would be universal, sir? That the powers be universal regardless of the . . .

MR. MAYER: The information. The ability of the association to gather information on the producer's product to be applicable to everyone.

MR. USKIW: So that if I as a producer don't wish to give the information to this association, you would then want the power retained in this bill to fine me or send me to jail? Now you've indicated that jail is too strong a penalty but you have indicated that you would prefer a financial penalty. Do you believe it is right to impose any kind of a penalty on a producer who happens to belong to another farm organization, who happens to disagree with this association and does not want to participate in it, and indicates so when he opts out, or indicates that he's interested in having his money refunded?

MR. MAYER: You lost me in the question.

MR. USKIW: Well, all right, let me repeat it for you. A producer who belongs to another association, who is totally opposed to this association, do you think that that person should pay a fine, or go to jail, in order to enforce the provisions of this Act?

MR. MAYER: Well, we've already proposed an amendment that will eliminate the possibility of anybody going to jail so we would prefer a straightforward financial penalty . . .

MR. USKIW: So you're saying that you . . .

MR. MAYER: Let me finish the answer, please.

MR. USKIW: All right, fine.

MR. MAYER: . . . that anybody that doesn't provide information would have a financial penalty imposed upon him.

MR. USKIW: And you believe that that is a democratic procedure? That if a person . . .

MR. MAYER: In the same way . . .

MR. USKIW: . . . Let me finish my question.

MR. MAYER: . . . in the same way that anybody who doesn't put money in a parking meter because he doesn't agree with the parking meter system is in some way, in fact it is under the Summary Convictions Act, and he can go to jail for not putting money in the parking meter. In that sense, yes.

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MR. USKIW: Well, the parking meter doesn't happen to speak for me or you, but this organization is going to presume to speak for people who don't wish to have them speak for them, who in fact have an organization of their own which they finance through a different sort of a levy. Therefore you will have a person in a position where they have advanced a policy statement to the Government of Canada, to the Government of Manitoba, and in turn have their own association through Bill 25, another association, contradict those very views on their behalf. Do you think that that is fair and democratic to have members who presented briefs here tonight who belong to the Independent Cattle Producers Association, to the Farm Union, to CAM, to whoever else they wish to belong to to have their views circumvented by a compulsory association in this particular group and that they have no recourse and that they must pay a penalty if they refuse to do so?

MR. MAYER: What you're saying is that really you don't believe in the democratic process because . . .

MR. USKIW: Heavenly days.

MR. MAYER: . . . Let me finish, let me finish.

MR. USKIW: Heavenly days.

MR. MAYER: . . . because what you're saying, what we have here is the proposal in front of us for a democratically elected and run organization, and if the CAM people, the Independent Cattle people, the Farmers Union, can carry the day and have their people elected that believe in their philosophy, then that will be the position of this new association, and if people that are of different opinions carry the day and are elected as far as being on the executive and being on the board of directors to run the thing, if they carry the day, then that will be the position of the association. And that is entirely in keeping with the way the system of government we are viewing here tonight is being carried out.

MR. USKIW: Let me then pose you the opposite question. A few years ago the Farm Union requested that I, as Minister of Agriculture and our government, acknowledge their association as being the association that would represent all farmers in Manitoba provided they could show us that they had more than 50 percent of the farmers as members of their association. If we did that, do you think that that would be right, that you should belong to the National Farmers Union because the Province of Manitoba passed a statute that gave recognition to that association?

MR. MAYER: That is not what we are proposing here.

MR. USKIW: It sure is. It sure is.

MR. MAYER: What we are proposing here, we are proposing here the opting out. If you don't choose to belong, you opt out of the association.

MR. USKIW: Well, let me follow through.

MR. MAYER: Let me follow that up.

MR. USKIW: Okay.

MR. MAYER: You can opt out and have the money that is collected on your behalf sent to whatever organization you choose.

MR. USKIW: Let me then ask you, if we had passed such legislation in favour of the Farmers Union for the Province of Manitoba who had the same opting out provisions that you have in Bill 25, whether you would agree with us passing that kind of law.

MR. MAYER: If you were convinced that they were in the majority and there was an opting out provision.

MR. USKIW: Yes, yes, I would be satisfied that they are in the majority, that they have over 50 percent of the farmers of Manitoba belonging to their association and therefore the other 49 percent should belong to the National Farmers Union whether they wish to or not. That is the kind of legislation that that would be. And you would support that principle?

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MR. MAYER: But that is not the kind of legislation we have here.

MR. USKIW: Oh, yes, it's exactly the same principle.

MR. MAYER: I happen to disagree with you.

MR. USKIW: Well, Mr. Chairman, I'm prepared to, for the benefit of you, Sir, to draft a bill naming the Farmers Union as the spokesmen for all agricultural questions in Manitoba, in exactly the same terminology as you have in Bill 25. Would you support it?

MR. MAYER: That's really a hypothetical question. It isn't even a question.

MR. USKIW: Well, it's not a hypothetical question, Mr. Chairman. It's very relevant because you are asking the Farm Union members to be members of your association . . .

MR. MAYER: Sure, as long as you have an opting out provision, sure, there would be nothing wrong with that.

MR. USKIW: There would be nothing wrong. So you believe that I erred in telling them to go to hell four or five years ago.

MR. MAYER: Along with many other errors you made, sure.

MR. USKIW: Okay, I accept that. I will have learned, Sir, I will have learned from you that it is quite acceptable to pass a law that forces people to belong to an association that they do not wish to belong to, I have learned that from you tonight.

MR. MAYER: You did not learn that from me here this evening and you did not get that out of the proposed bill in front of us. You are putting words in my mouth . . .

MR. USKIW: No, no.

MR. MAYER: . . . and that is not what you got out of me here this evening.

MR. USKIW: Well, let me clarify. Did you say . . .

MR. MAYER: You're not going to clarify anything from me. You may only talk yourself into a position but . . .

MR. USKIW: All right. Let me ask you, if we passed a bill similar to Bill 25, giving the same powers to the National Farmers Union as you have in Bill 25, whether you would think that that is reasonable legislation. We wouldn't change a word, we'd give them the same powers that's in this bill.

MR. MAYER: Except that what you're doing, you're naming a farm organization that is in existence that is not a commodity group that attempts to represent all commodities and what we are proposing here is a new association and we have said repeatedly that once the thing is established, our association, the Manitoba Beef Growers, will go out of existence. So I fail to see that there is really any analogous situation between what you're proposing and the bill we have in front of us and I really fail to see what this kind of questioning accomplishes.

MR. USKIW: Okay, then let me pursue the next question. .

MR. MAYER: I'm waiting.

MR. USKIW: The next question, Mr. Chairman, is: Why are you not able to run your association without the backup of the law of the Province of Manitoba?

MR. MAYER: Because the history of voluntary organizations is not a very good one as far as funding. Now listen, you may chuckle, but we are willing, we are willing . . .

MR. USKIW: You're quite right. We agree with you.

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MR. MAYER: . . . to put the performance of this new association on the line so that really it will be a voluntary one on a yearly and an annual basis so that the thing will be judged each year on . . .

MR. USKIW: Who will answer to it, who will it answer to, sir?

MR. MAYER: It will answer to the people that contribute the funds. It will be the people that are contributing who will be the people that have the say in how the thing is run.

MR. USKIW: But in this bill it is suggested that 12 to 15 people will determine who is a producer.

MR. MAYER: You know very well that the 12 to 15 producers — and you've been involved in setting up marketing boards yourself — you know very well that they will be elected by the registered producers which will be every cattleman in the province . . .

MR. USKIW: It doesn't say that.

MR. MAYER: It does.

MR. USKIW: It doesn't say that in the bill.

MR. MAYER: Because every cattleman in the province who is a registered producer will vote to elect the 12 to 15 directors.

MR. USKIW: Would you kindly show me where that shows that every cattleman will be part of this organization?

MR. MAYER: The registered producers are the people that will elect the board of directors.

MR. USKIW: And who will be the registered producers, Sir?

MR. MAYER: The registered producers, if the government accepts our amendment that we have proposed, is that any producer who has paid fees in any fiscal year and not requested a refund of those fees will be entitled to be classified as a registered producer.

MR. USKIW: Any person who pays fees would be a registered producer.

MR. MAYER: Right, and who has not requested a refund.

MR. USKIW: Okay, okay. So what happens to the one that's requested a refund?

MR. MAYER: He does not have the opportunity to vote for a director in his region and . . .

MR. USKIW: And therefore . . .

MR. MAYER: Let me finish.

MR. USKIW: All right.

MR. MAYER: . . . therefore he does not have the opportunity to go to the annual meeting and propose and speak to amendments on how the funding that is contributed by other members should be spent.

MR. USKIW: All right. Does it follow from that then, that these rules would not apply to the individual, the rules of this association?

MR. MAYER: What rules are you talking about?

MR. USKIW: The by-laws and the regulations that they pass would then not apply to the individual.

MR. MAYER: I can't comment on it because I really haven't seen the administration by-laws.

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MR. USKIW: Yes, well that's our problem in passing this bill, Sir. Now further on, Sir, on Page 1, you suggest that Bill 25 will let Manitoba cattlemen operate their own association in a democratic way and with a minimum of government interference. Can you explain to me why you cannot today, without this bill, operate in a democratic way?

MR. MAYER: Well, we are . . .

MR. USKIW: And without government interference.

MR. MAYER: We are operating in a democratic way.

MR. USKIW: And are you having government interference?

MR. MAYER: And we are not having government interference, no.

MR. USKIW: Well then, what relevance is this bill in that connection?

MR. MAYER: The relevance of this bill is that we think that with additional funding that it would be to the benefit of all producers in the province.

MR. USKIW: You think that because the Almighty has a plan that is good' that even though we may misunderstand it, we should accept it?

MR. MAYER: No, there is no plan.

MR. USKIW: Well, you're saying that you're going to do things for the good of the province and therefore . . .

MR. MAYER: No, we said we hoped to accomplish and when I say we I refer to the great "we" — all beef producers, not just our present Beef Growers Association and would hope that the funds generated would be used to the advantage of all producers whether they choose to contribute or not.

MR. USKIW: Well, let me then pursue that, because in the Farmers Union opinion, the greatest advantage of association would be an association that would advocate a national meat authority run by the country of Canada. That is their best position for their industry. Do you think that this association will advocate that principle?

MR. MAYER: No, I would think not.

MR. USKIW: You would think not. So how can you make the claim that you are speaking for those people?

MR. MAYER: I didn't make that claim.

MR. USKIW: Well, but you said that you were going to do things for the benefit of all beef producers in Manitoba.

MR. MAYER: I said I would hope that the funds generated by this checkoff would be used to the advantage of all beef producers in the province. And let me remind you that there are advantages that can be had by all producers in the province away from a marketing board. I scarcely think that you need to be reminded of the verdict that the beef producers of Manitoba rendered on the marketing board idea a little over a year ago.

MR. USKIW: Well, I'm not taken up with that comment, Sir, because I recognize that minority groups, wherever they are, have a right to their views, have a right to their associations and to pursue a point of view until they are successful.

MR. MAYER: I agree with you 100 percent.

MR. USKIW: You are then in contradiction, Sir, . . .

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MR. MAYER: No, I agree with you 100 percent.

MR. USKIW: . . . because you are forcing them to present two briefs. They will present one brief, as I understand your thinking, through the National Farmers Union asking for a national meat authority. The Cattle Producers Association for Manitoba will then proceed to present a brief against a national meat authority. The same people are funding both associations.

MR. MAYER: Only if the people that . . .

MR. USKIW: Well, but . . .

MR. MAYER: Let me finish.

MR. USKIW: Let's presume that for a moment.

MR. MAYER: . . . only if the people belonging to the National . . .

MR. USKIW: Let's follow that through for a moment.

MR. MAYER: Will you let me answer the question, please?

MR. USKIW: Yes. \$

MR. MAYER: . . . and only if the people that belong to the Farmers Union leave their money in and don't request a refund.

MR. USKIW: That's right, let's assume that for the moment.

MR. MAYER: Let's assume what?

MR. USKIW: That they are not going to bother asking for their \$2.00 refunds or \$5.00 refunds or whatever they are, let's make that assumption because of the cumbersome approach that will be designed for them to get their money back.

MR. MAYER: Well, you must have some idea of what the approach will be because none of us have an idea yet and if you know that it's going to be cumbersome, you know something that the rest of us don't.

MR. USKIW: The fact that it's a request that they have to make each time is a cumbersome approach.

MR. MAYER: In your opinion.

MR. USKIW: But notwithstanding that, assuming that any amount of positive action is cumbersome for some people in the Farmers Union, you will have the situation where there is going to be a brief presented to the Government of Canada and to the Government of Manitoba, presumably, asking for a national meat authority. At the same time, you may have a brief presented by this association asking that we not have such an authority.

MR. MAYER: Well, Mr. Uskiw, I found myself in the same position a year ago when I was paying taxes to the Province of Manitoba and you, as the Minister of Agriculture for the Province of Manitoba, was advocating a marketing board and I had no recourse to ask for a refund for that portion of taxes that were going to support the Department of Agriculture in the Province of Manitoba.

MR. USKIW: Sir, let me correct you.

MR. MAYER: So, it is entirely the same kind of a situation except in this case it is going to be much more democratic because the producer will have a chance for a refund.

MR. USKIW: Let me correct you first of all. First of all, the department did not recommend a marketing board last year. Secondly, if they chose to do so, they were assuming the responsibilities through the electoral process of this province which is the highest court in the land and answerable to the people of Manitoba and therefore they are within their powers and rights to do so.

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IR. MAYER: Exactly.

IR. USKIW: So, therefore, you had not been disadvantaged because you had exercised all of your rights with respect to your role as a citizen in the Province of Manitoba in the electoral process. Our rights were protected by that very system.

IR. MAYER: Except that you are making the case that somebody that belongs to an organization has a divergent point of view on whatever topic we choose to discuss, whether it be marketing boards or whatever, will be forced by this bill to support that divergent point of view and that is just simply not true.

MR. USKIW: Let me then follow through to the next point. You indicate that this bill will not cost Manitoba taxpayers any money. Do you think that people who are opposed to this bill are not Manitoba taxpayers?

MR. MAYER: No, I didn't say that.

MR. USKIW: But that is what you say on Page 2. "This bill will not cost Manitoba taxpayers any money."

