



Second Session — Thirty-Second Legislature
of the
Legislative Assembly of Manitoba

STANDING COMMITTEE

on

AGRICULTURE

31-32 Elizabeth II

Chairman
Mr. A. Anstett
Constituency of Springfield



MG-8048

VOL. XXXI No. 17 - 8:00 p.m., TUESDAY, 26 JULY, 1983.

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON AGRICULTURE

Tuesday, 26 July, 1983

TIME — 8:00 p.m.

LOCATION — Winnipeg, Manitoba

CHAIRMAN — Mr. Andy Anstett (Springfield)

ATTENDANCE — QUORUM - 6

Members of the committee present:

Hon. Messrs. Adam, Bucklaschuk, Parasiuk, Uruski and Uskiw, Messrs. Anstett, Downey, Gourlay and Manness

WITNESSES: Representations were made to the committee as follows:

Bill No. 90, An Act to amend The Cattle Producers Association Act

Mr. Peter Friesen, Manitoba Cattle Producers Association

Ms. Margaret Soper, Consumers' Association of Canada

Ms. Charlene Graham for Mr. Dave Fulton, Manitoba Cattle Producers Association

Mr. Doug McLaren, Manitoba Cattle Producers Association

Mr. Terry Eyjolfson, Manitoba Cattle Producers Association

Mr. Thad Snow, Manitoba Cattle Producers Association

Mr. Goody Sigurdson, Manitoba Cattle Producers Association

Mr. Wayne Dawydiuk, Private Citizen

Mr. John Whitaker, National Farmers Union, Local 516

Mr. Keith Proven, National Farmers Union, Region 5

Mr. Jim Bund, Manitoba Beef Cattle Performance Association

Mr. Earl Geddes, Manitoba Farm Bureau

Mr. Bob Munroe, Manitoba Cattle Producers Association

WRITTEN SUBMISSIONS:

Mr. Allen Chambers, Manitoba Cattle Producers Association

Mr. Darcy Hickson, Keystone Simmental Association

Mr. Ken Barron, Private Citizen

BILL NO. 7 - An Act to amend The Dairy Act

Mr. Robert DeMyer and Mr. Tom Dooley, Milk Producers Marketing Board

MATTERS UNDER DISCUSSION:

Bill No. 90 - An Act to amend The Cattle Producers Association Act, passed without amendment, on division

Bill No. 7 - An Act to amend The Dairy Act, passed as amended, on division

Bill No. 6 - An Act to amend The Pesticides and Fertilizer Control Act, passed as amended, on division

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MR. CHAIRMAN: Gentlemen, we have a quorum. Would the committee come to order, please? At our hour of adjournment at 12:30 today, Mr. Peter Friesen was in the process of presenting his brief. I'd like to call on Mr. Friesen to continue.

I'd like to point out to Mr. Friesen and other delegations to the committee and committee members that we still have a long list. I don't in any way want to suggest to anyone making presentations that they shouldn't cover the points they want to make - I think they should - but I think for the benefit of expediting the business of the committee, it would be preferred that they only cover them once or twice, not three or four times, which we sometimes tend to do when we're speaking in public. I know Members of the Legislature do it more often than most.

Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, I have a question, as well as a comment to make. The question is: does the Minister of Agriculture plan to sit and hear all these briefs this evening or does he plan to have this committee sit at another time to hear the briefs, because we do have a large number of people?

MR. CHAIRMAN: I don't think the Minister heard your question. Did the Minister hear the question? Is it your intention to try and complete the business of the committee this evening or would you contemplate calling a second meeting? Mr. Downey is asking.

HON. B. URUSKI: Mr. Chairman, depending on the time and the will of the committee, it would be my hope that we could, tonight, finish all the presentations at the very least and then seeing the hour, could decide how we proceed with the legislation. As the member knows, The Dairy Act and The Pesticides Act are generally routine, unless they have some major concerns and the bill, where there may be a fair bit of discussion amongst members, is Bill 90 and it is not a lengthy piece of legislation but it depends on the members.

MR. J. DOWNEY: A second point I wanted to make. If, Mr. Chairman, we were not to finish the briefs this evening, it was brought to my attention at the break at lunchtime, that the Consumers' Association of Canada, the Manitoba Branch, were unable to come at another time and maybe we could accommodate

them by hearing them this evening, if in fact we weren't going to finish this evening. I believe I'm correct in those comments.

HON. B. URUSKI: Mr. Chairman, I think we should proceed in the hope that we would, at the very least, complete all the presentations tonight.

MR. CHAIRMAN: Mr. Downey, I, as your Chairman, would be willing to entertain a motion, after Mr. Friesen has completed his presentation, to advance anyone or group of other people who are on the list to a preferred position if that's your intention. Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, not wanting to inconvenience people who have travelled from a long distance, but if we may be able to move the Consumers' Association up somewhat on the list to make sure they get on this evening, I think it would be appreciated and I would make that motion that we accommodate them so they can be heard this evening.

MR. CHAIRMAN: Would you be willing, Mr. Downey, to hold your motion until Mr. Friesen has finished his presentation?

MR. J. DOWNEY: Yes I would, Mr. Chairman.

MR. CHAIRMAN: Mr. Friesen would you please come forward? Please proceed.

MR. P. FRIESEN: Mr. Chairman, I must admit that a thing like this has never happened to me that I got cut off in the middle of presentation. I'm not completely sure of how many of the points I did cover and I realize it's unfair for me to ask you to replay . . .

MR. CHAIRMAN: Mr. Friesen, at 12:30 you said you had covered the first two of five points, and you had three more to go. That was why we didn't continue for another five or 10 minutes, because you said you might be taking a little while.

MR. P. FRIESEN: Well, I would like to excuse myself if I do repeat myself on a couple of things, and I hope the producers in my area excuse me if I forget a couple of points that they wanted me to bring out.

I think I was almost finished with the point as to what the MCPA does in regards to the province, so I will continue a little further on.

Bill 90, in the opinion of most of us producers, strips our organization of any ability to work. It has been brought out here a number of times that if the producers support an organization they should be willing to fund it in any way at all.

I would like to bring out the point that we have a unique organization. We have an organization that is supported by all the cattle producers in Manitoba. The cattle producers in Manitoba vary in size. We have full support by some producers that only sell three or four animals a year; we also have good support from the producers that sell 4,000, 5,000, and 10,000 animals a year. It is not fair to a producer that only produces five or six animals a year, that he would have to pay the same membership as a producer that produces

5,000 or 6,000 head a year. The way our organization is set up every producer pays equally, according to the number of cattle he sells. This is what makes our organization unique.

In my area there are a lot of producers, I suppose, just like me, not too well educated, but they're not fools. If you take away the checkoff the way it stands today, I would be a fool if I paid a checkoff on every head of cattle that I sold, if I had no reasonable assurance that at least 75 percent of the other producers in Manitoba didn't also pay the same thing.

If there's anybody on this committee that thinks that just because I believe in the organization I should pay my full amount even though I have no guarantee or no reasonable assurance that 25 or 30 percent of the producers pay it, I would say that member is a fool. Producers — (Interjection) —

MR. CHAIRMAN: Please continue, Mr. Friesen.

MR. P. FRIESEN: Producers will not pay a checkoff on a voluntary basis that they have to drive around and collect. What Bill 90 does is it strips it of the power to have the checkoff collected at source.

HON. B. URUSKI: Where does it do that?

MR. P. FRIESEN: Pardon me?

If you have any particular questions, I'll answer them after I'm finished. It was mentioned here that you had a lot of presentations to present, so I'm going to try and cut it short. I'm going to sort of summarize a little bit.

A lot of producers are asking, why was this bill presented in the first place? What does the government expect from the MCPA by producing such a bill? This bill, all it does as far as we're concerned, unless there's something we don't realize, it amends Bill C-25. Bill C-25 gives us the directions, it tells us what to do, and Bill 90 strips us of the funding to do just those very things that we are required to do by law under Bill C-25.

As I mentioned before, I'm no fool and I'm not going to pay a checkoff unless I have a reasonable guarantee that at least the majority of other producers are also paying the same and on all cattle, not just on a few head.

So, that would mean there would be absolutely no funds to carry on the programs that we have today. Does this then mean that the government, through our new stabilization committee or stabilization commission, that they would be willing to carry on some of these programs? Why would they carry on these programs when the producers are willing to pay for them themselves?

The government has never explained to the producers why this bill was presented, except that it has told us on a number of occasions that there have been 2,000 people that have asked for a different type of a checkoff, which is strictly a misinterpretation.

With that, I think I'll close to make room for other presentations.

Thank you.

MR. CHAIRMAN: Thank you, Mr. Friesen.

Any questions by members of the committee for Mr. Friesen?

Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, can I ask Mr. Friesen, where does Bill 90 specifically remove the provision to collect a checkoff at source?

MR. P. FRIESEN: It removes the power to collect the checkoff through the selling agencies.

HON. B. URUSKI: No. Mr. Chairman, Mr. Friesen maybe should be aware that while it removes the power to enforce the checkoff, it does not remove that ability of the association to have a checkoff at source, which would have to be negotiated with whomever they wish on behalf of their members. If their members agree to a checkoff at source, the bill does not prevent that. I just want to make sure that he understands that. Are you aware of that?

MR. CHAIRMAN: Mr. Friesen.

MR. P. FRIESEN: So what you are saying is that if the association would want to carry on, or try to carry on, they would have to put somebody at every selling point to collect a checkoff. Is that what you're saying?

HON. B. URUSKI: Mr. Chairman, the association will have the right to set up whatever mechanism its members agree to, whether they wanted to put a member at source or whether they wanted to make an agreement with someone, as they have now, makes no difference, but they have that right. What you said is that the bill removes the provision to collect the checkoff at source, if I understood you correctly. What I am saying is, it doesn't remove that right.

MR. P. FRIESEN: It removes the power to get the auction marts and the packing houses, all the selling agencies, to collect it on our behalf.

HON. B. URUSKI: Mr. Chairman, what is removed is the power of the association to say you have to do it. It doesn't remove the right of the association to go and negotiate and do it on behalf of its members.

MR. CHAIRMAN: Further questions for Mr. Friesen? Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, to Mr. Friesen. We have a hard time as opposition in trying to find out precisely where the motivation came from for this kind of action that is being taken within Bill 90. Are you aware of any resolution or motion passed by any organization in the past few months that would instigate this kind of action?

MR. CHAIRMAN: Mr. Friesen.

MR. P. FRIESEN: The only motions that I am aware of are in regards to making the checkoff compulsory so that there would be no refunds. There have been numerous allocations or accusations made that there were a lot of people unhappy with the organization and

asking for refunds. Since the period for refunds has just gone by and we have now a clear number as to how many producers actually wanted a refund and how many producers don't support it, it clearly points out that it is not a request by any producers.

Personally, I think everybody here knows that I am not involved with any political party. I have always considered myself as an independent and really only get involved with things that I know about, mainly the cattle business, but I do follow political conventions, and I do recall at the last NDP Political Convention, there was a motion passed that they do away with the MCP checkoff. So I would gather that the motivation was not made by cattle producers, but by a political party. This is what makes it so hard for producers to understand why a political party would want to do away with an organization that is strictly funded by producers.

MR. J. DOWNEY: Thank you, Mr. Chairman.

MR. CHAIRMAN: Further questions for Mr. Friesen? Seeing none, Mr. Friesen, on behalf of the committee, thank you very much for appearing.

Mr. Downey has made the suggestion that Margaret Soper of the Consumers' Association of Canada be heard next. Is that agreed? (Agreed)

Ms. Margaret Soper, please.

MS. M. SOPER: Mr. Chairman, members of the committee, I am Margaret Soper of the Consumers' Association, Manitoba. I have handed to the Clerk a copy of our brief. I apologize for the quality of the copy. I think our copier decided it was too hot, and did us in somewhat.

I would like to thank the other speakers who were to have come before me this evening for allowing me to be out of line and speak first.

The Consumers' Association of Canada, (CAC), Manitoba welcomes the opportunity to appear before the Agriculture Committee to respond to the proposed amendment to The Cattle Producers Association Act, that is Bill 90. CAC is a national, voluntary association of approximately 150,000 members across Canada and 7,600 members in Manitoba. The association is involved in many activities, including the analysis of consumer problems, the preparation of recommendations for their solution and the presentation of consumers' views to government and industry. This brief was prepared by the Agriculture Committee of CAC Manitoba in consultation with its Board of Directors.

CAC Manitoba questions the intent of the Government of Manitoba to change drastically the structure of the Manitoba Cattle Producers Association. The MCPA, funded by the producers themselves, has performed many useful functions for Manitoba citizens since its inception in 1978. Consumers have been well served by its research into such areas as feed conversion and production and care of cattle. This research has helped to increase efficiency, quality and continuity of supply.

Two-and-a-half years ago, the MCPA instituted a Beef Information Centre in Manitoba, which is funded by one-half of the automatic checkoff, and is one of six Information Centres in Canada supported by Canadian cattlemen. Its staff, including a home economist, has been accommodating and helpful when approached by

CAC, and indeed the general public for information. They have alerted CAC to matters of mutual concern and their news releases have proven informative.

CAC feels that the present method of support for the MCPA is sensible and democratic. Producers appreciate that the automatic checkoff alleviates the need for fund-raising and allows the association to concentrate on more worthwhile programs. Last year, the refunds requested at year end totalled only 7 percent of the money collected and we heard this morning were only asked by less than 2 percent of producers. That suggests to CAC that a large majority are satisfied with the amount of the checkoff, its method of collection and the purposes for which it is used. Although consumers derive benefits from the checkoff, it does not add to the consumer price, but comes directly from the producers' pockets.

Manitoba cattlemen are contending that removal of the automatic checkoff would mean an end to the viability of their organization, and this stance is supported by the experience in Saskatchewan when a change similar to that now being proposed in Manitoba was implemented there. Although only 1 percent of Saskatchewan producers had requested refunds, removal of the automatic checkoff resulted in a 60 to 65 percent drop-off in funding. It should be noted that the Saskatchewan Government has taken steps to return to a system of automatic refundable checkoff at point of sale.

The Cattle Producers Association Act is comprehensive legislation covering many facets of the cattle producer industry. We are puzzled by some of the proposed deletions by repeal, and we'd like to know what will take their place.

CAC Manitoba suggests that the government realizes these proposed changes are not popular with producers as no plebiscite has been held to determine their views although one has been requested. The MCPA president, Larry Clifford, has predicted that his association will be destroyed if Bill 90 is passed. Cattlemen have stated that they fear these changes will result in additional government control and introduction of a supply management function. In 1976, as we heard again this morning, beef producers rejected overwhelmingly the proposed marketing board.

What form would an alternative beef producers' association take, and how would it serve its consumers? Is Bill 90 a step in a plan to introduce a provincial beef marketing board? Certainly consumers have much to fear from marketing boards, particularly when they are given monopolistic powers of supply management. Supply management requires that commodities be produced within a quota system. CAC feels that beef is not a suitable commodity for quota production due to the impossibility of forecasting future consumer demand and based on the three-year production period.

The evils of quota values which arise in supply management systems distort the true price of product to both producer and consumer. Values increase as entry is restricted and these can prove devastating to future generations of potential producers. Marketing boards interfere in interprovincial trade and reduce competition from other provinces both in exports and imports. They promote inefficiency, and cost of production formulae generally are artificial. This is particularly true when applied to beef production with

its many variables. Monopolies result in lower quality of product and higher prices due to increased administrative costs.

Manitoba consumers want a continuing supply of good quality beef at a reasonable price and access to information, which will allow them to make wise beef purchases. CAC Manitoba feels that the consumers' concerns are being addressed by the present voluntary producers' program, and would like Bill 90 to be withdrawn.

MR. CHAIRMAN: Thank you, Ms. Soper. Any questions for Ms. Soper from members of the committee? Mr. Uruski.

HON. B. URUSKI: Ms. Soper, in your comments on this bill, you make mention of what I would say, in your opinion, is the great disservice that marketing boards are doing. I reject those comments, and I wonder why you would pull in marketing boards in an area of an association bill such as this? Why would you drag the other producers in this country into this argument?

MS. M. SOPER: Mr. Minister, I mentioned that we are puzzled as to why this bill deletes so much of the previous act, and we had to question what was the purpose of the government in proposing this bill. We suspected, we do not know, that it possibly could be because they had in mind introducing a marketing board, and therefore we felt we had to address that issue.

Now to refer to your first question - why are we concerned about marketing boards and why do we feel that they do not serve consumers. It has been well documented. I would refer you to a study done for the Economic Council of Canada, and in their report of a year-and-a-half ago, what has happened at the national level with the feather agencies, and how much consumers are paying, above and beyond what they should be paying, because of the costs of marketing boards and because of the supply-management function. There are many many studies done. I haven't brought them this evening. I'm sure you have them as well.

HON. B. URUSKI: Well, there have been as many studies done in support of the management system and the consumers have been well served in all areas where the boards have played a role in terms of No. 1, guaranteeing a reasonable income to producers, which I assume you have no difficulty with in the sale of their product; and No. 2, guaranteeing consumers a continued steady supply of good food on the shelf, without any shortages and without any overages.