MR. MAYER: Then I apologize for wording it loosely. I didn't realize you were going to be so technical. What I am saying is that it will not cost the Treasury of Manitoba any money. It is a bill designed not for the expenditure of money. We are not coming to the government asking for moneys to do something. We are coming to government asking them to give producers a chance to spend their own money on their own behalf.

MR. USKIW: You indicate further that it will simply provide beef producers with an opportunity to run their own organization with their own money. Whose organization are they now running, without this bill? You say "their own organization." Whose organization is the Manitoba Beef Growers Association?

MR. MAYER: It is an organization of beef producers in the province.

MR. USKIW: That's right, it's their own, isn't it?

MR. MAYER: Yes.

MR. USKIW: So what's the point of your comment here?

MR. MAYER: The point of the comment is — again, I have to apologize for wording it so loosely. I am used to spending my time on a tractor and not looking at things where people can pick things out of them. But the intent was to convey the impression that all producers in the province would have a chance to participate and operate their own association.

MR. USKIW: A chance, or compelled?

MR. MAYER: A chance.

MR. USKIW: That's a difference of opinion, sir.

MR. MAYER: No, it's not a difference of opinion, it's a difference of interpretation.

MR. USKIW: Well, the Act says it's not a chance; it says it is compulsory. In any event, you also point out that they will be able to do so with their own money. Whose money are they now using to do so?

MR. MAYER: Their own money.

MR. USKIW: Well, then, what's the difference? Why can't they continue to do things for themselves with their own money?

MR. MAYER: Well, I might comment that there are some farm organizations around that have

with, we understand, government grants. What we are saying is simply . . .

MR. USKIW: Could you indicate which ones?

MR. MAYER: . . . a commodity group could operate to represent . . .

MR. USKIW: Could you indicate to me, sir, which farm organizations are financed by governments?

MR. MAYER: No, I can't.

MR. USKIW: All right, that's fine. Then you go on, sir, to say that Manitoba beef producers will be able to act effectively on their own behalf and relate their own story to consumers and to the government. Well, are they not able to do that today, sir?

MR. MAYER: I don't believe so.

MR. USKIW: Why?

MR. MAYER: Well, to again go back to a case in point, I think that if we would have had more members, with better organization, better funding, that it would have been obvious to the government of the day a couple of years ago that there was no support or very little support in the province for the marketing board concept and we would have been spared the expense and the effort and the agony of going through a vote on a marketing board a year ago. To me, we could have used the effort and the energy by all parties, including government and producers, to better accomplish things than was accomplished.

MR. USKIW: Is that a most recent view of yours, sir, or is that a long-standing viewpoint?

MR. MAYER: That is one example of how I think that . . .

MR. USKIW: Is that a new position of yours, or have you always held to that position?

MR. MAYER: Well, always is a pretty . . . word.

MR. USKIW: Well, let's say that, in the last year have you held to that position?

MR. MAYER: What position are you talking about?

MR. USKIW: The position you have just enunciated.

MR. MAYER: If you are referring to the fact that I think a better funded organization could be more effective, that's a position I . . .

MR. USKIW: You said we wouldn't have had to go through a referendum on a marketing board. Is that a very recent view or is that something that you have had in your mind for the last year or so?

MR. MAYER: Well, it has to be in my mind since the results of the ballot were counted.

MR. USKIW: Would you then explain to this committee why it was that you recommended a full-fledged marketing board a year ago?

MR. MAYER: I did not recommend a full-fledged marketing board, Mr. Uskiw, and you know very well I did not.

MR. USKIW: Would you then explain to me, sir, how your signature got on that document?

MR. MAYER: Because I put it there, very simply.

MR. USKIW: That's right. Could you then explain to me why it was, sir, and this may not be relevant to this bill, only you introduced the subject so I intend to pursue it . . .

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MR. MAYER: No, I did not introduce the subject. This is an entirely different subject altogether.

MR. USKIW: Mr. Chairman, the member indicated that had we had this facility, we wouldn't have gone through a marketing board referendum and I now want to pursue why we did. We did because his gentleman recommended to the Minister of the Crown then that we proceed in that way, subject to which there was a referendum called. Well, in fact, they didn't recommend a referendum, they recommended setup without one. But subsequent to that, a referendum was called and you, sir, launched a campaign which completely discredited your own recommendation. That might be worthy of some comment on your part.

MR. MAYER: Mr. Chairman, I would be more than happy to comment on it. This is the first time since I sat on that advisory board that Mr. Uskiw has given me the courtesy of asking why we made certain recommendations. I would be more than happy to do it here but I really fail to see what this has to do with the bill that is in front of us.

MR. USKIW: It has none at all, sir, only that you introduced the matter.

MR. MAYER: I did not introduce the matter. I specifically talked about the referendum. I did not talk about the advisory committee.

MR. USKIW: Mr. Chairman, let me then proceed with the next point. You indicate that "a strong, well-run provincial cattle producers association will be of immense benefit to governments when it comes to making policies affecting the beef industry."

Now, let me ask you sir, do you think that when you use the instrument of a political party to achieve your aims, regardless of the position of many other Manitobans, do you think that any credible government after this one would look upon your organization as being a credible organization representing cattle producers in Manitoba?

MR. MAYER: First of all, it will not be our organization. Secondly . . .

MR. USKIW: I'm talking about the association.

MR. MAYER: Let me finish. Okay, the association that the bill proposes to be set up will be run by people who are elected democratically and it would be up to the government of day if they choose to listen to people who are elected to run a commodity association on a democratic basis. That would be entirely up to the government of the day.

MR. USKIW: Let me then pursue that, because a person who opts out, according to you, would not be a delegate or a candidate in this association, but would still have the by-laws enforced on him or her. Therefore, how can you use the word "democratically elected" if in fact a person is not able to run as a candidate for office in your association on the basis that they decided to opt out?

MR. MAYER: But that is his choice.

MR. USKIW: Of course it is by his choice. But the fact of the matter is that there is no democracy involved in the procedure.

MR. MAYER: I disagree with you totally and I noticed you were out of the room when I went through the brief and pointed out how I thought in three ways that the thing was extremely democratic.

MR. USKIW: Do you know, sir, that nowhere in our land has a bill such as this been passed. . .

MR. MAYER: I'm not aware . . .

MR. USKIW: . . . giving powers to a private organization such as those contained in this legislation?

MR. MAYER: What powers are you talking about.

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MR. USKIW: The powers over other people who do not wish to belong to this association.

MR. MAYER: Well, Mr. Uskiw, I wish you would clarify the powers because in the House you say the thing has no powers and now you come with powers. I would very much like . . .

MR. USKIW: Would you then agree to an amendment deleting Section 7(1) which gives the power of the government to this association to pass regulations? Would you then agree to amend the bill, removing the powers with respect to the collection of fees, inspection, supervision, etc?

MR. MAYER: Where do you see inspection in this?

MR. USKIW: Well, you have reporters. Will you agree to wipe all of those things out of this bill and just for the sake of image, we will pass a bill that says there is in Manitoba a Cattle Producer Association and everybody should belong to it?

MR. MAYER: That, in effect, is what we are passing.

MR. USKIW: I would be prepared to move those amendments if you would agree with them.

MR. MAYER: That is, in effect, what we are passing when people have the option to opt out and not pay the fees. That is in effect what we are passing. If enough people opt out so that the level of financial contribution is very minimal, there will be no association. It is very simple. And, again maybe I should go through this again for your benefit seeing as you were out of the room.

MR. USKIW: I read your brief.

MR. MAYER: But those were some notes that I spoke from; that wasn't the whole brief.

MR. USKIW: I read your brief. Let me pursue this point, that these people who don't wish to belong to your association are not opting out of it because they ask for their money back, according to this bill, and you insist that they should still be regulated.

MR. MAYER: In what fashion did I say that they would be regulated?

MR. USKIW: You said that the powers of this association would apply to those equally in that you wanted them applied universally.

MR. MAYER: I answered that question specifically referring to information.

MR. USKIW: Whatever the powers are of this body . . .

MR. MAYER: And you yourself have come down very hard in favour of information.

MR. USKIW: . . . whatever the powers are of this body, you have indicated to this committee that you wish those powers imposed on all of those people who choose to ask for their money back and who wish not to belong to this association.

MR. MAYER: With regard to information, the answer is yes.

MR. USKIW: Well, whatever with regard to. You see, I don't know with regard to what.

MR. MAYER: No, it is not with whatever. You are putting words in my mouth. Specifically I said information, and that's where our association stands.

MR. USKIW: Are you then saying that there is too much latitude given to this association in this bill, because you are confining your remarks to a very narrow framework. This bill simply states that this association may make such regulations as it deems necessary, and it may be necessary to say that Charlie Mayer is not a member of this association for one reason or another.

MR. MAYER: You are capable to reading the rest of the . . .

MR. USKIW: But that's what it says.

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MR. MAYER: But that is only part of what it says.

MR. USKIW: All right, let me read it through for you.

MR. MAYER: Go ahead.

MR. USKIW: Because it only fortifies my argument. “. . . requiring information reporters to maintain books and records in relation to the production or marketing of cattle or of beef, containing such information as the association requires.” Such information as they require. They may want to see all my books, or yours. You think that’s okay?

MR. MAYER: I would not personally find any objection to that.

MR. USKIW: I see. That’s what you call freedom of choice, though? You don’t mind if the Farmers Union comes to you and says, “We want to see your books.”

MR. MAYER: Pertaining to marketing information.

MR. USKIW: “Because we have an Act here that says we are not the spokesmen for the farmers of Manitoba and we want to see your books.” You don’t mind that?

MR. MAYER: But that is not the situation with the Farmers Union.

MR. USKIW: But if we were passing a bill enshrining the Farmers Union as the producers association, we would have exactly the same situation.

MR. MAYER: Mr. Uskiw, you can read anything into that thing that you want.

MR. CHAIRMAN: Mr. Orchard, on a point of order.

MR. ORCHARD: Mr. Chairman, on a point of order, I think it is rather unfair, on Mr. Mayer, who explained in the initial part of his brief as to the methodology by which people can elect officers in the democratic process was explained whilst Mr. Uskiw was out of the room and perchance some of these questions have already been answered, and his continual questioning here is leading to no conclusion Mr. Mayer has already explained the position quite adequately.

MR. USKIW: Mr. Chairman, on that point of order, the Member for Pembina hasn’t been around the Legislative Assembly long enough to know that all newcomers are admonished by the fact that repetition is the mother of learning, and therefore it doesn’t hurt at all if we hear the same statement more than once by the witness before us.

MR. MAYER: Repetition, I guess, if you are a slow learner helps, but in some cases it apparently doesn’t . . .

MR. CHAIRMAN: On the point of order, it appears that there is some difference of opinion between the Member for Pembina and the Member for Lac du Bonnet, which to my mind does not constitute a point of order. I would also point out to all members, as we are interjected, that the hour is late, that the witnesses are here of their own free will and are giving their opinions as opposed to this being a court of law. I would point that out to all members that they can judge the matter accordingly. The individuals, the witnesses, do not have to answer should they choose not to.

MR. USKIW: I ask you again, sir, how do you interpret your remarks on Page 2 where you indicate that this association will have an immense benefit on governments with respect to the formulation of government policies? How is that to be brought about in light of the way that this legislation is being introduced. For example, and let me give you my thoughts behind this, if your association or your group wanted some kind of a status symbol enshrined in law establishing your association, if they did it through a Private Member’s Bill and the Legislature was free to vote on it as they wished, every member had a free vote, wouldn’t you think that you would be more credible to the legislative process subsequent to your organization being established, when you presented your briefs, than by asking a government who will use its majority to force people to belong to an association that they don’t wish to belong to?

MR. MAYER: First of all, you refer to our association, or your association . . .

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MR. USKIW: Well, your group, whoever they are.

MR. MAYER: That will not be the case. It will be an association hopefully of a very large majority of the cattle producers in the province. I am really not aware of parliamentary procedure well enough to know the difference between a Private Member's Bill or whatever it is and a government bill so I really couldn't comment on that.

MR. USKIW: Well, all right, let me follow it through for you to help you along. Should you succeed — should this bill pass — and you want to present your views to this government, do you think that this government is obligated to give weight to your presentations because of the passage of this bill by this government? Do you think there's any connection there at all?

MR. MAYER: No, no.

MR. USKIW: Do you think they can simply divorce themselves from that fact?

MR. MAYER: It would depend on what the government saw as merits in the proposal. I would hope that they would not simply accept anything blindly, I mean, it would be a proposal to the government, and it would be up to them to act on it in their own best judgment?

MR. USKIW: But let's assume that next year this government is going to hear briefs from the National Farmers Union, the Independent Cattlemen's Association, from this association, and from any other group. Do you think that this government will be absolutely neutral with respect to hearing conflicting briefs on the same subject matter, or do you think they will tend to give weight to this association?

MR. MAYER: It would be entirely dependent on the kind of numbers that each association represents, I suppose. You are making a hypothetical question, I'll give you a hypothetical answer. If one association has several thousand members and what they present sounds sensible, and the other association has a few hundred members and what they present sounds less than sensible to the government of the day, then it would be obvious as to which one would be listened to with the most weight.

MR. USKIW: Well, all right, to make things equal though, we would then have to pass a bill that says that everybody must now belong to the Independent Cattlemen's Association, and the Farmers Union Association so that they can all have the same weight when they present their brief to the government, is that what you're saying?

MR. MAYER: Mr. Uskiw, if the Farmers Union point of view was predominant in the Province of Manitoba this new association could well be the Farmers Union Association for Cattle, it's as simple as that.

MR. USKIW: And you feel that any group that doesn't have the ear of government should be trampled on in that connection, then?

MR. MAYER: I did not say that and I did not imply that and no way do I think that.

MR. USKIW: But you're not prepared then to give them a provision in this legislation, that they may not be part of this association.

MR. MAYER: I just said that, if the Farmers Union point of view, and you are the one who is referring to the Farmers Union . . .

MR. USKIW: Well, they presented briefs here today.

MR. MAYER: Right, exactly. If their point of view carries the day, when it comes to electing delegates, or electing people to run the affairs as far as Board of Directors is concerned, then this association could very well be Farmers Union type organization. As long as the thing is set up to be run democratically then the opinion of the majority of cattle producers will be reflected in the actions that this association will take, so you've really answered your own question in the affirmative.