MS. M. SOPER: You mentioned a reasonable income to producers - that has always been a stance of the Consumers' Association. We realize that if the producer does not have a reasonable income, they're not going to be around, so certainly we would support that premise.

As far as a continuing and steady supply without overages, I wonder why there's a surplus removal function in some of the cost of production formulas, if indeed, there is no overage? I also would ask you

how you feel about the value of quotas, and again I would refer you to that same study, where it quotes the quota values as being in the hundreds of thousands of dollars, depending on which product you're talking about?

MR. J. DOWNEY: Mr. Chairman, I think it's encouraging to see the Consumers' Association come out in support of a producer organization and I think that's the kind of co-operation that has been strived for over many years, that it appears now as if we have the current government again causing a rift between those two organizations.

I would again go back and ask you a question. Have you been satisfied with the working relationship between your organization, the Consumers' Organization, and the Cattle Producers to better both the lot of the cattle producer, and as well to encourage and to make sure that people are aware of the kind of commodity that they produce? Are you satisfied, since the introduction of the Cattle Producers Association, that there has been a good working relationship?

MS. M. SOPER: There has been a good working relationship. I wouldn't say we have approved of every decision that they have taken. We have been quite happy, as I mentioned in my presentation, with the Beef Information Centre. We've been well served by their home economist. We are delighted at their research program. We have looked at their financial statements and have seen the amounts of money that they have contributed to such organizations as VETO. They also have contributed funds to the Canadian Cattlemen Association and their memberships in the Manitoba Farm Bureau and the Canadian Federation of Agriculture. In those areas, yes, we feel we have been well served.

MR. J. DOWNEY: Mr. Chairman, with the removal of this organization, as been stated earlier by the president, and in fact to use his terminology, would destroy or to virtually gut the operation or the organization, which he is a member and the president of. You have indicated that you've used the services of the association through market information, through the Beef Promotion Program, through the support for the Infectious Diseases Organization in Saskatoon - many contributions that have been made to the industry by producer money. If this organization becomes defunct, would you expect the government to put those funds in place, so those services are available to both the consumers and the industry?

MS. M. SOPER: We would like these services to continue.

MR. J. DOWNEY: Well the question would be: where would the funds come from, if they don't come from the cattle producers, if it is in fact destroyed?

MS. M. SOPER: The Consumers' Association would prefer that the producers pay for the services.

MR. J. DOWNEY: Again, if that is not in place and the mechanism isn't there to fund that, would it not be

correct that the government would have to put those funds in place, being a further burden on the taxpayers of the problems?

MS. M. SOPER: That would be a distinct possibility.

MR. CHAIRMAN: Mr. Uskiw.

HON. S. USKIW: Getting back to your statement with respect to the role and operation of marketing boards, which is not what is before this committee, but notwithstanding you have chosen to mention it in your brief, are you aware that your association supported the introduction and development of marketing boards?

MS. M. SOPER: I am aware that our association has stated there are functions of marketing boards that do provide a service to consumers. Our policy on marketing boards is quite complex, it's not that simple. What we have said is, we feel that marketing boards can provide continuing supply of good quality product. However, what we are specifically addressing here is the supply-management function of marketing boards, which our association has never supported.

Now you said that we raised the issue of marketing boards. We did so, simply because the bill does not state really what the Cattlemens Association would be allowed to do. We are concerned by the amount of repeal in this act, and really our reason for raising this issue was to ask the government what is it that you are proposing? We don't know; we're puzzled.

HON. S. USKIW: Just to get back to the position of the Consumers' Association and marketing boards, I can recall, very vividly, presentations made before a similar committee of the Legislature of Manitoba, supporting the setting up of marketing boards and the basis of the need to provide stability of income to producers. That goes back many years by the way, but I recall that kind of presentation from the Consumers' Association of Canada. I'm just wondering whether there's been a change of mind on the part of the Consumers' Association in recent years?

MS. M. SOPER: I would like to say to the Minister that I go back a few years too.

HON. S. USKIW: But don't admit it.

MS. M. SOPER: And also in my association with the Consumers' Association, more years than I care to admit. I would also repeat what I said before - yes we have supported the continuity of supply; we have supported a reasonable income to producers. We have never supported the supply-management function in marketing boards. Unless I am mistaken, I don't believe there is a market. Is there a marketing board in Manitoba that has a supply-management function?

HON. S. USKIW: Many of them.

A MEMBER: That's what I want to ask you.

MS. M. SOPER: Well, it's interesting that the Manitoba Hog Producers, the Manitoba Vegetable Producers, and

the Manitoba Egg Producers Marketing Board all supported the MCPA in their letters.

HON. S. USKIW: Well, perhaps maybe we should dwell on it a bit. Are you aware that the Egg Producers Marketing Board has a supply management . . . ?

MS. M. SOPER: They have a supply, because they're one of the feather industries and they are tied in with the national agency. All right, I erred.

HON. S. USKIW: The turkey producers.

MS. M. SOPER: I should have mentioned that, that those tied in with the national agencies, of course, have a supply management.

HON. S. USKIW: Okay, let's go with one that isn't tied in. Are you not aware that the Vegetable Producers Marketing Board has a quota system, supply management, and is intra-Manitoba, intra-provincial, not interprovincial?

MS. M. SOPER: In some commodities, yes, they do.

MR. CHAIRMAN: That's the only other one.
Mr. Uskiw.

HON. S. USKIW: I have a problem with the premise in which you support the existence of an organization that was put into being by way of a legislative act. I question that from an ethical point of view. Do you believe sincerely that it's right for the Legislature of any province in Canada or for the Parliament of Canada to pass an act that says that you or I must belong to some association in principle? Forget about the operations of it, just in principle, do you think that's a good principle to enshrine?

MS. M. SOPER: It's an excellent question, of course. Speaking of the principle, if you held a plebiscite and those involved, the majority said, yes, they wish to belong to that organization, then I think that is fair.

HON. S. USKIW: You would then agree that if there were a plebiscite, a referendum wherein a specific plan was before the voters, and they voted for a specific measure, that then the majority should carry the day?

MS. M. SOPER: I think we have to remember here that this is a refundable checkoff we're talking about.

HON. S. USKIW: Oh yes, yes, I'm aware of that. That doesn't detract though from the principle that we are talking about. Should you put people in society in a position where they have to opt out? That is an infringement of my rights, and I have to say publicly that I don't want to belong to the same association as Mr. Downey belongs to. I think that's an infringement of my personal freedom and privacy, but you are forcing me to make that public statement that I don't wish to belong. It's what they call the peer pressure syndrome. Are you not concerned about that?

MS. M. SOPER: I think it's a fact of life.

HON. S. USKIW: Okay. If then we passed a measure in this Assembly requiring you to belong - let's assume that we came to the conclusion that there are too many farm organizations in Manitoba, which is what a legislative committee concluded some years ago in this province - and we said, henceforth, there shall only be one speaking for all the farmers of Manitoba. This Legislature will pass a bill that says every farmer in Manitoba belongs to that association unless they opt out. Would you support that?

MS. M. SOPER: After you have held a plebiscite and after a reasonable majority have said, yes. I might suggest to you, if you're concerned about their rights, why don't you hold a plebiscite on this bill?

HON. S. USKIW: Would you then agree with me that this legislation had no business being put on the statute books of Manitoba without the wishes expressed by the people whom are, by this legislation, members of this association?

MS. M. SOPER: I would think it's wise always, when passing legislation of this sort, to do so on the wishes of those who would be involved.

HON. S. USKIW: I've just established that you didn't do it right, Jim.

MR. CHAIRMAN: Mr. Bucklaschuk.

HON. J. BUCKLASCHUK: Thank you, Mr. Chairman. Ms. Soper, as the spokesperson for the Consumers' Association of Canada, Manitoba section, could you tell us what consultation you've had with the membership of the Manitoba members concerning your position on the Cattle Producers Association?

MS. M. SOPER: Yes, I would be delighted to tell you. We have an Agricultural Committee of 10, half of whom are producers or former producers. The other half are composed of former provincial presidents and university producers and just citizens like you and me.

The original brief was written. The draft was sent out to all of our provincial board members who were given approximately three-and-a-half weeks to respond, many of whom did after consulting with their locals and with their community. Then the final draft of the brief was written, recirculated, and you have it before you.

HON. J. BUCKLASCHUK: That doesn't quite answer my question, I guess, because I have been a member of the association for many years . . .

MS. M. SOPER: And you didn't receive a copy?

HON. J. BUCKLASCHUK: Pardon me? And I have not received a copy. I was just wondering what the consultation process was. I'll leave that as it is.

MS. M. SOPER: I would like to answer it.

HON. J. BUCKLASCHUK: You want to answer that?

MS. M. SOPER: Certainly. I would like to know what organization circulates the draft of every brief at every

presentation they make to every member regardless of what their membership is. As I indicated to you, ours is an average of 7,600 members. We have newsletters in Manitoba which are sent to every member from time to time, and nationally we have our magazine which is printed once a month. We get quite a considerable response to both. We also receive some 8,000 or 9,000 phone calls a year. When we speak out of line and the public doesn't like it, believe me, we hear about it.

MR. CHAIRMAN: Order, order please. The fans are going; there is some wind, but there is more wind coming from members around the table, and I'm having some difficulty hearing the witness. I would ask members, who want to carry on private conversations, to do so outside this room and out of the earshot of those who are trying to listen.

Mr. Bucklaschuk.

HON. J. BUCKLASCHUK: Ms. Soper, with respect to membership in an association, which do you think would be the preferable: voluntary membership or compulsory membership?

MS. M. SOPER: Are you suggesting about the Consumers' Association?

HON. J. BUCKLASCHUK: No, I'm now back to the cattle producers. I volunteered to become a member of that; I wasn't compelled.

MS. M. SOPER: I think that there are many associations, be they trade unions, be they professional associations or be they producer associations that have to speak and have to be a viable advocacy organization. I think I have already stated that there should be a vote among the members, and there should be a substantial majority that agree to membership in that association.

In this particular instance, we are dealing with a refundable checkoff. If the members are not happy with that, then certainly they have many mechanisms open to them to state their displeasure. It's interesting to note that less than 2 percent have done so. That was certainly a factor in CAC's decision in speaking to this, but the more important factor was not what this would do to the MCPA, quite frankly, it was what it would do to consumers. We were not sure what you had in mind to replace the MCPA; therefore, we felt we had to speak to this, because of our fear of a marketing board with supply management function.

HON. J. BUCKLASCHUK: Just to continue on that, you made reference to professional associations, trade unions and so on. Can you name any professional group or trade union group that has legislated a requirement that each person be a member of that association?

MR. H. ENNS: Lawyers, doctors, Government of Saskatchewan on this program.

HON. J. BUCKLASCHUK: I can certainly speak for teachers, having been a teacher for many years . . .

MR. CHAIRMAN: Order please.

Mr. Bucklaschuk, would you continue?

HON. J. BUCKLASCHUK: I'll make reference to one such association, and that is the teaching profession. One does not have to be a member of the Manitoba Teachers' Society.

MS. M. SOPER: You did when I was a teacher.

HON. J. BUCKLASCHUK: No, you don't. You have the option of writing yourself out at the beginning.

MR. D. ORCHARD: Don't these people have that?

HON. J. BUCKLASCHUK: No. I want to refer specifically to the one sentence, "The CAC feels the present method of support for the MCPA is sensible and democratic."

Ms. Soper, you've made reference on a number of occasions to the provision that producers are able to get a refund. Have you made any study of the mechanism that is involved in getting that refund?

MS. M. SOPER: There was an allusion to that this morning on timing of the refund. That we did not check out. It was our understanding, and perhaps we were misguided that if written notice was given, it would be honoured.

HON. J. BUCKLASCHUK: I wish it were only that simple, but we know that in fact it is much more difficult than that, and it is a fairly complex . . .

MS. M. SOPER: I would leave that to the members of the MCPA to address.

HON. J. BUCKLASCHUK: I presume it's the MCPA that drew up the rules as to how the refund is to be obtained and . . .

MS. M. SOPER: I'm going to be followed by over 10 speakers from the MCPA; I'm sure one of them will answer that.

HON. J. BUCKLASCHUK: Perhaps they will address that.

One other question and that is with respect to a statement you make on Page 3, "CAC Manitoba suggests that the government realizes these proposed changes are not popular with producers." On the previous page you made reference to the Saskatchewan situation where the checkoff was made voluntary and the checkoff dropped something like 60-65 percent.

MS. M. SOPER: That was a direct quote taken from a newspaper article. I should have perhaps mentioned where I got the information. Certainly again, and members of the MCPA alluded to that this morning, I assume there must be some accuracy in the statement.

HON. J. BUCKLASCHUK: Would it not suggest that with that magnitude of a drop-off that, in fact, it would be popular to do away with the compulsory checkoff?

MS. M. SOPER: I suppose I'm a firm believer that if you want something, you make it easy to acquire it.

Again, I really feel that this is out of our bailiwick. We were pointing out why we felt it was sensible; we suggested that an organization such as MCPA should be devoting their time, energies, and dollars to fulfilling their mandate in terms of the beef information centre, in terms of research and so on, and we, in the Consumers' Association, know very well, too well, that if you're spending all your time raising money, you're not doing much else.

MR. CHAIRMAN: Mr. Manness.

MR. C. MANNES: Thank you, Mr. Chairman. I'd like to ask a question related to the CAC. I guess I share the feeling of Mr. Uskiw that possibly the Consumers' Association of Canada have maybe changed her a little bit, because I, at one time, was under the belief that they may have supported supply management systems also, almost to the extent that they allowed members from their group to sit on national agencies as directors.

I'm not surprised if, in fact, that's happened. There has been a change, because of course once you're sitting close to it you have a chance to observe what's happening; so it wouldn't surprise me at all if the Consumers' Association of Canada were changing their stance somewhat to the general outlook as regards supply management.

I'm trying to capture the essence of your brief, and is your main concern that if farmers or cattle producers do not support their own activities in a promotional sense, that indeed they'll end up petitioning the government to bring forward supply management systems which will ultimately cost producers more? Is that your concern basically?

MR. CHAIRMAN: Ms. Soper.

MS. M. SOPER: I would like to go back to what you mentioned in the first place when you said that CAC members are members of supply management committees, and I'd like to make it abundantly clear, they are not members of the agencies - I'm now talking about national agencies - because they support those agencies; they are members because they feel they might be able to bring the consumer voice to the attention of the other members. We have never supported supply management and I want to make that point very strong; it indeed would surprise me considerably to hear that we have changed.

I should say to you that I'm not only the Agriculture Chairman in Manitoba, I'm the National Executive Vice-President of CAC, so I believe that I speak for the national association as well as the provincial association.

As to your second question with regard to supply management, I think we made the point that in the beef industry, supply management is somewhat difficult because you're dealing with a three-year cycle, I think that point was made far more adequately than I am prepared to do this morning. Supply management is very difficult, perhaps more serious is your cost-of-production formula, which would be very difficult to ascertain and we are concerned that when you have a cost-of-production formula, you lower efficiency.

MR. C. MANNES: One final question, Mr. Chairman, and it comes right down to the nub of the issue. Are

you concerned about production formula costing? Are you concerned specifically about one item that might come into it, mainly the cost of promotion? It may be then that the consumers of Canada then may be expected to pick up.

MS. M. SOPER: We are concerned about promotion and marketing costs. We feel that those costs should be paid for by the producer, because presumably they would not enter into a marketing program unless they expected to make an increased profit. We are concerned with many facets of the cost-of-production formula, transportation costs, administrative costs, who is your average producer, what rate of efficiency are you expecting from them?

Again, I would draw your attention to many studies that have been undertaken and I would be happy to give you a list of some of them and some direct quotes from some of them. I did not bring them with me this evening.

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

HON. B. URUSKI: Ms. Soper, in your last page of your brief, you make the statement about monopolies resulting in lower quality of product. I assume you eat eggs or chickens?

MS. M. SOPER: Yes, Mr. Minister.

HON. B. URUSKI: Has the quality diminished, in the last year or two, of the product that you have bought on the shelf?

MS. M. SOPER: Certainly not in eggs, because I buy them from a producer whose operation is very small and he is not part of the marketing board.

HON. B. URUSKI: And chicken?

MS. M. SOPER: As for chickens, I have many concerns about chickens, one of which is salmonella, when we have to consider that two-thirds of all poultry bought contains active salmonella. I don't know whether you can blame that on the marketing boards however.

HON. B. URUSKI: Does that encourage you to purchase direct from vendors from door-to-door?

MS. M. SOPER: I haven't figured out an efficient method of doing that. You see, with the eggs, my neighbours and I are organized, and so it's quite efficient for us to buy eggs. Now if you told me of someone who produces chickens in the neighbourhood and I can organize my neighbours to go with me, then perhaps we'll follow that route as well.

MR. CHAIRMAN: Further questions by members of the committee? Seeing none, Ms. Soper, thank you very much and your association for making a presentation.

The next name on our list, returning to the list, as we had it, is Mr. Dave Fulton, Manitoba Cattle Producers Association.

Mr. Fulton.