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MR. USKIW: So then what you are saying though, in the process, is that the Farm Union has no choice, but to be influential it's going to have to join this association.

MR. MAYER: I did not say that.

MR. USKIW: Well, you implied, that they can be heard through being elected to this board, to participating in the elections for this board, and therefore they have the same opportunity as those other people who are willing to be part of this association. That's what you have just said.

MR. MAYER: Which is a democratic principle observed.

MR. USKIW: Well, what is their democratic rights then with respect to the preservation of their own association, where do they stand in your democratic rights?

MR. MAYER: The same as they have now.

MR. USKIW: I see. But they don't have the backing of law as they are now, they were denied that.

MR. MAYER: No they're not.

MR. USKIW: They were denied the backing of recognition by statute . . .

MR. MAYER: No they're not . . .

MR. USKIW: . . . By the previous administration.

MR. MAYER: Very simply, I will say it again, that if the Farmers Union point of view is prevalent among beef producers in the Province of Manitoba, and it comes to running this association democratically, which is the way it will be run, then obviously the Farmers Union point of view will prevail, and the new association will carry out and advocate the types of things that the Farmers Union in the province are advocating right now, and that is a very simple, straightforward kind of an observation to make, and I fail to see why that escapes you.

MR. USKIW: Well, it escapes me for this reason, that this kind of legislation has never been passed anywhere, giving statutory recognition to an association, a private association. That's the importance of it.

MR. YER: Well, I'm not aware, and I can't really comment on it to agree with you or disagree with you, I mean, if that . . .

MR. USKIW: Well, can you give me any example in Canada, where there is a similar law passed, and operative at the present time?

MR. MAYER: Well, I can't , and I really simply fail to see, well, in simple terms it's a . . . I don't see really what it proves.

MR. USKIW: Well, legislators tend to deal in precedent to some degree, and the Minister has indicated on the introduction of this bill that there were precedents set in other provinces, but we subsequently found out that he was not correct. Whether he misled us intentionally or unintentionally is neither here nor there, but nevertheless he was found to be incorrect, and that there is no law in Canada . . .

MR. CHAIRMAN: Order please, Mr. Downey on a point of order.

MR. DOWNEY: Mr. Chairman, the member has accused me in the introduction of the bill of misleading the people by referring to other provinces with similar associations. I think I have never indicated anything else, that there were similar associations representing the beef industry in those provinces, and nothing more, and he doesn't need to think that he can put on the record that that's what I indicated. I indicated that there were association in other provinces, such as was being introduced with such enabling legislation.

And I would also like to say that he is being very repetitious in the question that he has asked, there's a lot of people waiting to present their briefs so that we can get on with it. I think the individual

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he has questioned has answered sufficiently the questions that have been asked of him, and we have just heard nothing but repetition for the last half an hour, and I would appreciate if he could wind his questions down.

MR. USKIW: Mr. Chairman, I want to now speak to that point of order, because the Minister denied having made those suggestions on introduction of Bill 25. He has just made the suggestion again, and I want to quote, I wrote it down as he said it, "such as being introduced here in Manitoba," that other provinces have introduced legislation such as being introduced in Manitoba. He just said it again, and that's not true, Mr. Chairman, and that's all I was saying, that it was not true. I have here bills from Ontario and Saskatchewan, and no where is there a provision such as the provisions in Bill 25 empowering a private association with authority, with government authority without appeal provisions, without being answerable to anyone. Nowhere in Canada, this is the first time in the history of this country.

MR. CHAIRMAN: Mr. Downey on the same point of order.

MR. DOWNEY: Mr. Chairman, on the point of order, I don't want to debate the issue. As I've indicated many times in the past months that the opposition has been debating this bill, that I have been prepared to bring in amendments and certainly this process of having the farm people speak to the bill, and recommend amendments. Following that I am prepared to move on it. I think there's an attempt by the opposition to further filibuster a piece of legislation that is desirous of the majority of the farm people. I've indicated that if anyone does not want to participate in the association that an amendment will be brought in, that they will not be forced to, and I don't think that there is any need to belabour the discussion that is now taking place by the Member for Lac du Bonnet, who, by the way, if he wants another to be confirmed why he's sitting where he is, he just has to go back and have another vote on the beef issue with 77 percent of the people putting him where he is.

MR. USKIW: Well, Mr. Chairman, I don't know on what basis you have allowed the Minister to interject, but since you have, then I have to respond, Sir. The Minister indicated that he is prepared to amend this legislation. Well, Mr. Chairman, the record will show, that after opposition, that the Minister did not answer that criticism on second reading. He didn't utter one word in reply, so let us not assume for a moment that we have had any answers or any responses from the Minister on the second reading of this legislation. We had nothing but total and complete silence to the criticism that has been levelled by the opposition. That only lends credibility to the questions that we are raising here in committee, Mr. Chairman.

Furthermore, the Minister just indicated that he somehow knows that he has a majority of cattlemen in support of this legislation. Whether he has or not, I'm not in a position to know, he has not demonstrated it, it has not been demonstrated here this evening so far, Mr. Chairman, so I don't know where he gets that particular position from. He introduced in the Legislature, on second reading, 4,000 letters that he purported was to be in support of his legislation, which turned out to be not letters in support of legislation whatever, but letters opposing the Marketing Board of a year ago. He just dug them out of the archives, Mr. Chairman, of the department.

So that is the kind of nonsense we have had to put up with, and he is continuing to interject in the same manner, after having not replied one word, on second reading, to the criticisms of the opposition. So it's quite in order, Mr. Chairman, to pursue the matter vigorously in committee.

With respect to his comment on the reasons for our government, the past government being now in opposition, you know, it doesn't make sense, Mr. Chairman, because the Minister is alleging that, because we had a referendum on an issue, that that was somehow bad for the political process, and that was, Mr. Chairman, at least a democratic procedure employed to determine the majority wishes of cattlemen in this province. In contrast, we have a measure here that is being steamrolled through, Mr. Chairman, a measure that forces people to belong to an association, who by the way have voted against this similar kind of thing four years ago, and here we have a government using its authority, forcing the people who voted against a beef checkoff to now have a beef checkoff. It's not as if there wasn't any vote on this question before, so let the Minister not be so pious, Mr. Chairman.\$

I have not concluded my questioning of our witness, so I continue, Sir. How do you expect this association would look in the eyes of any government succeeding this government, knowing the history of the passage of this legislation? Do you think that any future government will look upon this association as being anything other than the arm of the Conservative Party? Do you really believe that? And don't you think that is a basic weakness in this association, to be linked to a political institution?

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MR. MAYER: How is this linked to a political institution? I don't understand.

MR. USKIW: Well, if you want me to clarify, Sir, the passage of a bill forcing people to belong to an association, links it to the party in power, which passes such a measure. It has never been done anywhere.

MR. MAYER: Nobody is being forced to belong to an association. The association that is proposed is one that has very limited powers, and therefore has the support the majority of cattlemen in the province, and the procedures by which it will be governed, to my mind, are extremely democratic, and when you have the democratic process operating, the majority point of view carries the day, and it would be up to the subsequent governments later on to look at the association and how its policies are established, to decide or not whether they should listen to people who are elected democratically to commodity group, as to whether or not they should represent that commodity group on issues concerning it.

MR. USKIW: Yes, may I then ask you another very relevant question, a very important question. Knowing of your opposition, personally, to the concept of marketing boards for beef, recognizing that, and recognizing that a good many Manitobans oppose such a concept, do you realize that this precedent virtually gives licence to any future government to do anything they want with respect to the beef industry? Do you realize what you're doing?

MR. MAYER: I don't believe that's what we're doing.

MR. USKIW: Well, you may not . . .

MR. MAYER: You are expressing an opinion and I'm expressing an opinion, and in my opinion that bill does not establish that kind of a precedent, in fact, that bill removes some of the possibility of establishing a marketing board.

MR. USKIW: No, this bill, Sir, if one wants to use precedent as an excuse, will give all the excuse that is needed for any future government to do virtually anything they want with respect to the beef industry.

MR. MAYER: That's not true, because governments are elected by people and they can't do anything they want, because eventually they are answerable to the electorate at large . . .

MR. USKIW: That is right, that is right, that is correct.

MR. aYER: . . . are not and that is the final judgment. So if you so convinced that this is a bad bill when the next election comes around the government of this day will be answerable on behalf of this bill.

MR. USKIW: In terms of the introduction of this bill, Sir, you question whether we are convinced that it is bad. Let me assure you that this will be a gem in the political process of the future. It has never been done anywhere. The freedoms that have been denied or taken away from people through this Act, or will be if it's passed, have not been equalled in this country anywhere.

MR. MAYER: I don't know whether it's in order to ask Mr. Uskiw, but I would like to have him clarify what freedoms are being taken away. This word has been bandied about. I would specifically like to ask you to spell out — and you said freedoms, plural . . .

MR. USKIW: That's right.

MR. MAYER: . . . what freedoms are being removed?

MR. USKIW: The freedom to belong to the association of your own choice, that is something you must never legislate. Never must you legislate somebody's right of association, never.

MR. MAYER: That, in my opinion, is not being done in this bill.

MR. USKIW: Oh, yes, oh, yes. That is the crunch. Mr. Chairman, I want to pursue another matter. You say that the beef producers in Manitoba look forward to passage of Bill 25 so we can get on with the job of running our own association in a sensible, reasonable, and responsible fashion.

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Are you saying that to date it's been insensible, nonsensible, unreasonable and irresponsible?

MR. MAYER: I'm just simply saying what it says in front of you. I believe that . . .

MR. USKIW: Well, . . .

MR. MAYER: Let me finish, you asked the question . . .

MR. USKIW: Yes, all right.

MR. MAYER: . . . I'd appreciate if you would let me respond. I'm just simply saying that I believe that Manitoba farmers are a very responsible and reasonable bunch of people and that they will run an association that they fund in exactly the same fashion. That's exactly what that says.

MR. USKIW: Well but the implication indicates . . .

MR. MAYER: No, that is exactly what it says.

MR. USKIW: Yes, I realize what it says, but are you implying then that the Beef Growers Association did not operate sensibly, reasonably and responsibly for the Farm Union or any other association?

MR. MAYER: You said that; I didn't say that.

MR. USKIW: Well, but that's the implication of your statement. It says without this legislation you couldn't be sensible, reasonable or responsible.

MR. MAYER: Mr. Uskiw, that is not what it says. I assume that you are capable of reading and that is not what it says.

MR. USKIW: Well, let me read it to you, Sir.

MR. MAYER: Look, the implications that you are drawing are your own implications, it's simply that.

MR. USKIW: Let me read it to you and you decide what the implications are. It says, "The beef producers in Manitoba look forward to passage of Bill 25 so that we can get on with the job of running our own association in a sensible, reasonable and responsible fashion, so that . . ." which implies that to date we have not been able to do that.

MR. MAYER: It does not.

MR. USKIW: Well, then I don't know the relevance of that section.

MR. MAYER: Well, I'll explain it to you in very simple language. It means that Manitoba farmers — and you can judge for yourself, you were Minister of Agriculture and you know that there are some very hardworking and good operating farmers in the province, they operate their farms in a sensible and reasonable and responsible fashion, and if farmers themselves are left to run an association, that we would expect that the association would be run in the exact same fashion. Now that is what I intended that clause to say and I've just explained to you, I think for the third time, what it says. Any implication you draw other than that is entirely your own.

MR. USKIW: Well, all right. Then let me follow on what you have just now said, because you said, if they are left to run their own thing, they will do it well. Then why not leave them alone and let them run their own thing without the interference of the state?

MR. MAYER: That's exactly what that bill is intended to do.

MR. USKIW: No, this is the most crucial and devastating interference of the state in the history of our province.

MR. MAYER: That is your opinion.

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MR. CHAIRMAN: If there are no further questions — Mr. Orchard.

MR. ORCHARD: Thank you, Mr. Chairman. Mr. Mayer, do you basically agree with the definition of a producer as it's laid out in the Act?

MR. MAYER: Well, we have proposed an amendment that we feel would simplify the producers' understanding of what a producer is and we simply feel that it would be better if the definition of the a producer would simply say that, or in some way embody the principle that anybody who had paid fees in the form of a levy and not requested a refund in any fiscal year, would be considered a registered producer. And that spells it out in the Act and it leaves it less open to changes by the administration by-laws which can be changed. We feel it would have some merit over the present definition of a registered producer.

MR. ORCHARD: Okay, but basically as it stands right now, it wouldn't exclude any, let's say legitimate producer of beef cattle in the Province of Manitoba.

MR. MAYER: No, no, no.

MR. ORCHARD: Well then, are you aware that the first duty of the appointed board, and the appointed board precedes anything else, are you aware that one of the very first duties of the appointed board is to register the producers in the province?

MR. MAYER: Right.

MR. ORCHARD: Now, this appointed board, in registering the producers of this province, would you suspect that among the registration of producers who are entitled to vote, that both producers who are in favour of the checkoff and producers who are not in favour of the checkoff would be registered to vote?

MR. MAYER: Yes, I would certainly expect that to be the case.

MR. ORCHARD: Now, if the majority of the producers who are registered by the appointed board are against the checkoff, do you think it would be feasible for them to elect a majority of members to the board?

MR. MAYER: Certainly.

MR. ORCHARD: And if they did elect a majority of members to the board, could they simply say, "We do not believe in the concept of a checkoff," and there would be no checkoff?

MR. MAYER: Yes, I think that is entirely in keeping with the intent of the bill in the sense that it spells out that there will be no regulation imposing fees until the election of the members of the association is held and if the majority of those members are not in favour of establishing a checkoff, in effect there would be no checkoff and no association.

MR. ORCHARD: Now, would you, and I only want you to submit to a personal opinion here, would you think that that might be an exercise in the democratic process or would it be full of some sinister motive that the Member for Lac du Bonnet might have us believe? Do you think it's democracy in action or not?

MR. MAYER: Yes, I would call it democracy, because I stated basically the same thing when I went through my initial presentation, that in effect by electing the initial board and giving them the onus to either impose or not impose a checkoff, it is a referendum on the concept of a checkoff, so that is democracy.

MR. ORCHARD: So then basically, Mr. Mayer, the harangue we've gone through here for the last half hour or three-quarters of an hour was a wee bit on the nebulous order . . .

MR. USKIW: Mr. Chairman, on a point of privilege.

MR. CHAIRMAN: The Member for Lac du Bonnet on a point of privilege?

MR. USKIW: The Member for Pembina alleges that the proceedings of this committee are a

and that any member that makes a contribution in the cross-examination in the hearing that is taking place is a harangue. I raise that as a matter of privilege.

MR. ORCHARD: Mr. Chairman, to appease the Member for Lac du Bonnet, I will withdraw the insinuation of a harangue, the extensive, repetitive, insistent, . . .

A MEMBER: Informative, knowledgeable . . . **MR. ORCHARD:** . . . questioning that the Member for Lac du Bonnet gave us over the last three-quarters of an hour . . . There has been some suggestion of a knowledgeable Member for Lac du Bonnet, but I would hesitate, if you don't mind — carefully, carefully, carefully I will hesitate.

But at any rate, now, Mr. Mayer, this is exactly what you had pointed out, I believe, in the beginning of your brief, that there were three guarantees of assurance of freedom and democracy, the exercise of democracy enacted in Bill 25, and is this what you were referring to, this registration of producers in the province who will vote, etc., etc.?

MR. MAYER: Yes, that is the principle that our association has adhered to in the sense that we believe that cattle shouldn't vote, that people vote, that regardless of the number of cattle you have that you should have one vote.

MR. ORCHARD: Very good. Now, you also mentioned a little bit earlier on that you would anticipate possibly a 95 percent participation level in the checkoff?

MR. MAYER: That was a guess based on the experience that Ontario has had. Their request for refund has run from, I think, 7 or 8 percent to as low as 3 percent and we took a figure in the middle which would be 5 percent for an easy figure to pick.

MR. ORCHARD: Now, there seemed to be considerable amount of concern voiced by some of the members questioning you tonight, that certain groups or organizations who are against the checkoff will not be properly represented by the producer organization and I would just like to further ask you if you think, and once again I'm asking a personal opinion, do you know of any group who are required to come to a consensus of opinion on a given subject? Do you know of any instance in the world where there has been a 100 percent consensus of opinion on a given issue?

MR. MAYER: No, I do not. I'm not very knowledgeable about what goes on in the world, but do not know of any' no.

MR. ORCHARD: Well, I quite frankly don't know of any either and I think that we would achieve a higher level of democratic representation if a 95 percent, or even a 90 percent, participation level was achieved in this producer organization. Would you consider 90 percent participation, hence representation, would indicate that a majority of producers are in favour of the organization?

MR. MAYER: Yes, I would take that as a fairly substantial vote of confidence in the conduct of the affairs of the association on whatever time period we're talking about.

MR. ORCHARD: You would think then that after achieving that 90 percent checkoff, that the association could probably quite safely speak for the interests of the beef industry in Manitoba?

MR. MAYER: Yes, I would think so. I don't think we like to delude ourselves to think that we're going to speak for 100 percent of the people on 100 percent of the topics 100 percent of the time. but surely there are going to be areas when everybody can agree on certain things and it would then be whoever we made our case to to decide themselves whether that was good for the overall society or not.

MR. ORCHARD: Now, there has been some mention by some of the previous questioners that, why do you need to have Bill 25 to achieve the aims of an organization? Why can't it be done on a voluntary basis? And at this point in time I would just like to ask, did you ever join the Cow-Calf Association?

MR. MAYER: Yes, I did.

MR. ORCHARD: Now, you correct me if I'm wrong. I understand at one point in time they had approximately 5,000 paid-up members in the Province of Manitoba, was that right?

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MR. MAYER: I couldn't comment on that accurately but I know the figure that I had seen at the time was 4,000 to 5,000 members, that's correct.

MR. ORCHARD: Now that was a voluntary association and with that level of membership, I would respectfully submit to the committee that they enjoyed a fair concensus of agreement among cattle producers in the province. Do you know whether that Cow-Calf Association at the time of that level of membership enjoyed any success in presenting their opinions to the administration of the day? Do you think they were listened to and their . . .

MR. MAYER: Oh, I think they were listened to. I couldn't comment, you'd have to ask the people that were in the administration of the day, but I think that any time that — and I was never involved with them as an elected member or an elected part of their executive or anything — but I think that the Government of the Day gave them a polite, thorough hearing whenever they had to. I know here was no problem with getting audiences with the Government of the Day at that time. I think that means something.

MR. ORCHARD: Fine, thank you.

MR. CHAIRMAN: The Honourable Member for Ste. Rose. Mr. Adam.

MR. ADAM: Thank you. Mr. Mayer, I just have a couple of questions because the former Minister of Agriculture has dealt with your brief. In the beginning of your brief, you mentioned that the Manitoba Cow-Calf Producers Association, the Manitoba Beef Growers Association, and many other cattle associations, support Bill 25. I am aware that the Minister, in introducing first reading of Bill 25, that he did mention that he had received a resolution from the Cow-Calf Association in support of the bill. Perhaps you have a copy, I don't know.

MR. MAYER: No, I do not.

MR. ADAM: Well, I understand that there is a petition that has been sent in by members of the Manitoba Cow-Calf Association, either present members or former members. I believe that there are two directors of the Manitoba Cow-Calf Producers Association who have sponsored this petition and it is now, I understand, in the file of the Chairman of this Legislative Committee, indicating the names thereon and the number of cattle that these people represent. I would ask the Chairman now to table that. If it is in order, Mr. Chairman, I would like that petition to be tabled so that the members will have access, so that the members will know that the mention here that the Manitoba Cow-Calf Producers Association supports this particular bill, does not have . . . In fact, I believe there are more names on this petition in opposition to the checkoff, as I understand, more names than were present at the annual meeting that passed a resolution in support of it.

MR. MAYER: I couldn't comment on that, sir. I am not involved directly with the Cow-Calf Association and I . . .

MR. ADAM: The next question . . . Well, it may come perhaps as some surprise to you to know that, I understand, this petition was sponsored by two directors of the Cow-Calf Association, so you do not have unanimous support by the Manitoba Cow-Calf Producers Association, except maybe the executives.

My understanding is that at one time the Cow-Calf Association had a membership of around 4,000 members and I would say surpassed the Manitoba Beef Growers and many other associations by a great margin.

MR. MAYER: That figure is correct and that's . . .

MR. ADAM: In my speaking to former members of that association now, the comments they make is because of the involvement of the Manitoba Beef Growers who became involved with them, and that was the demise of that organization. That is what they are telling me. Now, whether that is correct or not, I don't know. But I want to ask you, if this bill passes, there is a board that is going to operate for 18 months to register the producers of this province. How will they finance themselves for that 18-month period? Can you advise me?

MR. MAYER: I couldn't comment on that. I simply don't know. I think the bill provides that the election shall take place within 18 months and I think it could be sooner than that.

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MR. ADAM: Before 18 months.

MR. MAYER: The 18 months, I believe, is the outside and I have had nothing to do with discussing that kind of thing at all.

MR. ADAM: I would imagine there would be considerable costs involved to do a register . .

MR. MAYER: You would be right, if you were going to conduct an election it does cost money I would assume that that's true.

MR. ADAM: So how is this association going to be financed to do that job until they get an elected board? How are they going to finance themselves?

MR. MAYER: I'm not in a position to answer that question. We are simply here supporting the bill in principle and I'm not in a position . . . I have never really considered or thought about very seriously, the financing of an election and that kind of thing.

MR. ADAM: Are you going to run for office on the board?

MR. MAYER: No, I am not.

MR. ADAM: Thank you.

MR. CHAIRMAN: Mr. Uskiw.

MR. ADAM: Mr. Chairman, I made a request that this petition be circulated. Will it be made available to the members?

MR. CHAIRMAN: The petition is in the hands of the Chairman and is certainly available for the use of all members should they wish.
Mr. Uskiw.

MR. USKIW: Mr. Chairman, I would like to ask — perhaps I didn't get the answer or maybe I didn't ask the question. How many members did you say, or did you say, were in your organization?

MR. MAYER: I did not say. Our paid-up membership at the end of the 1977 was in the neighbourhood of 1,400, I think a few more than 1,400.

MR. USKIW: Is that a consistent figure or is that relatively significant in 1977 or 1978?

MR. MAYER: No, that figure is up a little bit over what it has been previous, but it has been in that area.

MR. USKIW: What is the membership fee that your organization charges?

MR. MAYER: Fifteen dollars.

MR. USKIW: Fifteen dollars. That's fine, thank you.

MR. CHAIRMAN: Are there any further questions for this witness? There being none, thank you. Mr. Mayer for your presentation.

MR. MAYER: I thank the committee for the opportunity.

MR. CHAIRMAN: At this time I would ask the advice of all members of the committee. We have still three distant witnesses who have indicated they wish to be heard this evening.

MR. USKIW: Mr. Chairman, on that very point, if those witnesses wish to proceed and if they are out of town, I would suggest that we continue. But if they are coming back tomorrow, then of course it is not that important. You may want to ask the witnesses, Sir.

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MR. DOWNEY: Mr. Chairman, if those individuals would like to present them tonight, I am quite prepared to sit and hear them through so we could proceed with them.

MR. CHAIRMAN: I should point out that our only time constraint is that Members of the Legislature have to be ready to go back into the Legislature at ten o'clock, so you can judge yourselves accordingly. (Proceed)

Mr. Larry Clifford.

MR. LARRY CLIFFORD: Mr. Chairman, members of the committee, the press, and interested persons. I am Larry Clifford. I'm Acting President of the Cow-Calf Association. I farm in the Dauphin area and operate a cow-calf operation with 500 head of all cattle.

The Cow-Calf Association is in support of Bill 25. We started our association four years ago with the intention of one day forming a single, well-funded organization to represent all at cattlemen in Manitoba. There has been a history of organizations rising when beef prices were low and the industry was depressed. When prices recovered and the volunteer labour that started these organizations became tired or just left the organization, the organizations faded. We need an organization that will weather the lows and the highs in the beef cycle and survives in a healthy and well-funded manner. If we had such an organization, we would be able to enact the provisions of this bill. The majority of the directors of our association supported a resolution at our last annual meeting, the contents of which we would support in principle the formation of a Manitoba cattle producers association so we would have one organization to encompass everybody, to represent the cattlemen of Manitoba.

Now, this organization would be, in my understanding, at the discretion of the board of directors. It could lean in any way, shape or form that those directors who are elected so wish and I don't think that it would be pressured by government to — I would hope it wouldn't be pressured by government — to lean in any particular political way.

The hour is late so I'll limit my remarks to what I have said so far.

MR. CHAIRMAN: Thank you, Mr. Clifford. Will you submit to questions from members of the committee?

MR. CLIFFORD: I will, yes, but I have a couple of colleagues from the association I would like to have come up and field questions along with me, if that's permissible.

MR. CHAIRMAN: I'll look for guidance to the Clerk. If it's the wish of the committee, let's proceed. Mr. Uskiw.

MR. USKIW: How many members are there in your association now?

MR. CLIFFORD: At the present time there are — I really don't know. As I say, I'm just the Acting President. I just got the job a few weeks ago. I think we have a considerable representation in the southeast portion of the province but as for the rest of the province, as I say, the volunteer labours have just dried up and we don't have . . . Probably several hundred but I really don't know the exact figure. I couldn't put my finger on the exact figure at the moment.

MR. USKIW: Are all executive officers of your association in support of Bill 25?

MR. CLIFFORD: All the executive?

MR. USKIW: Yes.

MR. CLIFFORD: I said the majority, I didn't say all.

MR. USKIW: I see. Are there regions which are not supporting Bill 25?

MR. CLIFFORD: In relation to the directors, there are, yes.

MR. USKIW: Okay. So you don't have a consensus within your own organization then?

MR. CLIFFORD: We have majority support; we don't have unanimous support.

MR. USKIW: How many members have supported Bill 25?

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MR. CLIFFORD: In what way . . . ?

MR. USKIW: Well, of your several hundred members, how many are supporting the bill?

MR. CLIFFORD: Let's put it this way. I have run into a few in my own area — I'm not travelling all over the province — that were opposed to the bill, I will admit that, but I have run into far more who were in favour of it, so as far as to put a figure on how many . . .

MR. USKIW: Would there be 200 or would there be 300 that would be in favour?

MR. CLIFFORD: That would be very hard to say. I would think it would probably be about two-thirds I would assume to say that.

MR. USKIW: Do you see anything wrong, in your view, and perhaps you are not accustomed to the legislative process, but since it is sort of a given, a no-no, that governments never pass laws that force people to belong to associations, that that is left up to the people's own voluntary effort do you think that it is reasonable to break that tradition in the formation of a cattlemens association through Bill 25?

A MEMBER: Are producers forced to belong to this organization?

MR. USKIW: Well, if you read Bill 25, it is obvious that they are forced to belong to this association. Even if they opt out, they are governed by the association.

MR. CHAIRMAN: Order please. Could the individuals please identify themselves.

MR. TERRY EYOLOFSON: I'm Terry Eyolofson from northern Manitoba, Interlake, and I have a cow-calf operation. The producers' the way I read it, once they opt out of the plan or out of the organization, they forfeit the benefits of the organization and therefore doing that, I don't think the organization would have any more hold on them.

MR. USKIW: Well, that's not the way the bill reads. But anyway, what is your position, if a person asks for his money back and wishes not to participate in this association, in your opinion, should this association have power over that individual by regulation or by-law?

MR. EYOLOFSON: Possibly. I don't read it as that.

MR. USKIW: But should they, regardless of how you read the bill, in your own mind, if you opt out of this legislation, you don't want to be part of this association, should you be exempt from control by this association?

MR. EYOLOFSON: I would think you would have to be.

MR. USKIW: You would have to be, so you would want to see the bill provide that?

MR. EYOLOFSON: I thought, the way I read it, that there was no control. You opt out and that was all there was to it.

MR. USKIW: All that refers to, sir, is the ability to get your money back. It does not refer to the regulatory powers of the association.

MR. EYOLOFSON: I think that the administration by-law, when it is written up, if the clauses are written into that, that it is acceptable by producers to opt out and it would be more understanding, rather than the legislation.

MR. USKIW: Do you believe that it is proper for the Government of Manitoba to introduce this measure, in which case it sets a precedent not only for Manitoba but for Canada, with respect to how farm organizations would be organized, or other organizations for that matter?

MR. EYOLOFSON: You say it hasn't been done before?

MR. USKIW: Never has been done before.