MS. C. GRAHAM: Mr. Chairman and members of the committee, I'm Charlene Graham, general manager of the association. Mr. Fulton had previous commitments and had to return home. He asked that I read his brief on his behalf.

The Cattle Producers Association Act which came into existence five short years ago provided the opportunity for Manitoba cattle producers to form an organization to look after their own affairs regarding promotion of their product, market information and improving the general well-being of their industry.

The MCPA was subsequently formed, established by-laws and regulations consistent with the act and is believed has been an effective organization representing and dealing with cattlemen and cattlemen's concerns.

What does the MCPA mean to the average producer? It is a forum to deal with the day-to-day concerns, such as land lease problems, wildlife and hunting rights, PFRA pasture problems and ROP problems.

It is the mechanism to initiate and to operate worthwhile programs such as the Preconditioned Feeder Cattle Program, and the Market Information Program. MCPA is also the voice to represent the average producer in dealing with governments and government programs, such as stabilization, the Crow rate issue, land use policy, and a whole host more.

Producers need to have the present legislation, The Cattle Producers Act, to have confidence and the security that their checkoff monies are used in a proper democratic manner to meet the stated objectives of the association. Bill 90, I submit, will destroy that confidence which producers have in the MCPA, because it effectively removes the objectives by repealing Sections 6 to 10 of the act. Without Sections 6 to 10, I, as a producer, cannot have confidence that the money I want to put forward for cattle programs would be properly used and safeguarded. There is no provision for even an administration by-law under Bill 90. I ask you, is that the intent of Bill 90, to destroy the producers' confidence in MPCA?

It appears Bill 90 was hastily and badly written. Should Bill 90 be proclaimed, the status of the present by-laws and regulations is left up in the air. There is nothing in the act that says the present by-laws and regulations are repealed. No provision has been made for even the transition of the administration by-law from its present structure to something more consistent with the amended version of the act. The present administration by-law requires a series of district meetings in the fall; a mail-in ballot election to elect directors at an annual meeting in December. The association has no funds to follow these procedures. The association seems to have a choice of breaching its by-laws and not holding elections and meetings, or using refundable checkoffs to hold them, and not having the funds to refund.

I submit that repealing the entire Cattle Producers Act would provide producers with a better opportunity to set up an association, which would not be hamstrung by Bill 90, and could have more freedom to operate in Manitoba, as we don't need a Bill 90 to form a cattle producers organization similar to the old beef growers and stock growers association. If the Minister is intent on doing away with MCPA, then do away with it by repealing the entire act.

MCPA has very significant commitments entered into for the next year based on Section 6(1) which states

the objectives of the organization as follows: advertise and promote the cattle and beef industry; initiate, sponsor and encourage research into production and marketing of cattle; encourage by education, information, advertising and promotion the marketing of a uniform product; and co-operate with any organization having a similar purpose.

No board would continue to operate MCPA without the ability to meet these financial obligations, and no power to make regulations regarding fee collection. Under Bill 90, MCPA with the status of a natural person, would consider requesting the government to supply monies to meet the obligations already in effect, or would consider suing the Provincial Government for removal of the mechanism to meet those financial obligations.

It is irresponsible for the government to repeal powers to collect monies by regulation, without giving adequate time for the MCPA to reduce its financial obligations; obligations which were entered into to carry out the objectives, as stated in The Cattle Producers Act, and establish an alternate democratic control structure.

The MCPA can be compared to other organizations such as the Manitoba Institute of Agrologists or the Law Society. It can be viewed as the professional association for cattle producers. Would this government entertain the thoughts of changing the fee collection aspects of the MIA, if it found it disagreed with a viewpoint of the MIA? Why is the MCPA any different? Is this government establishing a precedent to amend any legislation of a self-governing organization, without the sanction of those involved?

The MCPA has been self-governing, has abided by its by-laws and regulations. Resolutions have come to the annual meeting of MCPA to adjust by-laws and regulations. These have been duly attended to and properly recorded. Producers have the opportunity to change the organization as they see fit. They don't need a repeal of some sections to do this and destroy the organization in the process.

Bill 90 will serve to emasculate the MCPA. If a producer has a cow and a bull and emasculated the bull, his future is pretty limited. The same holds true with the MCPA with the advent of Bill 90. I urge the government to think about what they are doing to avoid the drastic measures of legal proceedings, which the association may be forced to take with the loss of funding. Thank you.

MR. CHAIRMAN: Ms. Graham, are you prepared to answer questions on behalf of Mr. Fulton?

MS. C. GRAHAM: I will not answer questions on the wording of Mr. Fulton's brief, but if they are technical questions about the association itself, I could attempt to answer those, yes.

MR. CHAIRMAN: Are there any questions? Mr. Downey.

MR. J. DOWNEY: I have a question, Mr. Chairman. The Cattle Producers Organization has, in the last few years, provided market information which has been I believe paid for with the producer funds and with the government funds. Has there been a change recently in the operation or the providing of funds for that information services?

MS. C. GRAHAM: With the Marketing Information Service we were receiving a government grant to help operate the service, but that was discontinued and this service is now run on producer funds completely. We have cut out part of the service by taking away one of the toll-free lines.

MR. J. DOWNEY: How widely used is that information service? Is there a broad range of use of it - numbers of people particularly that would use it, on say a weekly or a monthly basis?

MS. C. GRAHAM: We receive about 30 calls a day on the toll-free slaughter line. Many of those calls come from media people, who then broadcast it on their radio station, so it gets out in that form.

MR. J. DOWNEY: So in other words, you're saying that there's approximately 30 calls a day coming to the Information Services to find out precisely what the beef is selling for on any given day in the marketplace, is that correct?

MS. C. GRAHAM: Correct.

MR. J. DOWNEY: And you said that this current government has removed the government funding and support, and now is carried by the cattle producers. As proposed, if Bill 90 is passed and the organization loses its ability to function, who will or where would you expect the producers to get that information, and who will pay the cost of that?

MS. C. GRAHAM: I'm not sure.

MR. J. DOWNEY: Mr. Chairman, a fair question would be: that information then would not actually be provided for the producers of Manitoba?

MS. C. GRAHAM: Correct.

MR. CHAIRMAN: Further questions? Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, could you give us the process that a producer goes to apply for refund under the association levy, since you are the administrative officer?

MS. C. GRAHAM: A producer wishing to obtain a refund must send in a letter signed by him indicating that he wishes a refund. This must be done each year, and once we have received the letter, we send him the appropriate form, which he fills out and sends back to us with his statements, indicating the fee deductions made on behalf of the association. That's processed and we mail them as refund cheque.

HON. B. URUSKI: Is there any time limit or is there any time frame, or how is it handled specifically?

MS. C. GRAHAM: For the 50 cents a head for the association, his letter of request must be in by June 30th, and his statements with his forms must be in by July 15th. For the beef promotion checkoff, his letter

of requests must be in by December 30th and his statements with his forms must be in by January 15th.

HON. B. URUSKI: So there are actually two letters that are required by a producer is that correct; or one letter?

MS. C. GRAHAM: Well he could write one letter indicating both things, if it comes in at the right time.

HON. B. URUSKI: I don't understand that. Could you clarify that?

MS. C. GRAHAM: Okay. If he wrote his letter, let's take 1983, for example, before June 30, 1983, indicating that he wished a refund on MCPA and beef promotion, that letter would apply to both because he had it in before the June 30th deadline and before the December 30th deadline of the beef promotion checkoff.

HON. B. URUSKI: So when would he receive the forms? One is at the end of the year, would he receive the forms - let's say I wrote him in the middle of June and you receive it by the end of June, I then would have 15 days from the end of June to file my receipts, is that correct?

MS. C. GRAHAM: For the MCPA.

HON. B. URUSKI: Yes. And the same for the end of the year for the promotion levy, at the end of December or the middle of January?

MS. C. GRAHAM: Right.

HON. B. URUSKI: If I delayed, what is the process?

MS. C. GRAHAM: If you wrote after June 30th?

HON. B. URUSKI: Yes.

MS. C. GRAHAM: If your letter was written after June 30th it would apply to beef promotion deductions still made in 1983 and it would apply to MCPA deductions made from July 1, 1983, to June 30, 1984.

HON. B. URUSKI: Could you tell me, if more than one producer wrote in at the same time, has that been accepted? Let's say two or three of us in a family farm together, would we be eligible to write one letter to get the forms?

MS. C. GRAHAM: No, they usually require that each individual writes a letter.

HON. B. URUSKI: Okay.

MR. CHAIRMAN: Further questions? Mr. Driedger.

MR. A. DRIEDGER: Ms. Graham, as, I believe, Executive Director, am I correct? Could you indicate how many people paid into the MCPA fund through deductions? Do you have a list of all the people that have had money deducted from them?

MS. C. GRAHAM: We have a registered list of voting producers and then we have our list of people who have requested refunds that are no longer considered voting members.

MR. A. DRIEDGER: Could you give us the amount of people that are registered voters or eligible, and the ones that have requested the rebate?

MS. C. GRAHAM: On our voters' list there's approximately 14,600 names and this year we had 185 individuals request a refund.

MR. A. DRIEDGER: Okay, I can do the calculation myself. But what percentage, I'm sure you must have the percentage, of people that have requested the rebate - out of 14,600 that contributed to the fund and 185 that . . .

MS. C. GRAHAM: Less than 2 percent.

MR. A. DRIEDGER: One more question. What was the amount of money out of those 185 that was requested back, roughly?

MS. C. GRAHAM: We're still in the process of calculating the refunds as this is the refund period, but between the MCPA checkoff and the beef promotion checkoff refunds, it'll amount to about \$40,000.00.

MR. A. DRIEDGER: Out of a total of how much?

MS. C. GRAHAM: I don't have the complete total of our income yet, but approximately that represents 8.6 percent of our income.

MR. A. DRIEDGER: That's fine, thank you.

HON. B. URUSKI: Could you tell me how many producers contributed to the MCPA in whatever time frame you've got that has been complete?

MS. C. GRAHAM: We don't have the number of producers; our records are kept as the number of head marketed.

HON. B. URUSKI: Would you know how many producers are members of the MCPA?

MS. C. GRAHAM: On our voting list there's approximately 14,600 names; but that includes corporations who are allowed three voting members.

HON. B. URUSKI: How current is that list?

MS. C. GRAHAM: The list is revised every September, but we do not take a name off the list unless they ask for a refund, or unless we get notification that they are no longer a producer, or if we get a mailing card back saying that they have changed their address and are no longer in the cattle business. So if a producer does not notify us that he is out of the business, his name stays on.

HON. B. URUSKI: So you wouldn't know if a producer is, in fact, producing, because you won't know whether

a particular levy came from producer John Doe. You knew you had received money, but you wouldn't know who it was from?

MS. C. GRAHAM: Correct.

HON. S. USKIW: How long have you been with the association as manager?

MS. C. GRAHAM: Two-and-a-half years.

HON. S. USKIW: Are you fully conversant with the provisions in the act, the powers within it?

MS. C. GRAHAM: I think I am, yes.

HON. S. USKIW: Are you aware of the provisions in the Electoral Divisions Commission that decides on how constituencies are to be formed for the election of the Legislature. I notice in the administration by-laws of this act, under which you function, that this particular body sets those rules for itself and can determine who is eligible to vote and who is not eligible to vote. Do you think that makes for good legislation in the public interest?

MS. C. GRAHAM: Before the organization can amend those by-laws, or change them, it has to go in front of a vote of producers at the annual meeting, and they must have 30 days notice of any changes.

HON. S. USKIW: That is the point I'm making. The people that are allowed to vote at the annual meeting are predetermined by the people who are going to be questioned by those people who are going to be at the annual meeting. In other words, I can select my own audience. If I am on the board, if I am the board, I can select my own delegate body; that's what this says. I don't know of any other democratic institution that functions that way.

MS. C. GRAHAM: All the directors are elected by the members in their district.

HON. S. USKIW: That's right; and who decides on who is eligible to elect them?

MS. C. GRAHAM: Anybody who is a cattle producer that has had the fee deducted and has not had his money refunded.

MS. C. GRAHAM: All right, how then do you rationalize 11.1(h) in your by-laws that says "that the powers of this agency is to establish rules to determine those producers who are eligible to vote for the purpose of electing the members of the association and at meetings of registered producers, and such other matters related to the conduct of the meetings of the association and registered producers, and for the purpose of discharge of the duties of the association and proper administration of the act." They have a conflict of interest built right into this act.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. J. DOWNEY: Point of order, Mr. Chairman.

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

MR. J. DOWNEY: Mr. Chairman, this person has read a brief and we're asking questions on Bill 90, not Bill 25, Mr. Chairman, which the Member for Lac du Bonnet had all the opportunity when this was before committee when it was passed.

HON. S. USKIW: Oh, we dealt with that. We called it fascist legislation at that time. Mr. Chairman, do I have the floor?

MR. CHAIRMAN: To the same point of order?

HON. S. USKIW: No, I want the floor.

MR. CHAIRMAN: Well, I would like to rule on the point of order. If there's any further discussion of the point of order?

Mr. Adam.

HON. A. ADAM: Yes, I want to speak on it. On the point of order raised by Mr. Downey, I think that the witness, Miss Graham, indicated that she did not feel that she wanted to reply to the brief that she was reading on behalf of Mr. Fulton, but she would respond to questions, technical questions, dealing with the association, and I think that is what the member is doing.

MR. CHAIRMAN: Further discussion? Gentlemen, I do have a bit of a problem. As you know the precedence for debate on second reading require that debate be restricted to the subject matter of the amending bill, unless the amending bill introduces what is, for all intents and purposes, a completely new act.

In committee we are somewhat looser, in terms of allowing movement into other areas of the bill, but that does not allow the kind of discussion which Mr. Uskiw is now engaging in, which goes beyond the complete areas that are touched upon by Bill 90. So unless Mr. Uskiw can tie his questions more directly to Bill 90, I have to sustain Mr. Downey's objection to the line of questioning.

Mr. Uskiw.

HON. S. USKIW: Well, Mr. Chairman, Bill 90 simply repeals the powers of this association and therefore anyone making a presentation in support of retention of those powers, I believe is in order. I believe the whole matter has to be dealt with in the context of the law that we are amending.

MR. CHAIRMAN: Mr. Uskiw, the questions you are asking, do they relate to sections, I believe it's 6 through 10?

HON. S. USKIW: Yes, yes, very much because Bill 90 has them.

MR. CHAIRMAN: May I have a copy of the bill, please? Mr. Uskiw, do all your questions flow from section 7 of the current statute? Is that what you're suggesting?

HON. S. USKIW: It's all part of it. It permeates the whole legislation, Mr. Chairman. Regulations of the Association is under section 7, and this body has the power to make regulations the same as the Government of Manitoba has the power to make regulations. You don't give anybody that kind of power, Jim. That's a no-no.

MR. CHAIRMAN: Order please. Mr. Uskiw, please try to keep your questions to the subject matter of Bill 90. Insofar as the regulation authority, which is contained in Section 7, relates to the Regulations for the Administration of the Association, your questions are in order; but if we wander beyond that, I have to remind you of Mr. Downey's objection.

HON. S. USKIW: Mr. Chairman, I think the witness before us was prepared to give an answer to the questions that were already put before the interjection.

MR. CHAIRMAN: Would you rephrase your question so that it flows from the proposed amendments in Bill 90 then, please?

HON. S. USKIW: All right. Would you consider the powers within the legislation as being powers that should be enjoyed by a private organization?

MS. C. GRAHAM: That's a personal opinion, and that's not a technical question relating to . . .

HON. S. USKIW: No, I am asking you your opinion.

MS. C. GRAHAM: I said I would answer technical questions about the association.

HON. S. USKIW: You don't want to give an opinion on that. Would you believe that it's logical and makes sense to require any person to belong to an association, not of their choice, by law?

MS. C. GRAHAM: I am only an employee of the association and again I feel that's a personal opinion.

HON. S. USKIW: Mr. Chairman, I don't believe there is any point in pursuing matters of that kind with an employee of the association.

MR. CHAIRMAN: Further questions from members of the committee? Seeing none, Ms. Graham, thank you very much for representing Mr. Fulton, and for your additional answers to questions.

Mr. Doug McLaren, Manitoba Cattle Producers Association.

Mr. McLaren.

MR. D. McLAREN: Mr. Chairman, committee members, ladies and gentlemen, I am here basically as a farmer-feeder to express my strong opposition to the amendments contained in Bill 90. This legislation will reduce Manitoba Cattle Producers Association to a mere skeleton. I think we all know what function skeletons perform. You stand them in the closet, you open the door, and they crumble at your feet.

This will also effectively eliminate Manitoba's contribution to the Beef Information Centre and to their National Advertising Campaign. I would touch on this issue.

An independent research study has concluded that this national ad campaign is working and working well. After five months of "Beef Sounds Good," there have been shifts large enough to be of statistical significance. Perceptions of beef as "economical," as "value for money," in "cost per serving," in "taste appeal" have all shown substantial gains.

These results indicate beef producers investment has begun to pay off with remarkable cost effectiveness. The total cost of the campaign works out to less than one-tenth of a cent per pound of live animal. This means if live cattle prices were to increase just one cent per pound, the producers investment in advertising would be returned 10 times over.

Manitoba producers have contributed thousands of dollars to this campaign. The proposed amendments to Bill 25 will eliminate Manitoba producers' contributions and benefits from this national advertising and promotion campaign, which has already proven its effectiveness.

Again, I reiterate my strong opposition to Bill 90 and would like to see it withdrawn, to maintain the benefits that accrue to all Manitoba beef producers.

An additional comment I might make, from the board's point of view, is that we have requested that a plebiscite of producers be held on this issue and we would certainly be prepared to abide with the wishes of the majority.

There has been mention in this committee that this plebiscite was not held when this legislation was first introduced, and my suggestion - and the way that I was brought up I was always led to believe that two wrongs did not make a right - I see no reason for not holding a plebiscite on this issue.

Thank you.

MR. CHAIRMAN: Thank you, Mr. McLaren. Questions from members of the committee?

Mr. Orchard.

MR. D. ORCHARD: Mr. McLaren, the results you indicate of the "Beef Sounds Good" ads, you say that the shifts have been large enough to be of statistical significance. Is that in per capita consumption that you are referring to there?

MR. D. McLAREN: It's basically a shift in the perception, and again as I mentioned in the economy; the perception of the consumers' attitude towards beef.

MR. D. ORCHARD: Has that been reflected yet in any way that you can tabulate an increase of consumption by the consumer?

MR. D. McLAREN: I think, as was mentioned this morning by the chairman of our organization, if you eliminate the degree of unemployment in this country, that you would see a fairly significant increase in per capita consumption.

MR. CHAIRMAN: Mr. Orchard.

MR. D. ORCHARD: Thank you, Mr. Chairman.

MR. CHAIRMAN: Further questions from members of the committee? Seeing none, Mr. McLaren, thank you very much for appearing. Next on our list is Mr. Bob Munroe, Manitoba Cattle Producers Association.

Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, could we put Mr. Munroe's and Mr. Chambers' name to the end? They advised me that they were at a function this evening and they may be able to make it back later this evening, so we should move their names to the bottom of the list.

MR. CHAIRMAN: I take it then Mr. Chambers has not returned yet, either?

HON. B. URUSKI: No.

MR. CHAIRMAN: Mr. Terry Eyjolfson. One moment please, sir.

Mr. Driedger.

MR. A. DRIEDGER: Maybe Mr. Chairman, to clarify Mr. Munroe and Mr. Chambers, could the Minister indicate where they are at?

MR. CHAIRMAN: Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, they told me they were attending another function and I believe it's in Gunton. I'm not sure of all the details but they said they would try to be back here later this evening.

MR. A. DRIEDGER: Mr. Chairman, it is my understanding that both these members are involved, together with the Department of Agriculture, in terms of a Peter Program that they're promoting and they had some concern that they wanted to make their presentation, that they didn't anticipate maybe that it would be finishing tonight.

HON. B. URUSKI: Mr. Chairman, just to make it perfectly clear, I indicated to the gentlemen that likely we would be finishing this evening and they said, yes, they understood that and they would try and make it back later this evening. I did speak to both gentlemen personally.

MR. CHAIRMAN: Mr. Eyjolfson, please proceed.

MR. T. EYJOLFSON: Mr. Chairman, ladies and gentlemen, I am appearing before this committee to voice my opposition to Bill 90, to amend The Cattle Producers Act. If passed, this bill will surely restrict the activity of the MCPA, as it is more commonly known, not just locally but nationally.

The most recent, the preconditioning program and the national advertising program - I might add here that the preconditioning program is what Munroe and Chambers are on tonight, they are at a meeting in Gunton. They are explaining the preconditioning program to some producers at Gunton and they are doing a demonstration of how preconditioning can be

done and how it can accomplish and realize an extra bit of profit for producers in selling calves, whether they market them themselves, or feed them themselves, or whether they sell them to a feedlot in Manitoba.

The national advertising campaign. You can understand possibly the amount of funding needed to support an advertising campaign has to rely on the continuity of money and has to be committed long range in advance. This organization, up to this point, has not committed money that we don't have. We've always committed whatever we've been able to pay and we've never committed money that we hadn't collected before we knew what our refund would be.

This disappoints me greatly. From 1974, I have been working towards an organization that will benefit all producers that wish to produce beef in Manitoba. In 1974, a few fellows and myself started a voluntary producer organization, namely, the Manitoba Cow-Calf Association, and I was president of this group for two years. We had a difficult time in getting producer participation. Unless there was a local problem, or a provincial problem, they weren't very much interested. From a membership of several thousand in 1974 it soon dwindled down due to the lack of direct personal problems to the beef industry, or personal problems of an individual producer. Producers would come to us and say, can you do something for me individually?

I can remember being at a meeting with a group of delegates from the Cow-Calf Association meeting with Mr. Uskiw, and one of the people that I brought to the meeting, he'd used our organization as a vehicle to try and get his cattle out of quarantine because he had bought a bunch of cows and he had 200 cows to feed and no hay, and they were quarantined because of brucellosis. He wanted the Minister of Agriculture to release the quarantine so that he could sell the cattle. That's the kind of people you draw up for a voluntary organization; it's for their own special interest that they follow an organization such as that. I was very disappointed in that sort of attitude and I didn't like being used under that system.

It became very evident that well-funded organization was needed. It was envisioned that such an organization be formed in Manitoba that could take action on local and national bases and have the ability to accept input from producers by motions passed at district meetings, and carried forth to an association meeting; to work with governments and have input into important programs affecting the beef industry.

If Bill 90 passes the MCPA will be left with an organization that attracts members with personal interests that can be handled by MLAs, such as, flood and things like that, most being flood, drought and fire problems.

The beef industry in Manitoba is more than a local industry. We should have greater input into Manitoba and national issues - and it might be pointed out that our organization was successful in passing a motion at CCA Annual Meeting to strive for a national stabilization program. I'll just add a little bit here, that for years, since 1974, we had been discussing with the possibility of a national program and we were trying to influence the national associations to strive for that sort of thing. It was the Canadian Cattlemen's Association that said that they don't want any part of stabilization. But last year, and the year before, it wasn't

until other provinces got into the practice of stabilization and money to producers that unequalized the whole system of beef in Canada, that left Manitoba out in the cold. So we were saying to CCA, look, we've got to have something national, we can't have provincial treasuries competing against one another for the beef industry because, if it ever does come down to that, we know where the beef will be, it will be in Alberta. The Manitoba Minister of Agriculture is involved in setting up this. I've attended a meeting in Regina with him - not really with him - but from our association that he was at and I was very pleased with the presentation that our Minister made towards a national program. I hope that he strives for such a program and adopts the policy of a price base national program, rather than a cost base because of the complexity of a cost base program nationally. The different regional advantages make it pretty near impossible to adopt such a program.

Therefore, I request that the Minister withdraw Bill 90 and retain the MCPA intact, and allow Manitoba producers the same advantages that other provinces have.

Thank you. I'll entertain and try to answer any questions you might have.

MR. CHAIRMAN: Thank you, Mr. Eyjolfson. Any questions from members of the committee?

Mr. Manness.

MR. C. MANNESS: Just one question, Mr. Chairman, and I could have asked it earlier on but I forgot. Specifically, and I don't know the number of animals that are marketed every year, but how much money does come forward by way of levy to the MCPA over the past couple of years.

MR. T. EYJOLFSON: The last couple of years? It was stated this morning what possibly the total was of all the years that we've been in operation. I have our employee here to . . .

MS. C. GRAHAM: Since the association was formed they've taken in approximately \$886,000.00.

MR. C. MANNESS: And how many people are employed by the organization today?

MR. T. EYJOLFSON: We have three employees and one part-time employee, I guess, two regular employees and two part-time employees - we have a home economist and a manager and a typist or secretary. I might point out that that's very convenient when I've got home and got haying to do and I've got important things to do, I can always get on the phone to our manager and get her to write a letter that has to be done. At least she can get it spelled right - you'll notice by my brief, it maybe identifies the quality of my writing. Any word over four letters I have a hard time to spell.

MR. CHAIRMAN: Further questions? Mr. Manness.

MR. C. MANNESS: Do you see the association then falling back to the pre-1978 days when you said you had to go through all those problems as president, and

that the real interest just wasn't there amongst producers?

MR. T. EYJOLFSON: That's right. There isn't any way that I'm going to ask those same people to carry out and support an organization such as that. In those years, in '74 when gas was still less than 20 cents a litre, it was fine to volunteer and give up your time to support and campaign for a membership in an organization; now the costs are very high. The beef industry in Manitoba is not local; it's a national commodity and it's one of the largest commodities we have in Manitoba, in Canada. It deserves a lot more attention than a voluntary organization can provide.

MR. CHAIRMAN: Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, to Mr. Eyjolfson. The cattle producers organization, as it is now enacted and carrying out business, has entered into agreements with the Canadian Cattle Producers Association, the Canadian Cattlemens Association. You've made commitments to spend money, that now it would appear because of the funding mechanism being removed, that in fact will remove the funds which you've counted on to carry out some of these commitments. What do you foresee happening when Bill 90 passes; do you foresee the commitments that have been made, are you able to get out of those contracts, are the Board of Directors, as in the Co-operative movement having to now take on the liability that has been put in place? What are the implications of the whole removal of this funding mechanism, as far as the contractual agreements and the personal liabilities that are involved?

MR. T. EYJOLFSON: I think that anyone can realize the problems that you would have. In order to be able to commit certain funds to certain functions, advertising, whatever it is to other organizations, has to be committed on a long-range basis. It will be no longer possible to predict or be able to indicate to any producer organization the ability to fund the required money to support it. We would have to say, at that time, then that we would have to cut back on all these commitments and not commit any money that we don't have, because once you've committed the money you're liable to a certain extent, the association is.

MR. J. DOWNEY: Well, I'm not quite clear, Mr. Chairman, I know there's an agreement signed between the Cattle Producers Association and the Canadian Cattlemens Association in which you've committed money to carry out a Beef Promotion Program. Are you going to be let out of that commitment if the funds aren't there to pay it?

MR. T. EYJOLFSON: Well, we'd have to try to negotiate out of that one. I think at the time we are being able to make the commitment now, but we've been on a basis of we're not committing money until after we're exactly sure on how much money is left after the refunds have been made; so we haven't made the commitment for the next term yet.

MR. J. DOWNEY: Mr. Chairman, do all other provinces in Canada participate in the promotion of beef through the Canadian Cattlemens Association?

MR. T. EYJOLFSON: Well, it's a branch of the Canadian Cattlemens Association, Beef Information Service, yes, and all provinces do.

MR. J. DOWNEY: Mr. Chairman, with this proposed change and the loss of funding and the possible removal of Manitoba's support, that will leave Manitoba Cattle Producers as the only province that will not be participating in the promotion of beef in Canada?

MR. T. EYJOLFSON: That's right and we will have to withdraw the advertising that is now taking place in Manitoba.

MR. J. DOWNEY: Thank you, Mr. Chairman.

MR. CHAIRMAN: Further questions from members of the committee? Seeing none, Mr. Eyjolfson, thank you for appearing tonight.

Next on our list is Mr. Thad Snow; Mr. Snow.

MR. T. SNOW: First of all, gentlemen, loosen your ties, take off your jackets and put the darn magazines away. We came here at our own expense, I left \$1 million enterprise at home to come and talk to you, at least, show us the courtesy of listening.

Mr. Chairman, I'd like to make something clear. Mr. Uskiw is always harping about our laws. Anybody can go to our annual meeting, whether he's a paid-up member or not; every producer can go to our annual meeting. The only stipulation is a producer that has withdrawn his money from our organization is not allowed to vote, but everybody can go to our annual meeting. Get that straight, don't start putting in all kinds of things into our laws.

HON. S. USKIW: Mr. Chairman, on a point of order.

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

HON. S. USKIW: I'd like the member that wants to present a brief to read into the record, if he wishes, the legislation about which we are discussing this bill, the bill that relates to the powers in the act, and that is dictatorial legislation.

MR. T. SNOW: It is not dictatorial, anybody can go to our meetings that's a producer and they're allowed to vote if they haven't withdrawn their money.

HON. S. USKIW: They shouldn't have that power.

MR. T. SNOW: Honourable Bill Uruski, Members of the Standing Committee, it seems that for the first time in decades cattle producers have had an organization with funding abilities to carry out programs wanted by the producers for the benefit of producers. We pay our own way in the free and democratic system. The few non-supporters, and you will always get them no matter how good an organization you're running, have the privilege of withdrawing their contribution each year. All they have to do is write in a letter, they're sent a form and they send us their deductions and we send them out to them.

In 1982, the withdrawals were 1.4 percent of the producers, and in 1983 it is just a little under 2 percent,

which would indicate that dissenting members are few and far between. In my predominantly NDP district every producer I approached was anxious to sign the form against Bill 90 - now note that, my district is predominantly NDP. They all felt we had done a commendable job in the short years of our existence. Most were critical of the "appointed Beef Commission" which they joined mainly for the incentive grant. If there hadn't been that incentive grant your people joining that would have been a very very small percentage. They felt it had done nothing to raise cattle prices, the Beef Commission has done nothing to raise cattle prices, in fact, they have caused a discrepancy between the Brandon prices and the Winnipeg prices.

For myself, I was born in Poland and immigrated to Canada with my parents in 1929. My father had heard much about the freedom in Canada where a person could produce and work with no restrictions. Bill 90 reminds me of the Solidarity movement in the land of my birth. There, also, the people had organized and tried to work for the betterment of producers and workers only to be harassed and disbanded by government intervention regardless of the fact that solidarity had the support of the majority of the producers. What's the difference whether you do it by majority vote, or whether you do it by guns. If you have a majority vote and you want to pass something you go ahead and pass it. It's the same thing as you've taken guns and said, okay, you guys get out of there, it amounts to the same old thing.

What has this government got against producers electing their own members and running their own affairs? We all know that all other provinces have very similar organizations. We can also remember that the former NDP Government in Saskatchewan nearly killed its organization with the same tactics that your Bill 90 is planning to use; very same thing. Has the Minister checked the operations of some of those producers that are complaining about MCPA; are they truly cattle producers? The fellow that's the leader of that very very vocal group has 17 cows. Now, surely to God, you can't call a man like that a leader in the cattle business that depend mainly for their livelihood on cattle.

The cattle are the main source of income for the support of my family. The directors of MCPA are in the organization for the same reason as myself - to try and better the lot of cattle producers in Manitoba and Canada, as a whole - by supporting national advertising to promote beef, arranging range patrols, advertising to promote beef, and contributing to Vido by supporting other farm organizations like the Farm Bureau, the CCA and others who are concerned about the well-being of all producers in agriculture.

Also, it hasn't been mentioned, our economic person will visit schools and encourages good diets to the younger people going to school, instead of the junk food.

We are told that cattle numbers are down in Manitoba, and why shouldn't they be, they are down the world over. The cattle numbers are down 3 percent the world over, the percentage is larger in Manitoba. Well, why shouldn't the numbers be down here, we haven't got the top loading that they've had in B.C. and Alberta, Saskatchewan and Ontario. Those people have an advantage over us. This isn't taking into account the generous offers in Quebec. At one time I had an offer

to go to Quebec and start up a feedlot with \$180,000 grant non-refundable because La Belle province is trying to become self-sufficient in meat products.

Sam, you're not interested in what I'm saying? Please, I may as well go home, Mr. Chairman, if this is going to go on.

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

HON. A. ADAM: Yes, on a point of order. Honest, the Members of the Legislative Assembly have, over the years, because of the work that they have to do are able to read and listen at the same time.

MR. T. SNOW: I'm glad you people are. Our organization is not trying to destroy the Crow. We've been accused of trying to destroy the Crow or eat it. However, it is a fact of life, the Crow is being changed. There's nothing you or I are going to do about it. The Federal Government has made up its mind to change the Crow. All we're trying to do is get as much benefit for the Manitoba producers, be it the grain producers or cattle producers, to keep as much money in the farmers' pockets instead of giving everything to the railroad. If you'd follow the Sheldon Fulton/Mazankowski approach, where the bulk of the federal money still goes to the railroad, but the balance to the farmers, depending on the acreage, then the producer has a chance of doing what he likes with his grain. He can feed it; he can make a choice of the crops he wants to grow and everything else, because that money is allocated to each producer.

Passing Bill 90 would be a serious step backwards, at least five years and hundreds of thousands of dollars of producers' hard earned bucks, spent on promoting beef. Surely you don't want this on your conscience because of a very small, but vocal group, who only seem to have a negative attitude toward any progress. There are some people in this party here that have been fighting an ongoing battle. They got their danders up; they were rubbed the wrong way about seven years ago and they can't let a dying dog die. They just want to keep carrying on this endless war with the cattle producers. I wish it would go over. We don't have to think of the past; let's think of today and the time to come. Why keep harping on about something that happened six, seven, eight years ago? That's a thing of the past.

Some of the advisors that are maybe giving this advice caused the downfall of the previous NDP Government here in Manitoba. They went to Saskatchewan and caused the downfall of the NDP Government in Saskatchewan; they've come back here again. What do we want? The downfall of this government again? Come on, fellas.