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MR. EYOLOFSON: I just wonder how the Pool was started.

MR. USKIW: Pool elevators?

MR. EYOLOFSON: Pool elevators.

MR. USKIW: They have an incorporation charter but the government of the land didn't pass a law establishing Manitoba Pool Elevators. It is under The Corporations Act, sir, as an incorporated company. That is not analogous to this situation.

Do you think that it would be right if we passed a law that you should belong to the Independent Cattlemen's Association?

MR. EYOLOFSON: Well, if I was a professional meeting going-to or an organization joiner, I guess I would, but I don't believe in belonging to every organization that comes up and I'm trying to stride along with one.

MR. USKIW: Then as a matter of principle, you would agree with me that people should not be compelled to belong to an association that they wish not to belong to?

MR. EYOLOFSON: I don't really know that it makes that much difference. In this instance it is a cattlemen's organization and you will either be in it or you will be out of it.

MR. USKIW: But should you be compelled to be in it?

MR. EYOLOFSON: I didn't read in the Act that it compels.

MR. USKIW: Regardless of how you interpret the Act, in your mind, do you feel that any Manitoba citizen should be compelled to belong to this association, by law?

MR. EYOLOFSON: I don't really know.

MR. USKIW: Well, then, let me put it you in another way. Do you think it would be right for the Government of Manitoba to pass a law which compelled you to belong to an association that you despised?

MR. EYOLOFSON: If I despised it, I probably would say so.

MR. USKIW: But do you think that they should pass a law forcing you to belong to it, because they think it is good for you?

MR. EYOLOFSON: Well, I think this bill is good for the beef industry and beef producers and I have no objection to it at all.

MR. USKIW: You think it is good for the beef industry. Do you think you should force a person who thinks it is not good to belong to it because you think it's good?

MR. EYOLOFSON: Well, I don't think they're being forced. I think you're reading something into it that other producers don't see.

MR. USKIW: No, I'm asking you a question of opinion as to the rights of citizens of Manitoba who happen to be beef producers, whether they should be free to not belong to this association, to opt out, to have their money refunded and not be governed by this association.

MR. EYOLOFSON: Well, I don't think the beef producers of Manitoba are going to force anybody to belong to an organization.

MR. USKIW: No, Mr. Chairman, you're not understanding the question. It is not the association, it is this legislation that does the forcing. So the time to act is in the legislative process; it's now, it's not once the bill is passed.

MR. CLIFF GRAYDON: My name is Cliff Graydon. I'm a beef producer from southeastern Manitoba, a cow-calf operator and small enough that I'm not with the feed lot operators. There's nothing in the legislation that forces anyone to do anything. They can opt out of it, request their refund and

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they do not partake in it but they will enjoy the benefits that the organization will supply for the rest of them, if there are benefits and which we see that there will be.

MR. USKIW: Under what Section, sir, do you see where a producer can opt out of the association?

MR. GRAYDON: It says that he can withdraw or ask for a refund of his money.

MR. USKIW: That's right. Yes, you are absolutely correct, sir. It says . . .

MR. GRAYDON: So is that not opting out?

MR. USKIW: No. It says, sir, that the board must pass a regulation providing for a means by which a person could ask for his refund but it does not state that that person is not subject to the by-law of this association.

MR. GRAYDON: Then why would the association be interested in someone that's not in it?

MR. USKIW: Well, for purposes of control and regulation, whatever form it takes.

MR. GRAYDON: Controlling and regulating what?

MR. USKIW: Presumably, we don't know that.

MR. GRAYDON: Oh, presumably, you're going to, by presumably so tell me, presumably what?

MR. USKIW: Well no, well wait a minute, we don't know that because the bill doesn't tell us why. All the bill tells us is that they can ask for their money back.

MR. GRAYDON: Exactly and . . .

MR. USKIW: All right, but it doesn't say that they are exempt from the powers of the association.

MR. GRAYDON: Well, what would the association want to do with them, presumably.

MR. USKIW: Bear with me, sir. We are passing laws. It is not what we intend or don't intend or what we think or don't think. We are passing a law that says a person shall belong to this association and if he doesn't like to belong to it, he can withdraw his funds but it doesn't say that he is not governed by the rules of the association even if he withdraws his funds. He is still part and parcel of the association.

MR. GRAYDON: Well then, could I compare that with the marketing board.

MR. USKIW: Yes, you sure can.

MR. GRAYDON: With the hog marketing board?

MR. USKIW: In which way would you compare it?

MR. GRAYDON: Or with all of the marketing boards?

MR. USKIW: In which way do you want to compare it?

MR. GRAYDON: If I want to raise hogs, I have to sell through them, I have to, I have no other alternative. Now there is an organization, government organization, it gives me no alternative . . .

MR. USKIW: No, you see, sir, . . .

MR. GRAYDON: . . . or else I could go into beef which we don't have a marketing board, thank the Lord for that. It's only that and sheep left.

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MR. USKIW: That, Sir, is not an analogous situation. A marketing board is not an association, it is a marketing agency. You can compare this bill with the Hog Producers Association of Manitoba, with the Sheep Breeders Association of Manitoba, with the Turkey Producers Association. You can't compare it with a marketing board. There is no analogy.

MR. GRAYDON: Well, there certainly is.

MR. USKIW: Should we pass a bill that says that there shall be a sheep breeders association in Manitoba and these are the powers that they will have, that is analogous. A marketing board is not analogous to this legislation. No one that is selling his product through a marketing board must belong to any association.

MR. GRAYDON: No, but he only has to sell through one organization. Is that not right?

MR. USKIW: That's right, that's a marketing provision but that is not forcing a person to belong to an association.: He can belong to any association.

MR. GRAYDON: Does he have any say on what their checkoff will be?

MR. USKIW: Yes.

MR. GRAYDON: And how is it done?

MR. USKIW: Yes, through annual meetings and so forth. It's provided for . . .

MR. GRAYDON: Through elected directors.

MR. USKIW: . . . but it's provided for, Sir, in the law. There are repeal provisions within the law for any one that doesn't agree with the decisions that are being made. There is provision for referendum where 10 percent of the producers petition for one. There are all sorts of checks and balances which protect the rights of the producer, but it is not analogous to this legislation because it is not an association. A marketing board is not an association.

MR. GRAYDON: This provides an option to opt out?

MR. USKIW: No, it doesn't, Sir.

MR. GRAYDON: . . . to ask for your money back . . .

MR. USKIW: Right, that is correct. No, we're not talking about money, Sir, we're talking about the right of a person . . .

MR. GRAYDON: If you don't pay, you don't belong to any of them.

MR. USKIW: No, that is not true, Sir, that is the problem with this bill. The problem with this bill is, first of all, that it is introduced by a government which should never be done. You should never install a private association by a statute of government. It can be done by a private member but it should never be enshrined by government.

No. 2, the opt-out provisions are not opt-out; they are only provisions to get a refund of moneys advanced and therefore you are still part of the association even if you ask for your money back, according to this bill.

MR. GRAYDON: No, Sir, I think you read that wrong.

MR. USKIW: Well, Sir, if you can show me where I am interpreting wrongly, I'd be very pleased . . .

MR. GRAYDON: Well, can you show me where I am interpreting wrongly?

MR. USKIW: We have debated this bill in the Legislature, Sir, for months almost, and all of our legal opinion has it as I have indicated to you, Sir. I am not a lawyer, I don't know. I assume that they're correct. I believe the government believes that is the correct interpretation. My question is: Should it be done?

MR. GRAYDON: Yes.

MR. USKIW: You think that that's fair, that I should belong to your association even if I don't want to and you should belong to my association even though you don't want to.

MR. GRAYDON: I said that the bill should go through. I didn't say I should belong to your organization or you should belong to mine . . .

MR. USKIW: All right then.

MR. GRAYDON: . . . because it doesn't say that.

MR. USKIW: Well it does, it says that you must belong to the Cattle Producers Association Act. When this bill is passed, every person who produces cattle will automatically belong to this association when that bill is proclaimed.

MR. DOWNEY: It does not say that.

MR. USKIW: Well, it does say that, Mr. Chairman, it does say that.

MR. DOWNEY: Mr. Chairman, I challenge the member to point out where it does say that every member, every individual has to belong to that association.

MR. USKIW: Well, would the Minister then point out where people are exempt from belonging to this association in this bill? Could the Minister then provide for us information where a producer does not have to belong to this association. I challenge him to show me that section.

MR. DOWNEY: I challenged him, Mr. Chairman, before he asked me.

MR. USKIW: Oh, come on, Mr. Chairman.

MR. DOWNEY: Firstly, Mr. Chairman, in the Act as it is written, no one is forced to participate because of the fact that they are allowed to receive their funds back and by that . . .

MR. USKIW: We're not talking about funds, Mr. Chairman, we're talking about association.

MR. DOWNEY: Mr. Chairman, do I have the floor or does the Member for Lac du Bonnet?

MR. CHAIRMAN: Mr. Downey.

MR. DOWNEY: He has been allowed a latitude tonight that I'm sure every member here would enjoy at many times and I have respected the Chair for what should be a little bit of order in the committee and I think the questions that he has repeatedly asked of each member and repetitively probably are allowed but the individual has been continually asking the same questions over and over of the same association.

As far as pointing out, I've made it clear that if an amendment were needed to clearly state that an individual were not a participant through withdrawal of funds that I would be amending it to clarify that this Act would not have any power over those individuals. —(Interjection)— No, it isn't.

MR. CHAIRMAN: The Member for Lac du Bonnet.

MR. USKIW: Mr. Chairman, on a point of order, Mr. Chairman, the Minister then agrees that the bill as it is presently worded is as I have stated then.

MR. DOWNEY: No, Mr. Chairman.

MR. USKIW: And we don't know what his amendments are going to be.35

MR. DOWNEY: Mr. Chairman, a member of the Legislative Assembly who has been around as long as the Member for Lac du Bonnet should realize that the process is to have the individuals come in and speak to the Act or speak to the legislation as being proposed and that's the process we're

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ing in. He continually badgers the individuals and is not prepared to carry on with the hearings so that we can get on and amend the bill as might be recommended.

MR. USKIW: Well, Mr. Chairman, I appreciate that I've had more legislative experience than the Minister has but I would like to point out to him that the due process of the formulation of laws in this province usually involves the Minister of the Crown who introduces the bill giving comments on second reading after having heard the Opposition. On this bill we had complete silence from the Minister with respect to what his thoughts were on the criticisms that were levelled by the Opposition and therefore we are today in a position in committee not knowing just what his intentions are. There has been no statement of clarification or intent given by the Minister to date, utter and absolute silence on this bill insofar as his participation in debate is concerned.

MR. DOWNEY: Mr. Chairman, on that point that is being raised by the Member for Lac du Bonnet, I think that I did make a comment on the hoist of the bill that they were filibustering, filibustering legislation that has no opposition to it other than what they've been able to muster themselves. They've been completely witch-hunting, looking for . . .

MR. USKIW: Mr. Chairman, on a point of privilege.

MR. CHAIRMAN: Mr. Uskiw on a point of privilege.

MR. USKIW: Mr. Chairman, I rise on a point of privilege because the Minister has now indicated that all the people who are here presenting briefs are here on the instigation of myself and my colleagues, and I think that is unfair to the committee and it's unfair to the people who are presenting briefs here tonight.

MR. CHAIRMAN: Mr. Downey on the point of privilege.

MR. DOWNEY: Mr. Chairman, the Member for Lac du Bonnet, as usual, interrupts before an individual can finish his statement and I was about to make the comment that I'm sure that the people who have sat here, both in opposition to it and in favour of it, have been self-instigated. I was going to continue to say that they have been continually witch-hunting for opposition from the broader sector and haven't been able to find it. I did not indicate that the people here tonight . . .

MR. USKIW: Mr. Chairman, on a point of privilege.

MR. CHAIRMAN: Mr. Uskiw on a point of privilege.

MR. USKIW: Are you going to allow the Minister to leave those remarks on the record, that members of the Legislature are out witch-hunting? Mr. Chairman, I move committee rise on that basis. That's nonsense. This is a regular process of law.

MR. CHAIRMAN: I would suggest that . . .

MR. DOWNEY: Mr. Chairman, I would withdraw my statement as far as the witch-hunting is concerned because of the individuals both in favour of and opposition to speaking to it here tonight. I think the process is good but I want the record to also show that the Opposition, in continually debating in the House, have delayed the committee stage so we could get at it and have the people from the province involved or who would be involved from getting into meaningful input. They have completely . . .

MR. USKIW: Mr. Chairman, on a point of privilege.

MR. CHAIRMAN: Mr. Uskiw on the point of privilege.

MR. USKIW: The Minister of Agriculture is suggesting to this committee that the debate in the Legislature should not have taken place, that consideration in the normal way, in the Legislative process is wrong. Mr. Chairman, he has been a member of the Assembly for less than nine months and he is trying to tell this Assembly and this committee that the proceedings in second reading are wrong proceedings. I suggest to him that if he has a problem, he should go to the Rules Committee and pass a motion that there shall be no debate on some of his legislation as he would prefer it or that the debate should be limited because that's his inference when he says that the

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debate was too long in second reading.

MR. DOWNEY: Mr. Chairman, that is not what I indicated or what I meant. If the Member for Lac du Bonnet took it that way, it was certainly not the intentions of what I said and I'm sure I didn't mean it that way and I didn't say it that way, but I do think the debate on second reading is very important. I think that the input, and I said it in my remarks on the motion to hoist the bill, that I appreciated, and that's on the record, I appreciated the input from the Opposition and that's on the record, Mr. Chairman. So I do think the debate in the House was very meaningful.

MR. CHAIRMAN: Are there any further questions to these witnesses? Mr. Uskiw.

MR. USKIW: Well, sir, so do you — we're now back to you, sir — that was to give you a rest?

MR. GRAYDON: Thank you, I needed it. At 2 o'clock in the morning.

MR. USKIW: Do you believe that it would be right for any government to pass a law that you should belong to the National Farmers Union?

MR. GRAYDON: Sir, there's no law being passed now that says I have to belong to anything.

MR. USKIW: Are you a cattle producer, sir?

MR. GRAYDON: Yes, I am.

MR. USKIW: This bill indicates that if you are a cattle producer that you will be a member of this association when it is proclaimed. Are you aware of that?

MR. GRAYDON: If I do not ask for my funds back.

MR. USKIW: No, no, sir. This bill . . .