It seems a government is elected by a majority vote and when a government is elected, regardless of how I feel about certain people, they are the party in power because the majority of the people voted for them. But it seems when some of the governments get into power, they forget that they were elected by the majority, but they listen to a few very very local minority groups, try and put some legislation through, because they've been so vocal.

Bill 90, as far as I'm concerned, runs against the best wishes of the majority of the Manitoba citizens

and I'll not go into details, but leave it for you to think about, some other things that this government has been passing that have really gone against the grain of the average producer that have not been voted for and yet it's being legislated into Manitoba things. I'll leave it up to you fellas to think about.

Things are enough, in farming, without our local government throwing in a few bombshells. I sincerely hope that the Minister and this committee reconsider Bill 90 and join the ranks of myself and the majority of the cattle producers from District 14 and leave well enough alone.

Thank you.

MR. CHAIRMAN: Thank you, Mr. Snow. Are there any questions from members of the committee?

Mr. Adam.

HON. A. ADAM: Thank you, Mr. Snow. One of the complaints that I have received from producers is that there is some discrimination in the per-head levy or tax on a per-head basis, and I refer specifically to - I think it's a dollar, eh?

MR. T. SNOW: Yes, a dollar a head.

HON. A. ADAM: The complaints that I'm receiving is that it's a dollar for a calf; it's a dollar for a 500-pound calf; it's a dollar for a calf just born, 50, 60 or 80, 100 pounds, whatever, that sold on the market, regardless if the animal is worth \$100, \$75 or \$1,000, it's still a dollar a head. I received that complaint from a number of people.

I want to ask you if there's any other way that you could address that, but how do you police the farm-to-farm sales?

MR. T. SNOW: Farm-to-farm sales are non-deductible. There are no deductions made on farm-to-farm sales. As far as your first question, yes, it was brought up at our last annual meeting to try and do away with that \$1 deduction. However, the producers voted it down unanimously. We have to follow what's passed at our annual meetings. It was voted down unanimously. I'm sorry, but regardless of what I may feel, I felt that it was awful too, some of these, what they call the day-old calves, the \$1 deduction, but it was voted down by the producers and we have to abide by their wishes.

HON. A. ADAM: In my opinion, the most profitable sector of the beef industry would be the purebred breeders. In other words, if I was to go and buy a purebred animal, a bull or a cow, say, a bull for \$2,000 or \$3,000, that would be a farm-to-farm sale and there would be no contributions there.

MR. T. SNOW: That's right.

HON. A. ADAM: Is that, in your opinion, some discrimination on the most profitable end of the industry?

MR. T. SNOW: That was also voted down but, mind you, a lot of the purebred organizations, they make these deductions at their sales, all the purebred sales, they make deductions.

HON. A. ADAM: Maybe the purebred sales do, but I'm not sure if you're a commercial or purebred.

MR. T. SNOW: I'm both.

HON. A. ADAM: You're both, but if I went to your place and bought a \$3,000 bull, the contribution would be very voluntary on your part.

MR. T. SNOW: That's right; I could send in \$1 for that bull.

HON. A. ADAM: But most probably wouldn't do that.

MR. T. SNOW: We have quite a few; Peter Friesen, for one thing. He goes and sells it to people and he sends in his contribution every time he makes a sale and we have many producers that do that.

HON. A. ADAM: My last question is that there is some leakage in that respect, is there not?

MR. T. SNOW: It's leakages caused by the votes of producers. They wanted it that way and we leave it that way. There's nothing we change on our own without a producer vote. I don't think anything could be fairer than that.

MR. CHAIRMAN: Mr. Gourlay.

MR. D. GOURLAY: Thank you, Mr. Chairman. Thad, I'd like to congratulate you and the MCPA. I know that as a former ag rep for the area, you have organized extension meetings in co-operation with the Department of Agriculture, I believe, in certain locations with respect to different phases of livestock production, warble treatment and one thing and another like that. I was just wondering, how did you find those meetings were received by the producers in the area.

MR. T. SNOW: I'll tell you, I was the first producer in our area that started Ruline (phonetic) this treatment for cattle and the ag reps used my facilities as . . .

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

HON. S. USKIW: I believe the questions ought to be related to the bill before us. The Member for Swan River is pursuing a line of questioning that has nothing to do with the legislation before us.

MR. T. SNOW: For the interest of the fellas here . . .

MR. CHAIRMAN: Order please.

MR. T. SNOW: I'm sorry; I'd like to say something. It goes on to with Bill 90.

MR. CHAIRMAN: At this point, you're only eligible to speak in answer to questions.

Mr. Gourlay, do you have further questions?

MR. D. GOURLAY: I would like to ask Mr. Snow what further information he'd like to present to the committee on Bill 90?

MR. T. SNOW: I would like to say this, the minute Bill 90 - if and when it's passed - we immediately are putting our organization into receivership. We're all resigning and we're putting our organization into receivership, so be prepared for that. It's not a threat; it's a promise. That's exactly what we intend to do. None of us are prepared to work as a skeleton organization where we can't do things that the producers want done, because we have no definite means of funding and I haven't got the time to run around the country trying to collect a few dollars here and there. I have my own business to run.

It's fine for the members here; they're all paid by the taxpayers of Manitoba. I am not. All of here are on our own time, for our own money. We came to this meeting and I'm just not prepared to take more time off to run around the country because that takes a lot of time.

Mr. Gourlay knows how vast and scattered my territory is, it runs from Pine River to The Pas and North. I just can't afford the time to run around and try and do some collecting.

MR. J. DOWNEY: Mr. Chairman, a question to Mr. Snow. Dealing with Bill 90, there appears to have been today the majority of people who have spoken, have spoken in favour of maintaining the Cattle Producers Organization as it is. Are you aware of any major opposition throughout the cattle industry or organized group of people who are adamantly opposed to the carrying on of this organization? Or where do you think the opposition to the current Cattle Producers Association is coming from? What group?

MR. T. SNOW: Mr. Chairman, there is a very very strong vocal group, but as has been mentioned before, I think you can put them all in a Volkswagen, but they are very vocal, they've even been on T.V.

MR. J. DOWNEY: Mr. Chairman, Mr. Snow you've indicated that if this bill were to pass that your organization would go into receivership. Is that an opinion that you have received from your legal counsel that that is the way that you'll be forced to go?

MR. T. SNOW: That's right. Not from the legal counsel, from our ownmembers. We are not prepared to carry on after, if and when Bill 90 is passed, so that our producers know why we are not in operation any more.

MR. J. DOWNEY: Mr. Chairman, this is a fairly serious decision to make after all of the representation we've had made here today about the information that has been provided and all the positive things that have taken place throughout the last few years. Would that decision be reconsidered if this government were to withdraw Bill 90 and continue on with the organization as it is with that decision change, and you'd carry on with your organization?

MR. T. SNOW: Mr. Chairman, I have been with this organization since its first inception. I was on the organizing where we drew up the by-laws and everything else and it would really break my heart to see it go down because I like the way that our economists go

to school; we have booths at fairs with all our different displays; we fund BIC; and definitely, I'm sure every member of this organization would like to carry on the way things are.

But like I said, we are no going to work as a skeleton or a bunch of mummies where we will not be able to do the job our producers expect of us. So rather than that we just throw it into receivership and just leave it at that because all the fellows have spoken to me and they're all of the same opinion, they're not willing to work as dummies.

MR. CHAIRMAN: Further questions? Seeing none, Mr. Snow, thank you for appearing tonight.

MR. T. SNOW: Thank you, Sir.

MR. CHAIRMAN: Next on our list is Mr. Goody Sigurdson, Manitoba Cattle Producers Association.
Mr. Sigurdson.

MR. G. SIGURDSON: Mr. Chairman, I think pretty well all the members here have said what I was going to say so I'd only be duplicating what they have already said. But I was asked by some organizations in my area to present a small brief here by the Westlake Grasslands Association, the Reykjavik Range Patrol, the Reykjavik Pasture Association, Ste. Rose and District Cattlemens Association and the Westlake Range Patrol.

They all expressed the same feelings that they don't see how the government can justify getting rid of an organization that represents cattle producers like we do. I think that's about all I've got to say.

MR. CHAIRMAN: Thank you, Mr. Sigurdson. Questions? Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, to Mr. Sigurdson, do you have a copy of those lists of organizations that are opposed to the change of Bill 90?

Mr. Chairman, would he provide a copy directly for us to have tonight of those organizations?

MR. G. SIGURDSON: Yes, I forgot them in my hotel room but I have a copy here and I gave the Clerk a copy, so you can probably get copies.

MR. J. DOWNEY: We can get it out of Hansard but it would have made it helpful to have it this evening. How many organizations? Would you repeat those please?

MR. G. SIGURDSON: The Westlake Grasslands Association, Reykjavik Range Patrol, the Reykjavik Pasture Association, Ste. Rose and District Cattlemens Association and the Westlake Range Patrol.

MR. J. DOWNEY: Mr. Chairman, how many cattle producers would they represent, approximately?

MR. G. SIGURDSON: 500 probably.

MR. CHAIRMAN: Further questions? Mr. Downey?

MR. J. DOWNEY: No, thank you, Mr. Chairman, that's all.

MR. CHAIRMAN: Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, to Mr. Sigurdson, would the membership of those groups have been consulted on the question of Bill 90?

MR. G. SIGURDSON: Well, I'm President of the Reykjavik Range Patrol and I'm President of the Reykjavik Pasture Association. I'm also Director on the Grasslands Association and I was at those meetings and we discussed it at those meetings before the meeting and awhile after. I think they're all well aware of it.

HON. B. URUSKI: At the executive level?

MR. G. SIGURDSON: Well, the directors and the president, yes.

HON. B. URUSKI: Would those members, those 500 members, have signed the forms that were put out by the MCPA?

MR. G. SIGURDSON: Well some of them did but I didn't get to all of them. The members of the Ste. Rose and District Cattlemens Association, well they scatter right from Rorketon to Winnipegosis right back up to McCreary and Neepawa, probably. Some people even from Ashern bring their cattle there.

HON. B. URUSKI: So you have some of those letters signed?

MR. G. SIGURDSON: I have some of them here from the president and the directors, they were more or less speaking for the group.

HON. B. URUSKI: Would you be prepared to provide them for this committee?

MR. G. SIGURDSON: I haven't got them right with me now but the president and those people were speaking for their people that they had talked to. Actual signed forms, no I haven't got them.

HON. B. URUSKI: Thank you.

MR. CHAIRMAN: Mr. Parasiuk.

HON. W. PARASIUK: Mr. Sigurdson, are you a director of the Manitoba Cattle Producers Association?

MR. G. SIGURDSON: Yes, I represent District 12.

HON. W. PARASIUK: I just picked up on the comment made earlier by Mr. Downey wherein he said, that to date those people appearing before the committee have, in fact, been supporters of the Cattle Producers Association then I looked at your name there and I realized that of the people I've heard, apart from Ms. Soper, I would think that all the people who have

appeared before the committee this evening have been directors of the Cattle Producers Association.

A MEMBER: Duly elected.

HON. W. PARASIUK: But they are appearing. I can understand they're appearing on behalf of the Cattle Producers Association to speak on behalf of the Cattle Producers Association. I was just commenting on Mr. Downey's comment that everyone here, who he inferred are appearing as private citizens, have appeared to date as directors of the Cattle Producers Association.

Yes, I ask the question specifically of Mr. Sigurdson as to his function, and I did so in response to the editorializing of Mr. Downey.

MR. CHAIRMAN: Are there further questions of Mr. Sigurdson?

A MEMBER: Well, I can hear the stuff well.

MR. CHAIRMAN: Order please. Any further questions of Mr. Sigurdson?

Mr. Sigurdson, I don't think members have any further questions. Thank you very much.

MR. G. SIGURDSON: Thank you.

MR. CHAIRMAN: Order please. Gentlemen, the next individual on the list is Mr. Wayne Dawydiuk, private citizen.

Mr. Dawydiuk.

MR. W. DAWYDIUK: One correction I'd like to make, I am here on a twofold purpose as a private citizen and cattle producer, also as Chairman of the Southeast Beef Cattle Improvement Association, headquartered out of Vita. I'd like to speak in opposition to the bill. I have a few points down here. I haven't got anything elaborate written down so I'll kind of run through it real quick and see what bounces off.

For the life of me, I can't see what reasons the government can have for attempting to - I guess I'll have to use other people's words - emasculate or demolish the organization which many producers have spent many long hours and many dollars and out-of-pocket expenses to get organized and on the road. The government seems to have a hangup over the compulsory end of the checkoff, and yet have no problem accepting compulsory provisions contained in marketing board legislation or deductions for union membership or government automobile insurance schemes. You want it, you pay it, that's all there is to it. Here at least, if the producer isn't in agreement with the job the association's been doing for him, or doesn't want to belong, wants a free ride, he sends in his request and gets his refund back. I just can't see how you could get anything simpler than that.

Our present checkoff system, I think, overcomes the natural general apathy of people when it comes to supporting any organization. Unless a person sees an immediate visible return for a dollar spent, the spending gets put off till tomorrow. I'm sure there are many guys that if the Manitoba Hydro wouldn't come around and disconnect the hydro at the end of the second month,

probably wouldn't pay for their hydro bills as long they know that everybody else would foot the bill, and they'd get it for nothing.

It's the sort of thing that the spending is a lot easier if you don't have the money in your pocket in the first place. If it's taken off at source and then the guy at the end of the year looks back and he has to fill out this application form for his refund and he has a chance to evaluate the work that the association has been doing if he figures he's getting his two bits or 50 cents or up to what? - it's a dollar now - if he's getting his money's worth out of it. Then, I think that a guy should sit down and take a look at where the hell he's going once in a while and see if he is really getting his money's worth out of the thing.

If they left it up to producers to voluntarily come up with the money, for my part unless I knew damn well that there'd be more than 50 percent of the producers putting their share into it, they ain't going to see my dollar. There is no other way of knowing - to my knowledge anyway - that the other producers are putting in their share if it's not taken off at the time of sale. If they want it back, if the guy wants it back bad enough to fill out the forms and everything else, I think he's entitled to it. If it's left up to the guys to individually write out that cheque for \$50, or \$100, or \$150 or 50 cents; the dollar's worth 50 cents. It's the type of thing that - well, tomorrow, and that's about where it's going to wind up too. I don't see where there will be a provincial organization to look after the interests of the cattle producers of the province.

Another illustration I think of the producer apathy, or like Terry was getting at, that the only time you hear from the producers is when they're in trouble or basically when they're in a financial squeeze or they got something squeezing them is just a lack of interest in the elections of our association. All the guy's got to do is mark an X on the ballot and throw the damn thing back in the mail and they can't be bothered. It's a good thing that we get directors elected that are willing to put in the amount of time and work that is involved with it to be able to keep it going with as little interest as there is. I don't know if very many of the political parties or MLAs would want to - or maybe they do get that same amount of action - the only time they hear from anybody is when they're after his ass, I guess.

Once again, I'm going to stress that we feel that the present refund system is relatively simple for those producers who don't wish to financially support the MCPA. It provides the producers with a chance to re-assess the cost-benefit ratio of their contributions to the association while he's filling out his application form.

Bill 90 removes effectively removes the right to collection of a checkoff at source, through deletions to Bill 25. Without collections at source, there is not going to be any organization as far as I can see.

I'll take any questions now I think.

MR. CHAIRMAN: Thank you, Mr. Dawydiuk. Questions? Mr. Orchard.

MR. D. ORCHARD: Mr. Dawydiuk.

MR. W. DAWYDIUK: Just call me Wayne.

MR. D. ORCHARD: You mentioned you belonged to the Southeast Cattle . . .

MR. W. DAWYDIUK: Beef Cattle Improvement Association.

MR. D. ORCHARD: Beef Cattle Improvement Association. Now a number of people presenting briefs have referred to the support of the organization in view of the fact that a very small percentage wish to have a refund. Now, the Beef Improvement Association, could you put a percentage of support amongst the association? Have you got a bunch of vocal people who wish to not support the Cattle Producers Association, or is there general support of it within that association of producers?

MR. W. DAWYDIUK: I'd say there is general support in favour of the MCPA.

HON. W. PARASIUK: Sir, you paint a fairly pessimistic picture regarding apathy within the Cattle Producers Association. Has that existed for a long time? You're saying that if we don't have, in a sense, the power of the government to bring about compulsory checkoffs, that the organization really will wither away because of apathy within the membership. Has that been a condition that's existed for a long time?

MR. W. DAWYDIUK: I think it's a condition that exists within society as a whole, not only in the beef industry.

HON. W. PARASIUK: Therefore, do you think then that voluntary associations should in fact be established, in a sense, by the state, or should they be established by themselves and operate effectively and independently as voluntary organizations without the state being involved?

MR. W. DAWYDIUK: As long as we have a half a dozen or a dozen beef organizations running to our Minister of Agriculture saying we want this, we want that, the Minister's going to stand there and say, well, what the hell you guys want. We've got one organization that's representing all the producers and for the benefit of all the producers' programs through fair representation through a board of directors elected from 14 districts spread out through the whole province, a fair cross section of different aspects of the beef industry on the board. What other way are you going to get an organization that's going to cover all the bases of the beef industry for the benefit of the whole industry, without everybody in the industry putting in a proportionate share of his production marketings to fund it?

MR. CHAIRMAN: Further questions from members of the committee? Seeing none, Wayne, thank you very much for coming tonight.

The next person on our list is Mr. Guy Johnson, private citizen. Mr. Johnson. Mr. Johnson doesn't appear to be here.

Next, Mr. John Whitaker, Local 516, Manitoba Farmers Union. I think they mean National Farmers Union.

MR. J. WHITAKER: Thank you, Mr. Chairman, members of the committee. I'm representing Local 516 of the National Farmers Union. I come from Erickson.

This brief is in support of Bill 90, which will change The MCPA Act to make the checkoff voluntary. Considering the type of organization the MCPA has developed into, we think it is appropriate for their checkoff to become voluntary and cannot understand their reluctance to accept funding by voluntary checkoff.

They have been in existence for over three years and have established some sort of track record with cattle producers. If they have been doing things which cattle producers agree with and if cattle producers feel that their contributions have been well spent, then they will continue to support the MCPA through voluntary checkoff and the MCPA Board of Directors will be able to take satisfaction in the fact that they are running a truly needed and appreciated organization.

The organization would no longer be funded because the checkoff refund procedure is arranged so that, for most cattle producers, obtaining the refund is not worth the bother. If however the association has not been doing the sort of things that cattlemen feel they need, then going to a voluntary checkoff will doom the association and the board of directors should accept its demise.

It is our view that the MCPA has does nothing useful for cattlemen and that going to a voluntary checkoff will result in its disappearance. Our main objection is that the MCPA has been unconcerned with the most serious issue facing cattle producers, that of the marketing system and getting a fair return for what they're producing.

I have attended two district meetings and two annual meetings of the MCPA, and whenever anything to do with the marketing system was raised, the board of directors showed no interest. Most cattle producers know that they are not getting a sufficient return for their product from the marketplace. Yet when some sort of alternative marketing scheme is proposed, like the Beef Income Assurance Plan, the MCPA Board fight against such a plan with all their resources.

As long as the MCPA can purport to represent the views of Manitoba's cattlemen, changes to our present marketing system will be very difficult. Instead of marketing, the MCPA has undertaken numerous other activities of less importance to cattle producers, many of which are handled by the Provincial or Federal Governments, or they have spent their time attending numerous meetings of questionable concern to the average cattle producer or by attending hearings such as this, in inordinately large numbers.

Their activity account, as supplied by the MCPA, indicates that over half of their functions involve attending meetings and we question the benefit to cattle producers of activities such as, and I quote, "Represented Manitoba producers at the international dinner at AgriVision." The activity account will be appended to my presentation.

I certainly hope that the directors attending here today are paying their own expenses and are not counting on Manitoba's cattle producers to pay for their trip to the city.

In summary, we wish this bill speedy passage so that the popularity of the MCPA can be quickly put to the test.

MR. CHAIRMAN: Thank you, Mr. Whitaker. Any questions for Mr. Whitaker from members of the committee?

Mr. Uskiw.

HON. S. USKIW: Mr. Whitaker, are you making the case that governments have no business in establishing private association by statute law?

MR. J. WHITAKER: Certainly associations of this type which are more of a club than anything useful. As I say, our chief objection to this association is the fact that it hasn't addressed the most serious concern of cattle producers.

HON. S. USKIW: Would you make any claim to representing any number of cattlemen in Manitoba through your association?

MR. J. WHITAKER: I'm the President of Local 516 and, as such, would represent about 80 farmers, most of which are cattle producers.

HON. S. USKIW: Would you concur with the theory that even the NFU should not be set up in this way, by way of statute law?

MR. J. WHITAKER: I personally would probably concur with that, although the NFU, in itself, is not opposed to compulsory organizations, considering their function.

HON. S. USKIW: I'm aware. That's right.

MR. CHAIRMAN: Further questions? Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, a question to Mr. Whitaker. One of the concerns that you've brought before the committee is that the Manitoba Cattle Producers Association have not had the ability to market or control the supply of beef.

If the Cattle Producers Association were given that power to market and control the supply of beef through a marketing agency of that organization, would you then be in support of the Cattle Producers Association?

MR. CHAIRMAN: Mr. Whitaker.

MR. J. WHITAKER: I'd really want to see the sorts of powers that you were talking about giving them before I answered that; it's quite important.

MR. J. DOWNEY: But you could accept that as a principle and could, after looking at it reviewing it, could be a possibility that you would support that kind of action.

MR. J. WHITAKER: If the MCPA were taking an active role in doing something about marketing situation and the price we receive for our beef, something that we consider to be useful, I may not be here presenting the view that I'm presenting.

MR. J. DOWNEY: Mr. Chairman, a further question. Mr. Whitaker has indicated that the reason the cattle producers have not opted out of the MCPA is the fact

that it's too much bother. How would you say there's too much bother if it's, in fact, a matter of both dollars and principle that a farmer wouldn't sit down and write a letter requesting his funds and telling the Cattle Producers Association that he or she did not want to participate? How would that be too much bother when it came to both principle and money, if that was the case?

MR. J. WHITAKER: It wasn't too much bother for me this year because, for the first time, I did request my money back. We have some very highly principled people within our local though, who are violently opposed to the MCPA, who have not taken the time to obtain their money back. There are two different expiry dates on the two types of checkoffs and you have to write every year. I cannot write in and say I want to be taken off until I let you know I want back in. It is a little cumbersome.

MR. J. DOWNEY: Mr. Chairman, I do agree that there has been a good case made that it could be somewhat cumbersome or more cumbersome than what a lot of producers feel and it's a point that has been considered by myself.

I have a further question and this is strictly dealing with representation of the cattle producers and speaking on behalf of the cattle producers which the cattle producers' organization has done very effectively as we've heard, not only today, from the Consumers' Association but private citizens and representation from the association itself, to effectively represent a farm organization, do you not think that that farm organization should have an adequate funding mechanism which would give them the financial support to do the research, to hire the people and to do that effective job?

MR. J. WHITAKER: Such an association would certainly be an advantage to the farm community but I would much rather see it come voluntarily through education. I would challenge your comment though that the Manitoba Cattle Producers Association represent cattle producers, because I have been to their annual meetings and their district meetings. I know how many people show up.

MR. J. DOWNEY: Well in dealing with that specific question, you as a representative of the Farmers Union speaking here tonight to The Cattle Producers Association Act, Bill 90 is proposed to remove the funding support of that organization. Do you feel that your organization is adequately funded and you're able to carry out, nationally or provincially, the kind of work that you feel as a representative of the Farmers Union, are you able to adequately carry out your role as a spokesman for those people in the farm community that want to be a part of your organization? Do you feel you've got the funds to do it?

MR. J. WHITAKER: I think you said this bill is removing the funding support for the MCPA. It's not doing that, it's just changing the way the checkoff is collected. As far as the NFU is concerned, I'm sure we all wish we had more money. We're not adequately funded.

MR. J. DOWNEY: If you had the kind of mechanism in place that the cattle producers have, would you feel that you could do a better job in representing the farm community?

MR. J. WHITAKER: If I was only getting the number of farmers out to our meetings as they are getting out to theirs, I don't think I would perpetuate the farce. Although you had the money, you obviously didn't have the support of the producers. There's obviously something wrong somewhere.

MR. J. DOWNEY: Mr. Chairman, a final question to Mr. Whitaker.

If the government were to indicate to the Cattle Producers Association at this point that they would be prepared to leave Bill 25 and remove Bill 90 from the Legislature, and over the next period of a few months discuss with the Cattle Producers Association and consultation with your organization, the Farmers Union, the consultative process where the marketing concept could be fully evaluated - because we now have a marketing system provided through the government through compulsory joining-up and marketing through the government system - would you then change your position and say we should leave Bill 25 as it is, and withdraw 90 so that the consultative process could, in fact, take place with the cattle producers and the government and your organization?

MR. J. WHITAKER: I would hesitate to answer the hypothetical question, because I think it's impossible to happen. I've heard Larry Clifford once too often.

MR. J. DOWNEY: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Orchard.

MR. D. ORCHARD: Thank you, Mr. Chairman. Mr. Whitaker, you indicated in your comments that you are a cattle producer or subject to the checkoff.

MR. J. WHITAKER: Yes.

MR. D. ORCHARD: You also mentioned that Local 516 has a membership of about 80 farmers. I didn't catch an estimate of how many of those 80 farmers were cattle producers and would be affected by this bill.

MR. J. WHITAKER: I said most of which, over half certainly.

MR. D. ORCHARD: Okay. If we sawed off between most and a half and had 60 farmers out of there, are all 60 of those farmers against the presently structured Manitoba Cattle Producers Association and the act that gives it its authority now?

MR. J. WHITAKER: I don't know if all are or not. It has been discussed at executive meetings and at local annual meetings for the past three years. Certainly the feeling is that the deductions should be voluntary at source. I haven't polled all 60 or 80 personally.

MR. D. ORCHARD: Then you couldn't offer an estimate of the 60 as to how many would agree with the position you've put forward tonight then.

MR. J. WHITAKER: I couldn't give you an exact figure, no. It is certainly the position of the local, there's no doubt about that.

MR. D. ORCHARD: Now I take it that you're probably a member of District 8?

MR. J. WHITAKER: Mr. McLaren is our director.

MR. D. ORCHARD: Mr. McLaren, just let me find him now. Yes, okay.

Now if your position is a correct one - and I noted also that you indicated you only this year applied for your refund - that meant that last year you could have run as a director in District 8 and if your position was the majority one of the cattle producers in that area, you could have got yourself elected to the board of directors of the Manitoba Cattle Producers Association. Would that be a fair assumption?

MR. J. WHITAKER: I certainly could have run. I'm not sure how many votes were cast in District 8 so I couldn't answer the second part of the question.

MR. D. ORCHARD: But, Mr. Whitaker, I think you've already answered that, because you've indicated that the majority of the people you've talked to are against the present system in the Manitoba Cattle Producers Association. That would seem to me that you could have run for election in District 8 and unseated the incumbent and become a member of the board of directors because obviously you're here claiming to represent the majority of cattle producers.

MR. J. WHITAKER: Local 516, but District 8 is much larger than Local 516.

MR. D. ORCHARD: Well, then do I take it . . .

MR. J. WHITAKER: It's a possibility, Mr. Orchard, that I could have become the director, yes.

MR. D. ORCHARD: Okay. Now, let's extend that to seven more districts so that of the 14 districts you have eight people, of your belief, elected as you say by the majority of cattle producers in your area who also hold your belief, you could have a majority on the board of directors and you could disband the Manitoba Cattle Producers Association as it exists, could you not?

MR. J. WHITAKER: If that occurred, that could have happened, yes.

MR. D. ORCHARD: Well then if your position holds the majority view amongst the cattle producers, why didn't you do it?

MR. J. WHITAKER: I didn't want to waste my time and energy on it. I would rather spend the time I have working for the NFU and defeat the Cattle Producers Association in this way which takes a much smaller proportion of my total amount of time than to use your course.

MR. D. ORCHARD: Ah now, Mr. Chairman, that has opened up a brand new spectre of light on this situation.

Are you saying that it's much easier to get to the current government as a member of the NFU to defeat the Cattle Producers Association rather than to run for election, theoretically being representative of the Cattle Producers of Manitoba by seeking election, as the director in District 8, you would find that much more difficult to do than for you, as a member of the NFU, to come to this government and have it done for you? Is that what you're saying?

MR. J. WHITAKER: There are a lot more issues that the NFU is facing rather than the Manitoba Cattle Producers Association. This is the amount of time that we are spending on this issue. We've been involved in the Crow fight for the last three years. That's where a lot of my energies have gone.

MR. D. ORCHARD: But, Mr. Chairman, if I might ask Mr. Whitaker, was I incorrect in my assumption that your answers have led me to believe that you found it much easier, in your position with the NFU, to come to this government - this NDP Government - and have your views known and your wishes carried out in regard to the Manitoba Cattle Producers Association than have gone to the cattle producers in District 8, which you are a member of or a resident in, and have yourself duly elected by the cattle producers to represent that view at the association, to have it disbanded?

MR. J. WHITAKER: I wouldn't say it was easier. The course that I chose was to do it this way. This change in checkoff has been NDP party policy for quite awhile.

MR. D. ORCHARD: Then do I take it from that you also are believing in that NDP policy, that this checkoff was wrong?

MR. J. WHITAKER: The policy states that the checkoff should become voluntary at source, that's the policy I believe in.

MR. D. ORCHARD: Okay, and to follow up once again, it was easier to approach this government than to become democratically elected as a district representative to make your view known internally with the Manitoba Cattle Producers Association and theoretically for seven other people, believing in what you believe in, and seven other districts doing the same thing.

MR. J. WHITAKER: Easier is the wrong word to use. It wasn't the course I chose. Whether it would have been successful or not, who is to know. Perhaps we would have completely wasted our time.

MR. D. ORCHARD: Now, Mr. Chairman, with Mr. Whitaker saying perhaps it would have wasted our time, I would suggest that that's a pretty key point, because if you did waste your time and you didn't get elected on the platform that this checkoff was wrong, that the Cattle Producers Association, as you have said tonight, did not represent the cattle producers, and you found out that when you went for election on the basis of that platform, making statements like, if you had only the number of producers at your meetings that the

cattle producers have, then they don't have the support of the producers, and that's what you indicated in questioning to Mr. Downey. If you went that route and you weren't successful, I would suggest you would be wrong to be here tonight because you wouldn't be representing the cattle producers, the majority of them.

MR. J. WHITAKER: Perhaps I would have been unsuccessful because I couldn't have gotten anyone else to run and I could have seen that I could have been elected myself, but I would have been a single voice on the board.

MR. D. ORCHARD: The point follows through, Mr. Chairman, that if you and seven others couldn't get elected, then obviously you're not representing the views of the majority of cattle producers.

MR. J. WHITAKER: Maybe I couldn't find six more people to run.

MR. CHAIRMAN: Order please. Mr. Orchard, with respect, I think you're engaging in a debate with the witness.

Order please, Mr. Adam. If you have further questions for the witness about the bill, or about his presentation, those would be in order, but engaging in a debate at this point doesn't appear to serve the purposes of the committee.

Any further questions?

MR. D. ORCHARD: Thank you, Mr. Chairman. I do have some further question. Now that we've established that democracy does not count in the National Farmers Union, I'll ask Mr. Whitaker whether he agreed with the Consumers' Association of Canada brief, wherein they were quite supportive of the Manitoba Cattle Producers Association and some of the worthwhile programs they undertook, particularly the home economist, which provided information to consumers on the nutritional value, etc., etc., of beef as a food product?

MR. J. WHITAKER: Let's not kid ourselves, Mr. Orchard. The Consumers' Association were here in order to slam marketing boards and the only reason they are opposing Bill 90 is because they know, if they can keep this organization in existence, there will never be a marketing board for beef.

MR. D. ORCHARD: Mr. Chairman, that may be a personal view. I don't think that's what this Bill 90 is talking about, is marketing boards.

What I was asking you is did you believe in the Consumers' Association of Canada, Manitoba Division, position that the Cattle Producers Association, through the hiring of a home economist, and the information service, and the advertising campaign, has been beneficial to the consumer, as well as the producer of beef?

MR. J. WHITAKER: I've seen no information on those programs to indicate whether they're useful or not.

MR. D. ORCHARD: Then I take it, not having that information, that you would not trust the word of the

Consumers' Association representative that's saying that was a beneficial program.

MR. J. WHITAKER: I prefer to make my own judgment.

MR. D. ORCHARD: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Driedger.

MR. A. DRIEDGER: I just have a few short questions, Mr. Chairman. Mr. Whitaker, it is my understanding you're a livestock producer?

MR. J. WHITAKER: Yes.

MR. A. DRIEDGER: And you indicated you had applied for the first time for your rebate in the past year; could you indicate what was the amount of your rebate?

MR. J. WHITAKER: I think it's in the area of \$40 or \$50.00.

MR. A. DRIEDGER: I see. Just one further question, Mr. Chairman. According to the figures that we have received, 8.6 percent of the funds that were collected by the MCPA were refunded or applied for refund; would that be, in your opinion, representative of the feeling of the livestock producers, or is that totally out of whack?

MR. J. WHITAKER: It's no representation at all of the feeling of livestock producers, it represents those people that happen to send in a request for a refund.

MR. A. DRIEDGER: Would you prefer to have a referendum on the issue?

MR. J. WHITAKER: No, I wouldn't. We have the track record, producers will vote when they market their cattle. It is a referendum, we're going to have it.

MR. A. DRIEDGER: I'm sorry, I'm pursuing it a little longer than I had anticipated, but if 8.6 percent of the people, only 8.6 percent of the money was applied for in refund, and you feel that is not representative, why would you not favour a referendum on the issue?

MR. J. WHITAKER: What have you to fear if only 8.6 percent is coming back? What do you have to fear in going to a voluntary checkoff? You're going to get it all anyway, according to you people and the MCPA. What's the problem?