MR. GRAYDON: What organization do you belong to that you don't have to pay anything, can you tell me that?

MR. USKIW: This bill indicates that even if you ask for your money back you are still subject to the rules and by-laws of this organization.

MR. GRAYDON: That would be up to the administrative directors, would it not?

MR. USKIW: No, it's the law of the land. We're not talking about what somebody may do. This is what is written in this document.

MR. GRAYDON: Oh, I see, well, then I'll live with it.

MR. USKIW: You will accept that?

MR. GRAYDON: Yes, I will. I have nothing to hide.

MR. USKIW: Okay. Then let me follow through. If this bill said that this is the Farm Union Associations Act instead of what it now says, would you still say the same thing?

MR. GRAYDON: No, I wouldn't.

MR. USKIW: You wouldn't. Why?

MR. GRAYDON: Because of the background and the past track record of the National and Manitoba Farmers Unions. It stinks.

MR. USKIW: Okay, that's a good reason; that's an excellent reason. Therefore, do you think because of the record of the Beef Grocers Association or the Farm Bureau, that the farm union members should have to be members of this association?

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MR. GRAYDON: It says that there will be elected directors by the Manitoba beef producers, not by the Farmers Bureau, not by the Manitoba Beef Growers or the Manitoba Cow-Calf Producers or anyone else. It is the people of Manitoba. That's the democratic way that things should be done.

MR. USKIW: You don't, obviously, appreciate the point I am making, sir.

MR. GRAYDON: You don't appreciate the one I am making.

MR. USKIW: Perhaps, sir, you are not familiar, and I don't fault you for it, not very many people are, that legislation introduced by government forming associations to which people must belong is just never done. This is a first, and it is an incredible document, sir.

MR. GRAYDON: Well, why not be first and see how it works.

MR. USKIW: You think that that's good.

MR. GRAYDON: That's how people got to the moon, you know.

MR. USKIW: All right, let's follow you through then. Then, if that concept is correct, then we must pass a law that says that the association of reporters must have an Act and everyone must belong to it with these powers. We must pass an Act that the Federation of Labour should have a law like this that says that they will be responsible for all workers in Manitoba and all employers of Manitoba will have to answer to them and that they will have the right to investigate them, to look into their books, to find out what their profits are. That's what you are saying, sir.

MR. GRAYDON: When you try something new you just don't go out and buy 10 of them. You buy one and you try it.

MR. USKIW: You don't? I see.

MR. GRAYDON: So try it, you might like it.

MR. USKIW: Let me then ask you, sir, how long have you been in the locality that you now are, sir?

MR. GRAYDON: How long?

MR. USKIW: Yes.

MR. GRAYDON: Seven years.

MR. USKIW: Where are you from originally?

MR. GRAYDON: I was born there. I went away to make enough money to come back to farm.

MR. USKIW: I see, okay. And you are a cow-calf producer or a feedlot operator?

MR. GRAYDON: Cow-calf producer and a small grain farmer.

MR. USKIW: Do you believe that the Cow-Calf Producers Association, in majority, support this legislation?

MR. GRAYDON: From southeastern Manitoba there is very little opposition and the only opposition, I might add, came from the fact that it was a voluntary checkoff.

MR. USKIW: That it is a voluntary checkoff?

MR. GRAYDON: That is the only opposition that I have got from any of our people in our area.

MR. USKIW: What is your particular position on that question? Would you prefer that it be compulsory with no opting-out provisions for refunds?

MR. GRAYDON: Yes, I would.

MR. USKIW: You would prefer that it be compulsory?

MR. GRAYDON: My own personal opinion, I would.

MR. USKIW: Do you believe that that is in the spirit of a free and democratic society?

MR. GRAYDON: Whether I believe that or not doesn't matter. I said that's my own opinion.

MR. USKIW: Okay, that's good enough.

MR. CHAIRMAN: Mr. Adam.

MR. ADAM: I have a question for you and also Mr. Clifford. It is the same question so you could both answer, or you could answer for the both of you.

Mr. Clifford felt that two-thirds of the producers that he had spoken to were in favour — the members of the Cow-Calf Association — two-thirds of several hundred, and you also mentioned that in the southeast, where you are from, that the majority are in support. If you have that kind of support, I'm wondering why we need to regiment anyone? This is regimentation here and I'm just wondering, if you have that kind of support, it is readily available according to your statement according to Mr. Clifford's statement, according to the Minister — he goes even as far as to say 83 percent are in support. It seems to me that you have it made without legislation. All you have to do is, you are going to have to register all these people anyway in the next 18 months.

MR. CHAIRMAN: Mr. Downey, on a point of order.

MR. DOWNEY: The Member for Lac du Bonnet has indicated that the Minister has said there was 83 percent support for the association. —(Interjection)— It's a question of the Member for Ste. Rose. Is that what he had indicated that the Minister had said. Would you repeat your question please. —(Interjection)— Was the statement made by the Member for Ste. Rose that I had indicated that there were 83 percent in support of the association?

MR. ADAM: You had 4,000 letters in support, Mr. Chairman — on the point of order — he has a stack of letters on his desk and he took pride — they looked about two feet high. They are nothing but waste paper two years old.

To repeat, it seems to me that you are going to have to do the registration. It is not clear how you are going to be financed to do that registration, but if you have the popular support that is suggested, it seems to me that you would not have to go to all that trouble to do it.

MR. GRAYDON: What is your question, then, that we shouldn't have to go through the trouble for the bill if we have support, is that it? It is not about our finances, but if we have the support then we shouldn't have to have the bill, is that it?

MR. ADAM: That's right, if you have that support.

MR. GRAYDON: I don't know how long you have held that Ste. Rose seat, perhaps you can fill me in. How long have you been elected?

MR. ADAM: Since 1971, but I might add I have been a producer for 45 years, livestock producer.

MR. GRAYDON: Then possibly you will know how producers are. When times are bad when they want help, and times are good they are not very much interested, are they? If you will just let your conscience do a little thinking instead of your political conscience — just let your conscience think and find out from yourself, from within, just where this starts. When the people are having good prices, enjoying a good living, they are not too much interested in what is happening in the industry and that's the time they should be interested. That is the time they can afford to be interested and they will probably, in the long run, take out the highs and the lows and level it off, because the organization will be working for them while they are working at home and enjoying the good living, instead of coming crying every four or ten, or whatever the cycle is. Instead of coming crying

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or help, they have their organization there and that organization can warn them ahead of time, or should be able to if it is being run properly, and there is no reason why it shouldn't be run properly because they are elected directors. If the guy is not good, get rid of him, it's as simple as that. That's my answer to the question. If you would like Mr. Clifford's . . .

MR. ADAM: Mr. Chairman, you are saying that there is popular support.

MR. GRAYDON: Yes, there is.

MR. ADAM: Right now. So has Mr. Clifford and so has the Minister. Yet we have never seen the livestock prices, at least I haven't in my 45 years as a producer, have never seen livestock at 73 cents — slaughter cattle selling for 73, or over 70 cents. And yet you are saying that when prices are high they don't want to belong.

MR. GRAYDON: I didn't say they didn't want to; I said they didn't bother.

MR. ADAM: They didn't bother? Well, now, you can't have it both ways. You are saying that they want this kind of legislation and then you are saying that when prices are high they don't want to belong, or don't want to bother. You can't have it both ways.

MR. GRAYDON: The prices have only recently risen.

MR. ADAM: That's right, I agree with you.

MR. GRAYDON: And we have been going for what? — the last four years trying to get this legislation. We came to Mr. Uskiw when he was the Minister of the day and he promised us this and he promised us that and then it was wait until this . . .

MR. USKIW: I never promised you this, never.

MR. GRAYDON: You should have; you would have been a hero. If you are a producer, you will know that right now most of the guys are making hay, they are not coming in here.

MR. USKIW: That's where I should be.

MR. GRAYDON: Yes, that's where I should be too; it rained on the way in. But they are not in here today and until their hay is up they are not going to be in here. They can't afford to be in here. And if there was some major thing came up, a major whatever you want to call it, in the industry, some major problem, and they can't afford to come, they can't afford to be there, to be on top of it, that's what that organization is for. There are people there to do that for them.

MR. ADAM: You are suggesting that there was no attempt at this kind of checkoff. I'm not going to say this bill because we would never have proposed this kind of a bill. But the checkoff was brought up by a private member through a resolution in the House every year that I can remember, at least three anyway, in the past seven years or eight years, so much so that the then Minister of the day decided to have a referendum on a checkoff in 1974 and it was rejected. A point was made by one of the previous people who presented a brief here — it was rejected. Would you then expect the Minister' after having a referendum, are you in favour of a checkoff, and they say no, would you still expect a Minister, under a democratic system that we have, to go ahead and do it anyway?

MR. GRAYDON: Then why did he?

MR. ADAM: Why didn't he?

MR. GRAYDON: Why did he have another referendum less than a year ago?

MR. ADAM: He had a referendum.

MR. GRAYDON: Well, that wasn't 1974 a year ago.

MR. ADAM: I'm talking about the checkoff referendum which was rejected, both, the other one two.

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MR. GRAYDON: referendums were rejected for one reason, because it was under The Natural Products Marketing Act.

MR. ADAM: Yes, but both of them were different?

MR. GRAYDON: The Natural Products Marketing Act is the same; was in 1974, is now, was last year.

MR. ADAM: No, no, no, no, no. The only referendum, as I recall it, and I voted in it, was: Are you in favour of beef checkoff or not?

MR. GRAYDON: But it was still under that Act.

MR. USKIW: There were no marketing powers.

MR. ADAM: No, there were no marketing powers to it.

MR. GRAYDON: Oh, but they were there. There was just exactly what you are trying to say here. They were there.

MR. ADAM: I have no further questions.

MR. GRAYDON: You are trying to say that there are powers in this bill. Well, I say there is not.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Yes, Sir, you had indicated that it is important to have this association so that farmers could be working on the farm while their organization is working on their behalf in other fields legislative or wherever, and you know that sounds very good. But we had the example here tonight of opposing views within the same organization and I'll give you the illustration. It was here only moments ago where a member stood and said that he belonged to a number of organizations including the Farm Bureau, and I wouldn't be surprised if before we are through that the Farm Bureau presents a brief in support of this legislation, while this member of the Farm Bureau presented a brief in opposition to it. Do you not see the same thing happening even with the passage of this bill, that while you are on the farm presuming to look after your production, your association will be presenting its views on your behalf, but there will be views that you don't agree with and that you may want to present contrary opinions.

MR. GRAYDON: Mr. Uskiw, I put up with that for the last four years.

MR. USKIW: I don't follow your thoughts there.

MR. GRAYDON: With legislation that was being passed that I didn't really appreciate, but the man who was elected was from the party and the legislation was passed. He didn't come out and say, "Hey, Cliff, come here, I want to talk to you about that." He didn't bother saying that.

MR. USKIW: But we're talking about your association, sir. We are talking about your association representing you and your viewpoint, and we had the example here tonight of a number of people saying that they belong to the Farm Bureau but that they don't agree with the Farm Bureau's position on this question. Aren't you going to find yourself in the same predicament, even with this association, that they will not necessarily speak your point of view?

MR. GRAYDON: Well, under the democratic rule it's a majority rule, is that not right? I can live with that, I will live with that.

MR. USKIW: That's correct, if it's a voluntary organization. If it's a legislated organization, then there is no democratic procedure. But, don't you think it is wrong in principle for someone to presume to represent your view when you are a captive of that association rather than a voluntary agent?

MR. GRAYDON: If you feel that you are a captive, fine, but I don't feel like I'm a captive. I feel

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ike I'm a part of it . . .

MR. USKIW: But you're in favour of it though.

MR. GRAYDON: Oh, I'm in favour of it.

MR. USKIW: But if you were totally against this, would you not feel that you were a captive of his law?

MR. GRAYDON: No, I wouldn't . . .

MR. USKIW: You think it would be good.

MR. GRAYDON: . . . I've made my voice clear against it, if I was against it, and I'd have to live with the majority. That's democracy.

MR. USKIW: With the majority. Of course we haven't had a vote on it, so we don't know who the majority is. How do you interpret the majority at this stage?

MR. GRAYDON: I think we're safe when we say the majority will support the bill.

MR. USKIW: How would you know that?

MR. GRAYDON: By talking to the people in my area.

MR. USKIW: I see. .

MR. GRAYDON: By talking to people from other areas, by seeing what happened to the last vote.

MR. USKIW: How do you say that then, yes, all right . . . Are you saying that there was a significant change of opinion since the last referendum on this issue?

MR. GRAYDON: How do you mean?

MR. USKIW: Well, we had a referendum on the very same substance and the referendum did not carry, and that was in 1974.

MR. GRAYDON: It was under the Natural Products Marketing Act, it defeated that referendum, and that's what defeated it.

MR. USKIW: That's right, it was under The Natural Products Marketing Act. . . .

MR. GRAYDON: And the producers have told you that since then, that they do not want to be under that Natural Products Marketing Act.

MR. USKIW: The provisions of the vote, however, were spelled out very clear, where the only thing that they were voting on was the checkoff to fund an association, and I will read it to you, so that you would refresh your memory. I have here a copy of that particular document, and this is a letter that went out to the producers, sent out by the Manitoba Marketing Board, along with the Manitoba Beef Growers Association. It says here:

"The Manitoba Beef Growers Association has applied to the Manitoba Marketing Board for a promotion plan, under The Natural Products Marketing Act. Before the plan can be approved by the Manitoba Marketing Board, and recommended to the Minister of Agriculture, it is necessary to determine the degree of support by cattle producers for the plan. The Manitoba Marketing Board, and the Manitoba Government, do not take a position either in favour of or in opposition to the proposed plan. This vote is being conducted only to determine the degree of support for the plan by producers.

Some of the highlights of the proposed Beef Growers Promotion Plan are:

1. Administration by a producer-elected council. All persons who sell cattle will be automatically registered by the council, and will be eligible to vote for the election of the Board of Directors.

2. General purpose to provide for the promotion in any and all respects, by the council of the

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marketing of the regulated product, within Manitoba.

3. Market Regulations. The plan does not provide for the control of the marketing of cattle and calves.

4. Financing. The council may impose a levy on cattle and calves when marketed to finance its programs, but any such levy is subject to the approval of the Manitoba Marketing Board."

So it was clearly spelled out that there were no marketing powers, but merely a checkoff to fund an association. Yet, the majority of these people, there were 7,271 who registered for the vote, the total number who voted was only 5,747 — 79 percent in effect — the results were 2,451 in favour, which is 42 percent, 3,245, which is 57 percent against. So that, you know, what other position could the government of the day or any government take when you put the question and it was rejected, other than to simply accept that as a decision of the producers, and here we are putting it through in legislation after having that kind of result.

MR. GRAYDON: Well maybe some people have realized that once this is outside of the The Natural Products Marketing Act, we will not have a marketing board, which we do not want as beef producer in Manitoba.

MR. CHAIRMAN: Mr. Clifford? Are there any further questions for these witnesses? If there are none, thank you for your presentation.

The next name on the list is Jim Pollock.

MR. JIM POLLOCK: Mr. Chairman, I wish to present a brief on behalf of my own beliefs as a livestock producer at Neepawa. There are four points that I wish to present to your committee.

No. 1. The passing of Bill 25 will set up an association of businessmen, who have one common interest, namely, beef production. I think this is a point that has been neglected often tonight, in that as you narrow the interest or get closer to an organization with common interests then more accomplishment can result. My experience in the past has been that various organizations have tried to represent the interests of the beef producers, along with the interests of feed grain producers, pork producers, poultry producers, and every other form of agriculture production. As a result, most worthwhile ideas for improving the beef industry have been nullified by conflicting interests of producers of other commodities.

Governments have often found themselves in the same position where interests of consumer and producer conflict. It is my opinion that for the first time beef producers can be responsible for their own business.

No. 2. The democratic system of representation on the association allows all beef producers to participate and be heard.

No. 3. That the provision of funds will allow beef producers to put their own promotional programs into action.

No. 4. The provision for the collection of statistical information with which to use for making sound judgment and promotional decisions, in my opinion, is a must, and I feel at the present time that this is not forthcoming to any of the beef producer organizations that exist at the present time.

For these reasons, I speak in favour of Bill 25.

MR. CHAIRMAN: Thank you, Mr. Pollock. Will you submit to questions from members of the committee?

MR. POLLOCK: Yes.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Yes, Sir. You indicate that passage of Bill 25 would bring together people with a common interest. Why do you need any legislation to bring together people of a common interest? I say that, because you now have a number of beef associations, or beef producers associations who have voluntarily set up their organizations and have been functioning. Why do you need a law that creates an organization?

MR. POLLOCK: Well, I feel that the law facilitates the membership of all beef producers much more than any particular organization at the present time which doesn't have a funding system.

MR. USKIW: Well, what prevents the present associations from funding themselves through a levy on their members, through a membership fee?

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MR. POLLOCK: I feel that part of that is the communication problem of reaching out to all of the beef producers plus conflicting ideas with regard to other commodity groups which tend to influence some of the producers into not dealing specifically with that business of beef production.

MR. USKIW: Well, you talk about conflicting ideas which influence people not to participate. Isn't that the very substance of volunteering your participation, isn't that the importance of a volunteer approach to an association is that there are differences of opinion and that those differences must be respected?

MR. POLLOCK: Yes, I believe those differences should be respected and I believe that the facility should be set at hand where they can be easily presented through this type of an organization.

MR. USKIW: Do you believe, Sir, that it is proper for a government to pass laws telling people which associations they must belong to or establishing an association for people that they must belong to them?

MR. ADAM: Whether it's a church or a political party or . . .

MR. USKIW: Any organization.

MR. POLLOCK: I have had a rough time with this one all night for several different reasons: (1) I feel that all of the beef producers as businessmen — I have trouble imagining why any beef producer as a businessman would not want to belong to an organization specific to that business as a private businessman. This does not include churches or any social thing and I don't see how it conflicts with anything like that at all.

MR. USKIW: Well let me then give you the reasons. You say you can't imagine why a producer of beef wouldn't want to be involved in an organization. Well, I don't believe that that is true. I think many producers belong to an organization, but they belong to different organizations who have different points of view. You have seen here this evening people who are advocating strong measures of intervention in the marketplace through some national system. You have others that are totally opposed to that. Yet you are assuming that by a stroke of a pen, by the passing of this bill, that we can marry those two opposing ideas.

MR. POLLOCK: That is not the way I see it.

MR. USKIW: Well, but you are suggesting that they can all participate in this association, when from Day One they are totally opposed to each other's position.

MR. POLLOCK: That is the reason for the setup of the voting privileges in the organization as far as I am concerned, that opposing views can come together and meet some common ground.

MR. USKIW: You see nothing wrong with this kind of legislation coming through as a government bill.

MR. POLLOCK: I see it as a facilitator for setting up a specific organization for that commodity and I have always been in favour strictly of commodity groups rather than a conglomeration of farmers that have so many varying interests that you couldn't list them on ten pages of paper.

MR. USKIW: All right then, let's then follow this through the next step. Let's assume that this bill didn't read the Cattle Producers Association Act, but it read the Beef Growers Association Act, would you still be in favour of it? —(Interjection)— Just what I said

MR. POLLOCK: That's cattle or beef or whatever.

MR. USKIW: You would still be in favour if the title was the Beef Growers Association Act.

MR. POLLOCK: With my definition I don't see why it would make any difference.

MR. USKIW: All right, then let's take it a step further and we will call it the National Farmers Union

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Beef Growers Association Act.

MR. POLLOCK: Okay.

MR. USKIW: Is that okay too? Do you think a government should pass such an association

MR. POLLOCK: No, Sir, I don't.

MR. USKIW: Why?

MR. POLLOCK: Because it is not a commodity group.

MR. USKIW: Oh no, it will be a National Farmers Beef Association Act.

MR. POLLOCK: The word "farmer" has always been a bit of a mystery to me because it is such a nebulous word that it really means nothing.

MR. USKIW: No, but look, you know, this is all a matter of conjecture what kind of legislation the Legislature will be asked to pass in the future, and I wanted to learn from this exercise just how far you are prepared to support a measure. If you are prepared to support a measure that the government, in its wisdom, believes that the only way to form a farm organization is to pass a statute, then I accept what you are telling me and I accept your honesty in that respect, but simply point out to you that in adopting that position, you may be laying the groundwork for an organization that you will not like, some day, somewhere.

MR. POLLOCK: Well, I see some things in our society today that, in my opinion, are much worse than that sort of thing and they involve things that people have to do whether they like it or not and I figure this is a pretty democratic thing compared to a lot of them.

MR. USKIW: Should we pass a bill like this, that has a name called the Cattle Producers Marketing Board Act of Manitoba, by law?

MR. POLLOCK: The name means really nothing; as long as the Acts of the bill are very very similar in my opinion, to what those are.

MR. USKIW: Let's take this document — I don't know if you are familiar with it. It's the recommendations of the Inquiry Commission Into Livestock Marketing in Manitoba, and let's assume that the government said, "Yes, this is a very capable commission. They have done their job we think the recommendations are the right recommendations." Should we pass a bill implementing those recommendations?

MR. POLLOCK: I'm speaking in favour of this bill . . .

MR. USKIW: I know, I know. That's right.

MR. POLLOCK: . . . that has nothing to do with it as far as I'm concerned.

MR. USKIW: Oh, yes. Well, let me explain, Sir. What it has to do with it, Sir, is the intervention of government in the affairs of the beef growers. Here you have an intervention of government . . .

MR. POLLOCK: I see it as being opposite to that.

MR. USKIW: Oh, no. Now this is an intervention into the affairs of beef producers of Manitoba. It happens to be a certain kind of intervention preferred by this government, preferred by this government.

MR. POLLOCK: I see allowing the beef producers the right to run their own show as being a good thing . . .

MR. USKIW: No, that's not what it's doing.

MR. POLLOCK: . . . for the beef producers in spite of any government existing at the time and

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in the long run, we can develop programs and policies which hopefully will improve the beef business.

MR. USKIW: Well, we have no problem in agreeing with the idea of the beef producers running their own show and we suggest that the government should stay out of it completely. Now having set this precedent established, if this bill passes, then I suggest to you that in the future you can expect any number of innovations with respect to commodity organizations or whatever . . .

MR. POLLOCK: Well, I see, I see . . .

MR. USKIW: . . . and the precedent will be here in Bill 25 and any government that introduces legislation similar to this on whatever . . .

MR. CHAIRMAN: The Member for Rock Lake on a point of order.

MR. EINARSON: On a point of order, Mr. Chairman, . . .

MR. CHAIRMAN: The Member for Rock Lake on a point of order.

MR. EINARSON: . . . I think that we've been very patient for hours now listening to the Member for Lac du Bonnet. I appreciate the fact that if he will relate his questions, and he is now debating most of his time, and I would appreciate it if he would get back and ask the witness questions pertaining to Bill 25 and not debate all evening. I would hope, Mr. Chairman, that the Member for Lac du Bonnet would start doing that from now.

MR. USKIW: Mr. Chairman, what is at issue in Bill 25 is the rights of Manitoba citizens. It is not a cattlemen's issue. That's incidental to this legislation. What is at issue in this bill is whether a government should pass a law that forces people to belong to an association and, therefore, Mr. Chairman, I ask this witness whether he believes that he should be forced by law to participate in an association not of his own choosing, whether he would want that imposed on him by a statute such as Bill 25.

MR. POLLOCK: I don't feel that Bill 25 does that. As the members of the association are elected like they are in any other association, I can't see why that organization can't change the rules to agree with their membership which is the membership that they are responsible to.

MR. USKIW: This bill doesn't say that, Sir. This bill says that the government shall appoint 12 or 15 members initially who will set the groundwork for the electoral process, which we don't know what it's going to be, . . .

MR. POLLOCK: But they have to set the groundwork for that.

MR. USKIW: . . . and over which there is no appeal, Sir, — no appeal, Sir — to the government. If this particular group decides on procedures that are not to your liking in registering producers, in establishing the ground rules for elections, do you think that it's right, Sir, that you would not have any right to go to your Minister and say, "We don't like the registration procedures under Bill 25, that this committee is not fair to me." Don't you think it's right that you should have the right of appeal?

MR. POLLOCK: The ground rules of Bill 25 set out that in the Act that a vote of producers has to be made to choose their directors.

MR. USKIW: Right.

MR. POLLOCK: So I don't see why the question should go any further, that's a democratic right, . . .

MR. USKIW: I raised the question . . . No.

MR. POLLOCK: . . . and if people have different views, then they express them in their election.

MR. USKIW: Well, Sir, let me clarify for you. The provisional board will make all the decisions with

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respect to how a board is going to be elected. They will determine the registration procedure the election procedures, the eligibility of who is going to vote, who is going to run for office, & of that is going to be done by an appointed board, Sir. Oh, yes.

MR. POLLOCK: The registration procedure is set out in the bill, is it not?

MR. USKIW: No, no.

MR. CHAIRMAN: Order, order please. There seems to be a bit of additional conversation that make it very difficult for the recording apparatus to pick up the witness and the members of the committee. I trust all members of the committee will bear that in mind. Continue please.

MR. USKIW: Let me read to you Section 11(1): "Within three months after coming into force of this Act, the association shall pass an administration by-law which shall provide for the registration of producers." I asked the Minister which producers, all of them, some of them, none of them. Are they going to include every region? Are they going to exclude regions? Are they going to have eligibility definitions that will reject some people? We don't know that. It says, "this association will do it. I don't even know who the association is. It says, "The election of the members of the association to be held not later than the end of 1979, the appointment of the officers and committee: the method of calling and holding meetings," all of these things are predetermined . . .

MR. POLLOCK: For the definition of the word "producer" in Section (e), it means any person who raises or keeps cattle in Manitoba and so forth. Now registration of producers under the Act has to be carried out with that definition in mind.

MR. USKIW: The fact of the matter is, Sir, that this particular provisional board has the power to set out the basic administration by-laws which will predetermine the methodology of holding the election, the drawing of boundaries, of districts — which is crucial, which is crucial.— They can be extremely selective — I hate to use the word "gerrymandering," but it can be done, it can be done — and that we have no redress. If there was an opportunity for you, as a cattleman, to be able to go to Mr. Downey and say, "Mr. Minister, I don't like what your board is doing; I appeal to you to do something about it," if this bill had that, it would have an ounce of credibility. It doesn't have that. This agency can throw you out of their office and you have no other place to go.

MR. POLLOCK: The appeal, as far as I'm concerned, is allowed in the fact that it's a democratic system . . .

MR. USKIW: No, it isn't.

MR. POLLOCK: . . . and the producers are defined here and they have a say, they have to have.

MR. USKIW: Well, they haven't. Mr. Chairman . . .

MR. POLLOCK: Show me where it says they don't have . . . if it doesn't allow that.

MR. USKIW: Well, Sir' it doesn't allow it because the producers aren't involved until there is an election and the election machinery is decided by the provisional board which is appointed and over which there is no appeal.

MR. POLLOCK: It says, "Election of members of the association," I don't see any conflict there at all. I just can't see it.

MR. USKIW: Well, you think it's all right for an appointed board to pass rules with respect to the administration, with respect to the election that is going to be held, with respect to drawing up of boundaries and criteria, that there should be no appeal on the part of anyone who feels that there has been a bad decision made? Do you feel that that is democratic?

MR. POLLOCK: I think the appeal can be registered through the election that has to be carried out . . .

MR. USKIW: No, no, no, no.

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R. POLLOCK: . . . in the first year of operation of the organization.

R. USKIW: No, Mr. Chairman, Sir, you misunderstand my point. All of these decisions are made by the appointed board, therefore, the elected board has no authority, it's not there yet. All of these decisions are made by the appointed board and there is no recourse, there is no appeal provision. Therefore, if you, as a producer, feel that you have been wronged in one way or the other by this decision, you have no place to go.

R. POLLOCK: You can go to your representative on the association, your elected representative.

R. USKIW: But there isn't one yet. We are talking now about the provisional board, Sir, appointed by the Minister, given all these powers, and you cannot appeal the decision of that board to anyone.

R. POLLOCK: I am not in conflict with the powers they have.

R. USKIW: You think that it's reasonable . . .

R. POLLOCK: I agree with the way the Act sets out the formation of the association.

R. USKIW: You believe then that it's reasonable to give unlimited authority and power, virtually unlimited authority and power, to a group of people over which there is no appeal?