MR. A. DRIEDGER: Why change it then, Mr. Whitaker?

MR. J. WHITAKER: So that I don't have to write in every year for a refund, so that the Cattle Producers Association will disappear because, in my view, that is what's going to happen and we can get an association established some time in the future, through some mechanism, which will do something about marketing. That's why we should change it.

MR. A. DRIEDGER: Mr. Whitaker, who do you feel should rightfully represent the livestock producers in this province?

MR. J. WHITAKER: A voluntary association of livestock producers.

MR. A. DRIEDGER: Any recommendations?

MR. J. WHITAKER: We'd be glad to do it. We could get all you folks to go door-to-door for us.

MR. A. DRIEDGER: Mr. Whitaker, I sorry, but you keep raising other questions in my mind. What is your membership at the present time, of the NFU, let's say, within the province, paid up?

MR. J. WHITAKER: In the order of 1,000 - 1,200, something like that. It's up; it was around 800 a year ago.

MR. A. DRIEDGER: Thank you.

MR. CHAIRMAN: Mr. Manness.

MR. C. MANNESS: Mr. Chairman, only two brief questions. It seems to me that the essence of what the local of the Manitoba Farmers Union is saying is that they support freedom of choice in this particular issue; is that a correct statement?

MR. J. WHITAKER: Yes, they support the right of the producer to choose when he markets his cattle, whether or not he wishes to support the MCPA. If that's freedom of choice to you, that's freedom of choice.

MR. C. MANNESS: Sorry, I sort of missed your answer; somebody else was speaking, but I'm wondering, do you support freedom of choice in other agriculture-related matters, such as, support of the Canadian Wheat Board?

MR. J. WHITAKER: I support the Canadian Wheat Board, yes.

MR. C. MANNESS: I support the Canadian Wheat Board, too, but do you believe that everybody should support the Canadian Wheat Board. or they should have a freedom of choice to, let's say, sell wheat outside of the Board?

MR. J. WHITAKER: No, I believe we should keep everybody in the Canadian Wheat Boards.

MR. C. MANNESS: Mr. Chairman, I don't disagree with that either.

MR. J. WHITAKER: Don't forget, the Canadian Wheat Board is a marketing organization. The Manitoba Cattle Producers is an anti-marketing organization.

MR. C. MANNESS: Mr. Chairman, I'm having a little trouble with that particular slogan, Freedom of Choice, because just the other day, or two or three weeks, when the Freedom of Choice was used as a slogan for defining a potential Crow payout method, I heard an interviewer on the CBC Radio Noon, as a matter of fact, ask somebody from your organization whether they could support that method, and that person indicated that

they were totally opposed to the freedom of choice; so I ask, specifically to Bill 90, Mr. Chairman, is your comment that you believe in freedom of choice, is it a general principle to which you subscribe as regards all agriculture matters, or is freedom of choice something that you support only as regards this specific issue?

MR. J. WHITAKER: It would depend upon what the organization was doing.

MR. CHAIRMAN: Further questions for members of the committee?
Mr. Ransom.

MR. B. RANSOM: Mr. Whitaker, if I understood you correctly, you said that if the Manitoba Cattle Producers Association has established a satisfactory record over the past three years that they should have nothing to fear from going on a voluntary checkoff basis. Is that correct paraphrasing of what you said?

MR. J. WHITAKER: Yes.

MR. B. RANSOM: Do you say that out of general principle, or do you say that strictly as it applies to Manitoba Cattle Producers? I wondering, for instance, whether you would apply that same kind of measuring stick to a labour union, for example.

MR. J. WHITAKER: I say it more out of general principle because I think that if this checkoff goes voluntary at source they're going to have serious problems.

MR. B. RANSOM: So you favour this because you don't think that they will get support and that will be the end of the association?

MR. J. WHITAKER: I want producers to have the right to contribute at source as a measure of their popularity. My own view is that if we do that they will not be popular enough to survive.

MR. B. RANSOM: You said one other thing, I think, Mr. Whitaker, you gave an indication that if the Manitoba Cattle Producers Association was concentrating on marketing that you might not be here making a presentation tonight. I gather from that, and please correct me if I'm wrong, that if the Manitoba Cattle Producers Association was making representation to the government asking for a marketing commission, for instance, that you might not then object the organization.

MR. J. WHITAKER: If it was a different type of organization and marketing was its priority, I probably would have a different opinion of it.

MR. B. RANSOM: Well then, is your concern with the nature of the organization, the structure of the organization or is it with the thrust of the organization?

MR. J. WHITAKER: Well, it's with all three - less so, structure.

MR. B. RANSOM: So your earlier statement then was perhaps incomplete or I didn't understand it correctly when you indicated you might not be here tonight if this association had been concentrating on marketing.

MR. J. WHITAKER: Well, I don't think Bill 90 probably would have been introduced if the association was as the National Farmers Union would like to see it anyway.

MR. B. RANSOM: So that you're saying that Bill 90 is only here because the Cattle Producers Association hasn't been concentrating on the marketing aspect.

MR. J. WHITAKER: In my own view, I look at Bill 90 as a means of getting rid of an organization which is not concerned with marketing. I don't know what Mr. Uruski's motive was in introducing it. I know it's NDP policy.

MR. B. RANSOM: Thank you.

MR. CHAIRMAN: Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, Mr. Whitaker. Mr. Orchard, in questions to you, indicated that the directors could have done away by vote by electing members who opposed the association to do away with it. Are you aware that the legislation could only be done away with if, in fact, the entire bill was repealed and not by the directors themselves?

MR. J. WHITAKER: No, I'm not aware of that, Mr. Uruski. But I think that that likely would have happened if the entire board of directors wanted to dissolve the association.

MR. CHAIRMAN: Further questions? Mr. Ransom.

MR. B. RANSOM: Mr. Chairman, then as a follow-up on Mr. Uruski's question. Would it be accurate, Mr. Whitaker, then to say that if a majority of cattle producers favoured the association concentrating on the marketing question that they could simply elect directors who favoured that position and the association could concentrate its efforts on marketing?

MR. J. WHITAKER: Well, their mandate according to the bill prohibits them from doing anything about marketing.

MR. B. RANSOM: Do you think they couldn't make a representation to the government on that behalf, in that line, perhaps ask the government to change the bill if that was the will of the majority of producers?

MR. J. WHITAKER: Perhaps to this government they could.

MR. CHAIRMAN: Further questions for Mr. Whitaker? Mr. Uskiw.

HON. S. USKIW: Yes, I wonder whether you would care to make an observation of why, if this legislation is so contentious as some would make us believe that it is, that we have on record only about two or three briefs

opposing the bill and two supporting it, that are representative of the farming community. Why are there so few people interested in this subject here today?

MR. J. WHITAKER: For the same reason that no one applies to get their money back - it's just not an issue.

HON. S. USKIW: Well, let me ask you another question. You are obviously involved in an area of the province where there are a number of producers. How would you explain the fact that cattlemen have not appeared before this committee, other than the directors of the association themselves, to present briefs to support or oppose the bill?

MR. J. WHITAKER: I guess that the directors are the only people that care enough to come and present a brief, but I should also say that our side is not very well represented either.

HON. S. USKIW: Well, my concern here on the anti side is that almost everyone that presented a brief have a vested interest or a conflict of interest other than, I believe, one or two - and I'm anticipating that there maybe another one, when I say two - briefs that are not directly connected with the board of directors of the association.

MR. J. WHITAKER: That's fairly obvious, Mr. Uskiw.

HON. S. USKIW: Does it strike you strange that out of some 14,000 or 15,000 cattlemen that we should only have the people that have a conflict of interest opposing the bill before us?

MR. J. WHITAKER: Well, I think it's an indication that Bill 90 should be passed, certainly.

MR. CHAIRMAN: Further questions for Mr. Whitaker? Mr. Ransom.

MR. B. RANSOM: Mr. Whitaker, on the same line of questioning then, might it be possible that those 14,000 people assume that the directors of the Cattle Producers Association are representing the position that they would agree with, is that not a possibility?

MR. J. WHITAKER: It's a possibility but I don't think it's likely at all.

MR. B. RANSOM: I note that the Manitoba Farm Bureau, for instance, is going to make a submission as well and I understand that they would probably represent quite a few producers, and perhaps their membership would also feel that the farm bureau would be speaking on their behalf. Is that possible?

MR. J. WHITAKER: Well, the Farm Bureau has a vested interest as well because the MCPA was one of the organizations that picked up the funding slack when Manitoba Pool pulled out.

MR. B. RANSOM: Well, Mr. Chairman, the allegation of vested interest seems to be that anyone who is involved in any way with this organization somehow

has a vested interest and seems to be placed in the light of being somehow less than entirely objective or carrying less weight than an individual citizen would have. Do you think that these people who are here as directors of Manitoba Cattle Producers Association don't carry the weight of far more people than just as individuals with a vested interest?

MR. J. WHITAKER: I don't think they carry the weight of very many people. As I said previously, I have been to the district meetings and their annual meetings and I know what sort of a turnout they get.

MR. CHAIRMAN: Further questions for Mr. Whitaker? Seeing none, Mr. Whitaker, thank you very much for coming tonight.

The next person on our list is Mr. Keith Proven, Local 516, National Farmers Union. Mr. Proven, please.

MR. K. PROVEN: Mr. Chairman, gentlemen of the committee, I am not representing Local 516, I am presenting the brief on behalf of Region 5 of the National Farmers Union. Region 5 is the Manitoba region, for those who don't understand. Yes, the geographic area of Manitoba but the farming area which is a de facto farming area.

I will present the brief

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

HON. S. USKIW: Would Mr. Proven clarify the geographic part of Region 5, the geography of Region 5? Is it all of Manitoba?

MR. K. PROVEN: Yes, it is the agricultural area of Manitoba.

HON. S. USKIW: Oh all right. Yes, that's fine.

MR. CHAIRMAN: Carry on, Mr. Proven.

MR. K. PROVEN: On behalf of Region 5 of the National Farmers Union, it is my duty to present our brief concerning the proposed legislation that will make the Manitoba Cattle Producers Association checkoff truly voluntary.

At the outset, I must say that the NFU is not opposed to compulsory checkoffs so long as these checkoffs are to aid directly in the marketing of the product involved.

Examples of positive checkoffs would include the Hog Marketing Board, the Milk Marketing Board and the Canadian Wheat Board.

We have, as most people know, lobbied this government for three years to give farmers the "freedom of choice," that is, a checkoff that is voluntary at source.

We note with interest that the last four annual New Democratic Party Conventions has passed the resolution stating that the MCPA should be a voluntary organization. No person can possibly say that after having been in power for three years that this government is acting in haste. We could say, however, that they are finally living up to their own principles and also responding to the calls from farmers to make this checkoff truly voluntary.

The National Farmers Union made presentations to the then Conservative Government in opposition to the MCPA enabling legislation.

We also appeared before the Standing Committee of Agriculture outlining our fears about the legislation and what kind of organization it could create.

Unfortunately we were not listened to at the time and more unfortunately our worst fears have proved to be true.

When given a licence, such as the MCPA received, it was inevitable that power would soon concentrate into the hands of very few farmers and latterly, into the hands of the board of directors.

The MCPAs stand on the Crow debate reflects how the abuse of power can be very dangerous, especially to farmers. The Crow issue is too important to just have the board of directors say that they are in favour of destruction of the Crow. That question should have been put to all the farmers who had money collected from them, but it never was.

The cattle industry is suffering its worst times since the depression. This cattle disaster has been due mainly to an inadequate marketing system which has outlived its usefulness.

The legislation that set up the MCPA forbids any incursions into the marketplace and in spite of the distress in the cattle industry the MCPA has been happy to do nothing over the past five years. I sort of stretched how long they've existed.

Any organization which is taking a checkoff should be more responsive and open to new ideas that might aid the industry. The Manitoba Government introduced a Beef Marketing and Stabilization Plan which, although not perfect, is a step in the right direction to modernizing the beef industry. The MCPA in their wisdom condemned the plan never offering a viable alternative or any leadership. Despite their condemnation, we understand that a number of the MCPA board of directors did join the plan and are taking the money offered. We feel that this is a very cynical view that will not help the beef industry.

The MCPA checkoff has collected around \$140,000 per year to run itself. This money has not, in our view, been spent in the best interests of the farmers who contribute. In 1981 they increased their administrative budget by 40 percent. At the same time they refused to increase their grant to VIDO - Veterinary Infectious Disease Organization. It is our feeling that money spent to aid animal health research will pay for itself much faster than a 40 percent increase in any organization's administrative budget.

The NFU has always felt that education is the key to farmers solving their own problems. Communicating information requires time and money, both of which the MCPA has had. It is our contention that they have failed badly in this aspect. At one time each farmer would receive a newsletter which did give some good information but this was discontinued because of cost. We submit to you that the newsletter was a tool that was not used properly.

The MCPA never did solve the problem of effective membership communication. Annual meetings were poorly attended and meetings to discuss subjects of real concern were never called. When a group has \$140,000 to spend it must be very responsible and know its priorities. It is obvious that the directors felt

it easier to make a decision for the membership without consultation or discussion.

The question of why so few people have requested checkoff refunds has been raised. The answer is quite simple. If you make it difficult enough to get the checkoff back, no one will have the time to do it.

If this legislation is passed, we will see in a very few months how willing farmers are to support the MCPA. This then will be the "freedom to choose."

In summing up I would urge speedy passage of this legislation. Farmers will soon let it be known about their views on the MCPA by contributing or not.

Speedy passage will allow Larry Clifford and the rest of his directors time to get out on the road and sell their organization. After all, this is what democracy is all about.

Submitted by Region 5 of the National Farmers Union.

MR. CHAIRMAN: Thank you, Mr. Proven.

Any questions for Mr. Proven from members of the committee? Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, to Mr. Proven, on Page 3 you indicate that the MCPA had openly criticized the Stabilization Plan. Are you aware that the Cattle Producers Organization had requested of the government, prior to this administration as well as this administration, to implement a stabilization plan, and that we have been told by a witness earlier today that they, in fact, were requested and had input into the current stabilization that's in place? Are you aware of that fact?

MR. CHAIRMAN: Mr. Proven.

MR. K. PROVEN: I will only take the comments of President Clifford who I assume represents the organization that he is president of, and he has been totally opposed to the Income Stabilization Plan.

MR. J. DOWNEY: Mr. Chairman, I beg to differ with the witness. I, Mr. Chairman, believe that the comments of opposition came on the marketing aspect, the Government Marketing Commission which was implemented not by choice but by force for those cattle that were within the stabilization, that is the area of criticism. Would you not agree that's as it is?

MR. K. PROVEN: Yes, they disagreed with any concept that would do with marketing and that's why we are opposed to the MCPA.

MR. J. DOWNEY: If the Manitoba Cattle Producers Association were given the power to market, would you then support the organization and the withdrawal of Bill 90?

MR. K. PROVEN: That's like letting the fox run into the chicken house. That's nuts.

MR. J. DOWNEY: Well, Mr. Chairman, he can take it as lightly as he likes, if he doesn't want to be serious. He represents an organization that . . .

HON. S. USKIW: He is serious. He's dead serious.

MR. J. DOWNEY: Well, Mr. Chairman, he represents an organization that's supposed to represent farmers, and he is critical of the Cattle Producers Organization who have put money into VIDO. Is he aware that it is cattle producers' money that has been spent on VIDO?

MR. K. PROVEN: The point I want to bring out that I raised at the MCPA annual meeting was, that \$5,000 had been contributed. I asked why could not a matching grant to raise it up the same percentage as administration costs be made, and they said we could not afford it. I will not accept that any organization should not at least be able to raise their grant to VIDO at the same percentage terms as they do their administration costs.

MR. J. DOWNEY: How much money did the National Farmers Union contribute to VIDO?

MR. K. PROVEN: None.

MR. J. DOWNEY: Thank you, Mr. Chairman.

MR. CHAIRMAN: Further questions? Mr. Uskiw.

HON. S. USKIW: Yes, I wonder if you would want to indicate to us why the apathy on this bill, on either side.

MR. J. DOWNEY: I wouldn't say it's apathy, just call an election, you'll see . . .

MR. K. PROVEN: I think if I could answer that question of apathy amongst farmers then I'd be not just a plain farmer, I would be a leader of some intensive farm organization. Right now farmers are so damned involved in surviving that they don't have time.

John and I came in here at our own expense to do this. I haven't heard yet whether the MCPA directors will be drawing the regular per diem and expenses for appearing or not. It doesn't matter, they have to do what they do for their organization. But apathy, I don't know. Sam, I don't know how you answer that.

HON. S. USKIW: Doesn't it appear strange that only one brief, so far, was heard in opposition to the bill of a person who was not directly part of the association?

MR. K. PROVEN: Yes, considering the ad campaign that they have put on in the last three weeks, I am surprised. I felt that there would be more representations made by people in favour of retaining the MCPA contribution the way it was; I am surprised.

HON. S. USKIW: Are you satisfied that a fair measure of public opinion would be pure disinterest?

MR. K. PROVEN: Pardon me, I didn't . . .