R. POLLOCK: I think it is . . .

R. USKIW: Do you think all of our laws should be passed that way, Sir?

R. POLLOCK: I don't know of any power here that is inconsistent with my beliefs.

R. USKIW: Well, let me put it to you another way then, Sir. Do you know of any other jurisdiction that conveys this kind of power to a private group without an appeal provision to some public agency, anywhere?

R. POLLOCK: Well, the only one that I could think of that comes kind of close is the forced membership in some of the labour unions.

R. USKIW: Forced membership? Would you give me an example of where a labour union can force membership?

R. POLLOCK: Legally, not likely. Practically they do though.

R. USKIW: Do you know, Sir, that if I, as a member of a union, don't like my union under The Labour Relations Act, that I can undertake a movement to take the membership away from that union and join another union? That I can do that every year that there is a provision in the statute that decertifies a union, that takes away its powers?

R. POLLOCK: Well, under this Act I see that the same thing could happen . . .

R. USKIW: No, no.

R. POLLOCK: . . . by members asking for a refund and joining another association.

R. USKIW: Well, Sir, let me pursue that again with you then. They are now members of other associations, some of these people, but some may want to join other members. But you have indicated to me that they should not be allowed to get out from under these regulations. I have asked that of you before, that if they ask for their money back and they indicate they don't want to be party to this association, should these regulations apply to those people? Perhaps I should repeat that question then. Do you think that these regulations should apply to people who indicate that they don't want to be part of this association?

R. POLLOCK: I don't see where they do.

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MR. USKIW: You say they don't. I see.

MR. POLLOCK: If they want out.

MR. USKIW: Well, all right. Have you sought legal opinion on that point?

MR. POLLOCK: No, Sir.

MR. USKIW: Oh, okay, fine.

MR. CHAIRN: Mr. Adam.

MR. ADAM: Thank you, Mr. Chairman. I just wanted to ask Mr. Pollock, do you belong to an association now of beef producers?

MR. POLLOCK: No, Sir.

MR. ADAM: You don't.

MR. POLLOCK: No.

MR. ADAM: I just want to ask you once again, you believe that there should not be any appeal mechanism?

MR. POLLOCK: I told you before, and Mr. Uskiw, that I believe the appeal mechanism, as I would define it, is set up through the vote.

MR. ADAM: But there will be people who will, after the association is under way — and I presume it will be — after it is under way and everything is going nice and rosey, there will be somebody that will be coming in, there will be, there's no doubt about that, and more than one, there will be many, particularly before the elections are held.

MR. POLLOCK: You said after the association is set up. The association is set up by the election

MR. USKIW: No, no, set up by the appointments.

MR. ADAM: Everything is going to be set up by the appointment. The elected people will have nothing to do when they get there. That's right, it will be all cut and dried for them.

MR. POLLOCK: The elected people will have to deal with their members that voted them in

MR. ADAM: They will decide how to spend the money.

MR. POLLOCK: . . . the same as any MLA.

MR. ADAM: We will not be able to help anyone. The government, the Minister will not be able to help anyone. I am asking the member if he does not feel that there should be at least some appeal as is available on every other legislation that I can think of for a person who feels himself aggrieved, and there will be many.

MR. POLLOCK: I think that the Act has to be tried. I think that the disagreements with the way things are set up can be changed once the elected members are in place.

MR. ADAM: You won't be able to change the legislation. It's all there. Nobody changes this except the government, that's all, nobody can change that. You have to come back here and ask us, "Please change it because we made an error."

MR. POLLOCK: I don't see where these conflicts are coming though. Where are rights being denied?

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on't believe they are.

USKIW: The rights of association are being denied.

ADAM: Regulations, under the regulations is one.

POLLOCK: The interim period between the election and the Act being passed is . . .

ADAM: Not necessarily, not necessarily.

POLLOCK: . . . is in conflict, not the fact that once the thing is operating it's . . .

ADAM: We're not talking about money or getting a rebate. That's a side issue. The money if you put in you want back out, that's a side issue. What we're saying is that once you've decided take your money out, you are still bound by this legislation, you still have to provide information and keep books and this applies to auction marts, storekeepers, processors, a lot of people who are not directly involved with the . . .

POLLOCK: If that is not the wish of the registered producers, then by democratic principles it can be taken out.

ADAM: It's right in the Act. We're saying that there should be an appeal there for that to make sure that it happens. That's all we say.

POLLOCK: Where is that in the Act?

ADAM: 7(1).

POLLOCK: Specifically that they have to have that. It allows that they can or they may, but specifically in there, where does it say that they have to do that? I don't think it's there. I've looked over and I can't see it.

ADAM: No, it says "may." Of course it says that.

POLLOCK: It says "may," so then there's no argument.

ADAM: Oh yes, there is.

USKIW: But they may do it.

ADAM: They just may do it.

POLLOCK: They may do it by election.

USKIW: No, they may do something before the election.

ADAM: So, I'm asking whether you do not feel that it would be a lot safer for an appeal mechanism . . .

POLLOCK: That, as I read it, is allowed to be decided upon by the elected representatives of all beef producers in Manitoba, that's the way I read it in this Act.

ADAM: There will be many who will not belong to it, many, maybe more than 50 percent.

POLLOCK: That is their privilege.

ADAM: That's right, but they will be bound, they will still have to provide books and information, is that not correct?

POLLOCK: I cannot see that elected members of the association would not go with the wishes of the people that elected them in there.

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MR. ADAM: Well, you know, I know that farmers by and large are nice guys, but you've got . . .

MR. POLLOCK: This is the first time that we've ever had a unified voice in beef production

MR. ADAM: Let's presume that a merchant, the association comes in and tells a merchant, "You will now keep books for us, we want you to give us this information. It's going to cost you . . ."

MR. POLLOCK: I think statistical information must be provided for any commodity group to make proper decisions in promoting their private business.

MR. ADAM: Yes, but the issue is, if you go into a merchant and you say, "You will keep books for me," and he says, "No, I can't do it. I've got to hire staff to do it. It's going to cost me money." He has to do it under this legislation whether he likes to or not. There is no appeal. He has no place to go to.

MR. POLLOCK: Well, he's required to with everything else anyway so . . .

MR. ADAM: He doesn't vote, he is not a producer, he's not involved. He doesn't have a right to vote. This is what we're saying that there should be some mechanism for those people who are not involved. That's democratic. This is what we are concerned about and I think that if you think this over you will reconsider your position on that particular issue. That would be a big . . .

MR. POLLOCK: I've thought it over very carefully and I have presented you with my beliefs.

MR. ADAM: Well, that's fine.

MR. POLLOCK: I still believe that the organization that represents beef producers must be an organization of beef producers, and strictly beef producers.

MR. ADAM: And what happens to the merchant who says, "No, I don't want to keep books." What happens to him?

MR. POLLOCK: I guess the same thing that . . . I agree with the amendment that was put forward by the Manitoba Beef Growers Association.

MR. CHAIRMAN: If there are no more questions, thank you, Mr. Pollock for your presentation.
Mr. Sangster.

MR. USKIW: Mr. Chairman, how many are there, do we know?

MR. CHAIRMAN: This is the last one on this . . .

MR. RON SANGSTER: Mr. Chairman, and committee members, my name is Ron Sangster from Kenton, Manitoba. I'm a cattleman and I'm also president of the Manitoba Limousin Association and second vice-president of the Canadian Limousin Association. I don't really have a prepared brief here. I just would like to comment. I think in the Bill under No. 2, Purposes, I think that in my opinion the cattlemen in Manitoba that I know, and I know a few, when you read under Purpose there, I think that explains things pretty well down to what we want and I would just like to say that I would support the bill.

MR. CHAIRMAN: Mr. Sangster, if that completes your remarks, are you willing to submit to questions from members of the Committee?

MR. SANGSTER: Well, I guess. Everybody else has.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Yes, I wonder if you would tell us, Sir, how many members are there in your association.

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R. SANGSTER: I believe we have 50 active members.

R. USKIW: And have you had a meeting of that association to determine their position on this?

R. SANGSTER: At our last board of directors meeting this was discussed, yes.

R. USKIW: It was not brought up with the general membership then?

R. SANGSTER: I'm trying to remember. Yes, I believe it was.

R. USKIW: Do you know what the vote was on it within your membership?

R. SANGSTER: Not offhand, no.

R. USKIW: Was there a vote with respect to this question?

R. SANGSTER: I don't believe there was. It was discussed.

R. USKIW: So you don't really know whether a majority of your members support this bill then, that it? You're representing yourself are you?

R. SANGSTER: Yes.

R. USKIW: I see. You're not representing the association.

R. SANGSTER: Well, as president of the association, I'm speaking on behalf of the board of directors.

R. USKIW: But not the membership?

R. SANGSTER: The board of directors were elected by the membership.

R. USKIW: No, but with this kind of legislation, it's somewhat expected that the general membership would have some input and a decision would be made by a membership meeting to give some credibility and that's the reason I put those questions, Sir.

Notwithstanding that, it's not uncommon that various associations don't solicit the views of their members. We have had that example demonstrated here tonight on more than one occasion by number of people. The Farm Bureau, as an example, never consults its general membership. It is a liaison connection with commodity groups, but we often find ourselves in a position where the general membership and the Bureau's position are at opposite ends from time to time, not always, it from time to time. And it's worthwhile for legislators to understand that in order to measure the quantum of support for any proposal or any submission that is made to the government. To the extent that we have the submission in its proper context, then we are able to judge the value of that submission.

I would like to ask you, Sir, whether as a matter of principle, you believe that governments should legislate associations into existence?

R. SANGSTER: I do not interpret Bill 25 to read that.

R. USKIW: What is your interpretation of Bill 25? What does it do?

R. SANGSTER: I believe I gave my opinion on that under the purposes of the bill, under No.

R. USKIW: Well, all right. Do you not understand, Sir, that when this bill is proclaimed that every cattleman in the Province of Manitoba will automatically belong to this association? Do you not understand that?

R. SANGSTER: I do not. Go over that again.

R. USKIW: That when this bill is proclaimed every cattleman in Manitoba will belong to this association whether they want to or not. Do you know that?

MR. SANGSTER: When I read the bill I do not read that.

MR. USKIW: You don't read that.

MR. SANGSTER: No.

MR. USKIW: I see, I see.

MR. SANGSTER: Like, I do not understand that to tell me . . .

MR. USKIW: Yes. And your membership isn't aware of that provision, is that it?

MR. SANGSTER: I can't speak for all the membership.

MR. USKIW: Have you had a legal opinion on this bill presented to you?

MR. SANGSTER: No.

MR. USKIW: No!, I see. Do you think it would be right for the Government of Manitoba to pass a law that forced you to belong to an association that you do not wish to belong to?

MR. SANGSTER: Once again, when I read Bill 25, I do not see that in there.

MR. USKIW: Well, if you don't see it, that's fine, I just want an opinion from you. Do you think any government should pass a law that would force a person to belong to an association that they do not wish to belong to?

MR. SANGSTER: Once again, I was supposed to answer questions about Bill 25.

MR. USKIW: No, that's right, it's germane to this bill, it's very relevant, Sir. We want to know whether it's an acceptable practice in your opinion that governments should pass legislation that would force people to belong to associations that they do not wish to belong to.

MR. DOWNEY: He doesn't have to answer any questions about that.

MR. USKIW: He doesn't, no, that's right.

MR. DOWNEY: Mr. Chairman, on a point of order . . .

MR. USKIW: He doesn't need your coaching either. If you want to make this Committee function either keep quiet or walk out of the room.

MR. CHAIRMAN: The Honourable Minister on a point of order.

MR. DOWNEY: Yes. I think that the Member for Lac du Bonnet once again is asking a question that is not a part of the bill, where he's saying that the bill is forcing individuals to be a member of the association, and I have indicated that I would be proposing an amendment that if a person did not want to participate, that he wouldn't be forced to do so.

MR. CHAIRMAN: The Member for Lac du Bonnet on a point of order.

MR. USKIW: On a point of order, I want to know if that's a point of order, Mr. Chairman.

MR. CHAIRMAN: I think we have got into another of the differences of opinion on what constitutes a point of order or a difference of opinion.

MR. USKIW: Well, Mr. Chairman, I want to know from you, whether that constitutes a point of order.

MR. CHAIRMAN: If the Member for Lac du Bonnet will let me finish, I do not perceive the matter as a point of order. I would simply remind this witness, as all others, that they are not obliged to answer questions if they care not to.

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1. USKIW: That is correct. I have already indicated that to this witness, Sir.
I repeat that question again, sir. Do you believe that any government anywhere should legislate people into associations that they do not wish to belong to?

1. SANGSTER: I'm not going to answer that.

1. USKIW: Well, should we pass a law, sir, that because you are involved with Limousin cattle, that you should belong to the Limousin Association? It's exactly the same concept. Do you think should force people to belong to your association by law?

1. SANGSTER: I just fail to see what the Limousin Association really has to do with Bill

1. USKIW: Well, sir, I assume that you're interested in the passing of good legislation, and that as legislators, of course, want to pass good legislation. And it's interesting from our point of view to determine whether there is a matter of principle relative to the rights of human beings longing to the association of their choice, whether that is an important principle or not in your mind?

1. SANGSTER: Once again, I don't see that in Bill 25.

1. USKIW: Well, that's fine, Mr. Chairman.

1. CHAIRMAN: Any further questions of this witness? There being none, thank you, Mr. Sangster, your presentation. This brings to an end the presentations for this evening. The Committee will meet tonight at 8:00 o'clock.
The Minister of Agriculture.

1. DOWNEY: Mr. Chairman, on a point that was raised earlier this evening in a question and relating to the Red River Community College Private Member's Act, I thought probably in the introduction of the comments on that, Mr. Chairman, that I was clarifying the fact that it was a Private Member's, and had no intention of misleading the Committee on the rules or regulations of the Act or the powers that the individuals have.

1. CHAIRMAN: On that point of privilege which I was requested to take under advisement regarding the two Acts, it is my opinion that an expression of opposing opinion or points of view do not of itself give rise to a point of order. Points of order arise because of a breach of the rules or practices of the House or of the Committee. I fail to see where there has been any breach in the rules or practices arising from a member expressing an opinion that two situations are analogous and some other members challenging that opinion. And I think the matter there rests.
I would like to thank all members of the Committee and members of the gallery for their patience this evening in tolerating my imperfections as Chairman, for my first go-around.
Committee rise.