HON. S. USKIW: Would there be a fair amount of disinterest in the issue, one way or the other?

MR. K. PROVEN: Yes, I guess that's obvious.

HON. S. USKIW: That's fine.

MR. CHAIRMAN: Further questions?
Mr. Orchard.

MR. D. ORCHARD: Thank you, Mr. Chairman. Mr. Proven, you're presenting this brief on behalf of Region 5, which encompasses all of Manitoba. Is it fair to assume that this speaks for the Manitoba membership of the National Farmers Union?

MR. K. PROVEN: In speaking on checkoffs, as I stated before, the National Farmers Union is in favour of any checkoff that will go directly to aid marketing of their products.

MR. D. ORCHARD: That doesn't exactly answer the question. You have made a number of statements against the MCPA in this brief, and this brief is on behalf of Region 5. Does this brief represent the view of the membership in the National Farmers Union of Manitoba?

MR. K. PROVEN: Yes.

MR. D. ORCHARD: Now Mr. Bucklaschuk was very concerned that the Consumers' Association of Canada, Manitoba Division, that their brief was not properly circulated and hence not representative of the Consumers' Association membership in Manitoba. It was explained to him how their brief was circulated and drawn up. Could you indicate how this brief, which represents all of Manitoba National Farmers Union membership, could you explain to me the process by which this brief was distributed to regional meetings, to district meetings, etc., to local meetings, and comments were made and changes were made, as happened with the Consumers' Association brief?

MR. K. PROVEN: This brief was never put to all the membership. The membership have the opportunity at all times to vote on whether they would support an organization like the MCPA. They have consistently voted against supporting an organization like the MCPA. This brief simply represents that viewpoint.

MR. D. ORCHARD: So then you are taking the liberty to say that these statements, even though they haven't been bounced off the entire membership of the National Farmers Union in the Province of Manitoba, you are taking the liberty to say that this, indeed, is representative of their views.

MR. K. PROVEN: I take the liberty of saying that the membership has already decided their stand, and I simply represent that view.

MR. D. ORCHARD: Now, Mr. Proven, on Page 2 of your brief, you indicated, ". . . when given a licence such as the MCPA received, it was inevitable that power would soon concentrate into the hands of very few farmers, and latterly into the hands of the Board of Directors." Is it safe for me to assume from that statement in your brief that you believe that the majority of cattle producers in the province don't agree with the association and with the position taken by the Board of Directors; and specifically, by being here in favour

of Bill 90 you believe that the majority of producers favour the upfront, voluntary deduction?

MR. K. PROVEN: I believe that, and I will be very interested to see what the producers do when the checkoff is voluntary at source.

MR. D. ORCHARD: Then that brings us to the interesting proposition that I put to Mr. Whitaker. If you are convinced that is the position and the belief of the majority of cattle producers in the particular area you may reside in, the particular district of the MCPA, I ask you why didn't you run for election as a director, get a majority on the board of directors and make that change internally without having to lobby the government to make it for you?

MR. K. PROVEN: I have never withdrawn my checkoff money because it allows me to go to the meetings and speak and vote and even present resolutions, which I have. By offering myself for election in Region 8, which is Doug McLaren's district, I would be giving more than the de facto support that I would like to give the organization.

MR. D. ORCHARD: Mr. Chairman, I think if I understand your position . . .

MR. K. PROVEN: I'll further say that at the annual meeting two years ago, the meeting in Neepawa, I presented a resolution that the checkoff be voluntary at source. That resolution was narrowly defeated by those people in attendance. Having gone that route, I feel no guilt in coming before the legislative committee to say what I feel.

MR. D. ORCHARD: Mr. Chairman, I don't want Mr. Proven to get me wrong. We welcome your viewpoint, as well, and we're glad you are here but, if you represent the majority of cattle producer opinion, it would seem to me that you could . . .

MR. K. PROVEN: I feel I represent a number of cattle producers' viewpoints. I am not prepared to enter into any election. I will let the cattle producers themselves decide by whether they contribute or not contribute.

MR. D. ORCHARD: Mr. Chairman, the natural election campaign of a director, who is against this organization in its method of checkoff, would have been to run in the director elections stating your platform of an upfront, voluntary checkoff that you're going to change the position, if in fact, you held the majority view there, you would become elected and you could allow that to happen without having legislation, and a number of people here at various expense, to support this legislation which, as you pointed out, has been New Democratic Convention policy for some four years now.

I simply ask you, if that is a majority opinion, it could have been resolved internally with very little fuss, muss or bother.

MR. K. PROVEN: I will repeat my answer in your question, which you repeated, I will say that I feel I represent a viewpoint of farmers who would like the

MCPA to disappear. I will trust that, by contributing or not contributing, they will make that decision.

MR. D. ORCHARD: So then you're not necessarily saying that your position represents the majority position of cattle producers then?

MR. K. PROVEN: I don't know; I represent Region 5, National Farmers Union.

MR. CHAIRMAN: Further questions? Seeing none, Mr. Proven, thank you very much on behalf of the committee for appearing tonight.

MR. K. PROVEN: Thank you.

MR. CHAIRMAN: The next name on our list is Mr. Jim Bund, Manitoba Beef Cattle Performance Association. Mr. Bund, please.

MR. J. BUND: Thank you, Mr. Chairman. I am presenting this brief on behalf of the members that were present at the Annual Meeting of the Manitoba Cattle Performance Association held on June 17th in Brandon. I believe a copy of the motion that was passed at that meeting was sent to the Minister of Agriculture shortly after the meeting. It was unanimous in its support of the MCPA in opposing Bill 90.

Mr. Chairman and members of the committee. The Manitoba Beef Cattle Performance Association is pleased to have this opportunity to present our opinions on this piece of legislation. The Manitoba Beef Cattle Performance Association is an association representing both purebred and commercial producers of beef cattle in the Province of Manitoba. The main purpose of our association is to promote the practice of performance testing of beef cattle, as well as to manage the affairs of the Douglas Bull Testing Station at Douglas, Manitoba. The test station at Douglas is the largest such station in Canada as well as the station which has shown a great deal of leadership in the performance testing of beef cattle in Canada.

As one of our major objectives is to increase the productivity of the beef herds in the province by use of performance testing, we find it very distressing that the government of this province would try to dismantle the only organization which represents the total beef producers in the province, The Manitoba Cattle Producers Association. It is in association with the MCPA that our group is planning meetings this fall to promote the use of performance testing.

As you are no doubt aware, the Federal-Provincial ROP program has only very recently been abandoned for the original program. This happened because of the serious drop in participation in the "New" program. We feel that if some major work is not done very soon to encourage producers to stay on the program, that it will cease to exist. We are hoping to do some of this work, as we feel that we will be more successful in encouraging producers to stay with the plan than the government will be. However, we cannot do it without the help and co-operation of the MCPA and financial assistance from them.

If the funding rights are removed from The Cattle Producers Association Act, Bill 25, there is no question, in our opinion, that the association will cease to exist.

We find it very difficult to understand why a government which has established a commission to aid producers in the marketing of their product and a stabilization plan to produce a more likely profit picture would, in the same term, take away the only means this group of people have to promote and protect their product. It has been proven that the recent advertising campaign, which the MCPA has helped to finance with one-half of their checkoff revenue, has had a substantial positive effect on consumers' attitudes towards beef.

We find it difficult to understand why a government which so strongly campaigns the cause of the labour unions and the individual's right to bargain for a fair deal, would deliberately take that right away from a very large and productive sector of the population.

We feel that this legislation is uncalled for, as it is only a very small portion of the producers in the province who have ever asked for their monies to be returned to them. We understand that the MCPA Board of Directors have proposed ways which the producers, who wish to have their checkoffs returned to them, will be able to do so more easily. We feel that the vast majority of the producers are very satisfied to have a strong, independent organization representing them on policy matters and doing promotional work on their behalf.

I would like to thank you for this opportunity to express our views and close by suggesting that it would do much better for the people and this government if it were presenting constructive legislation, rather than destructive legislation. Thank you.

MR. CHAIRMAN: Thank you, Mr. Bund. Questions? Mr. Uskiw.

HON. S. USKIW: Could you indicate to the committee just how much financial aid you are receiving from the association?

MR. J. BUND: At the present time we have not received any financial assistance and the details are still to be worked out in conjunction with promoting the ROP Program for this fall.

HON. S. USKIW: Are you indicating that there is a commitment from the association to support your program - financial commitment?

MR. J. BUND: We have no further commitment that I am aware of at this point.

HON. S. USKIW: But your brief, if you look at the bottom of Page 1 and the top of Page 2, you make reference to co-operation and financial assistance from MCPA. What do you mean by that?

MR. J. BUND: Well, probably hall rentals and setup in conducting meetings around the province.

HON. S. USKIW: But you claim in your brief, sir, that you will be stymied if you don't get this kind of financial support.

MR. J. BUND: I don't understand your question.

HON. S. USKIW: And yet you're saying you don't get financial support.

MR. J. BUND: I don't understand your question.

HON. S. USKIW: Well, let's go back to your brief. It says, "We cannot do it without the help and co-operation of the MCPA and financial assistance from them." What do you mean by that?

MR. J. BUND: Well, setting up the meetings around the province to help promote and get the ROP Program back on course. As you know, it's virtually dead from the contact I have in my area and, of course, through the associations that I belong to and it's going to take a lot of leg work to get people believing again, if you like, in the ROP Program. In order to do this, we think a few meetings will be essential around the province and we're hoping to work out some details whereby the MCPA would help us in organizing these meetings and perhaps paying hall rental or whatever.

HON. S. USKIW: Further on Page 2, you suggest that the association will cease to exist unless they have a compulsory means of membership. Are you not at all confident, now that people have had three years of experience with the association, that there will be fair amount of voluntary support?

MR. J. BUND: Our opinion is that voluntary support just doesn't come. On my way to Winnipeg, I stopped for coffee along the road and another beef producer was there, who was also a livestock dealer. He applies for his checkoff to be returned to him, refunded to him, because of the fact that he deals in a large number of cattle which aren't really his. In other words, he's paying a couple of thousand dollars on a regular basis and feels that it should be returned to him and I think I see his point of view and agree with him. He agrees that there should be a voluntary organization for people to belong to, but he also would probably not bother to send in his checkoff. Even though he would like an organization, he just probably would never get around to dropping his dues in the mail. I think probably most of us would likely be guilty of that. That's why we agree with Mr. Clifford that the organization would probably fail for lack of financial support.

HON. S. USKIW: What percentage or how many of the 14,000 beef producers do you believe would voluntarily continue to make contributions to MCPA without this legislation?

MR. J. BUND: I'm not sure just what the percentage would be.

HON. S. USKIW: Would you take a guess? Would you lose half of them?

MR. J. BUND: Probably, at least.

HON. S. USKIW: Half of them?

MR. J. BUND: Probably.

HON. S. USKIW: I see. If you still retain half of the industry's support on a voluntary basis, is it not important to you that the principle of voluntary

participation is what is the result of that action and it's a stronger organization because it is voluntary, than if it's there by statute law of the Province of Manitoba?

MR. J. BUND: Well, I see it as a voluntary contribution. The fact that they deducted for me at the time I deliver my cattle is no big deal as far as I'm concerned. If I felt inclined, I could sooner write a letter. It only costs me 30 or 32 cents, or whatever it is, to have it refunded to me so I feel that it's not a compulsory type of thing. If I wanted out, I would have no qualms about asking for my money to be refunded to me.

HON. S. USKIW: Would you clarify what it is you mean in the middle of Page 2, when you draw an analogy with the government's position, vis-a-vis labour unions, as compared to the Cattle Producers Association? What do you mean by that statement?

MR. J. BUND: Well, as you know, most labour unions have a compulsory checkoff of union dues and I think the reason that was brought in for them was that a lot of their members would rather not contribute, even though they would reap the same benefits as those who did belong as union members.

HON. S. USKIW: Can you show me by example or indicate knowledge of any union that was formed by way of an act of the Legislature?

MR. J. BUND: I'm not familiar with labour unions to that point.

HON. S. USKIW: Which union was created by an act of the Legislature - ever - in the history of Manitoba?

MR. J. BUND: I'm not familiar with labour legislation to that extent.

HON. S. USKIW: Would you not then agree, Sir, that indeed your comparison is not accurate, that there is no similarity between trade union law, or laws providing for voluntary organization of trade unions, to this Act, which makes it mandatory that people belong to an association that they didn't choose to belong to, really?

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

MR. D. ORCHARD: The analogy, I think, is relatively straightforward. You don't work in a union shop unless you pay dues.

MR. CHAIRMAN: Order please, order please. Does the member have a point of order?

MR. D. ORCHARD: Yes, Mr. Chairman. The point of order is simply that Mr. Uskiw is attempting to illicit a legislated analogy to the bill. The analogy that's being made in the bill is the context that labour unions have a compulsory upfront checkoff which is not refundable; this organization does have. The NDP supports labour unions with compulsory upfront checkoffs which is not refundable. This organization does have. The NDP supports labour unions with compulsory upfront checkoffs of union dues without . . .

MR. CHAIRMAN: Order please. The member does not have a point of order, he's seeking to engage in debate. The Minister has the floor in asking questions. If the member wishes to ask questions, I'll gladly recognize him later.

Mr. Uskiw.

HON. S. USKIW: Well, Mr. Chairman, everyone recognizes that trade unions have the right to impose fees and checkoff on their membership, but that is a decision arrived at by themselves, not by the Legislative Assembly of Manitoba. It is allowed and permitted on a voluntary basis, but they have to make that decision collectively. This piece of legislation denies the voluntary right of participation, and that is the point that has been objected to.

I would like to ask you, Sir, now that we're down to the bottom of the list, why is it that only one brief, so far, that we have heard today, was presented against the legislation, but from a person who didn't have a direct conflict of interest? Why is it that only one brief does not have a direct conflict of interest?

MR. CHAIRMAN: Mr. Bund.

MR. J. BUND: The evening isn't over yet, I understand there are more briefs to be presented. I'm also President of the Manitoba Charolais Association. We received correspondence from the MCPA asking for their support in opposing Bill 90. We would have taken this to our directors and to our membership, but some of us have work to do at home. It seems to be important to mention tonight that we're here at our own expense, and we appreciate your taking time to hear the few comments that we do wish to make in support of their opposition to Bill 90.

HON. S. USKIW: Mr. Chairman, does it not strike you, Sir, odd that we don't have 50 or 100 cattlemen in their own right wanting to take a position on this legislation? Is that not a . . .

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

MR. B. RANSOM: Yes, Mr. Chairman. I believe it is customary for the committee to have an opportunity to ask witnesses questions about their submission. Mr. Uskiw has insisted on pursuing his own line of thought with each witness, remarking on the apparent absence, in his view, of people without a vested interest. I suggest he's out of order, Mr. Chairman, in pursuing that line of questioning since Mr. Bund didn't raise that question in his submission to the committee?

MR. CHAIRMAN: Further comments on the point of order from members of the committee?

Mr. Parasiuk.

HON. W. PARASIUK: I've heard people on both sides of the committee ask people appearing before the committee questions of a general nature, not necessarily contained in their brief. I think if you look at Hansard you will see that a number of people, on both sides of the House, did that, so I find it surprising now that Mr. Ransom would raise this as a point of order.

MR. CHAIRMAN: Further discussion on the point of order?

Mr. Driedger.

MR. A. DRIEDGER: Mr. Chairman, the point I'd like to raise is the statement that was made by the Minister about everybody having a vested interest in here.

MR. CHAIRMAN: Order please. That's not part of the point of order raised by Mr. Ransom. If you wish to raise a separate point, I'll entertain that after we've disposed of this one.

Mr. Enns, please.

MR. H. ENNS: Mr. Chairman, from time to time, particularly you, Sir, are called upon to adjudicate on the interpretations of the rules of how we conduct ourselves, either in committee or in the House. It's a long established procedure in the House and in the committee, the point raised by the Honourable Member for Turtle Mountain, that we ask for representation to be made before a committee such as this and that questions dealing with that representation for clarification are in order. To engage in an extraneous debate is not in order. The point made by the Honourable Member for Turtle Mountains is, in my judgment, perfectly in order, and I think, you, Sir, as having some understanding of the rules of how the committee should conduct itself should rule in that favour.

MR. CHAIRMAN: Mr. Adam.

HON. A. ADAM: Mr. Chairman, on the point of order. You allowed considerable latitude when Mr. Orchard was questioning Mr. Whitaker and Mr. Proven in regard to why he would not choose to be elected as a Director of the MCPA, and that question was certainly out of order if this one is. It wasn't in the brief, and it was questioned at length of these two individuals, and I don't see any reason why Mr. Ransom would raise a point or order now when he did not do so when his colleague was speaking out of order, in my opinion.

MR. CHAIRMAN: Thank you for your contributions, gentlemen. It would be my opinion that all questions relating to the subject matter at hand are certainly in order. Questions relating to provisions of Bill 25, passed in 1978, which are not the subject of the amendments proposed in Bill 90 have already been ruled this evening to be out of order; but certainly, if I were to rule Mr. Uskiw's line of questioning out of order, I would have had to rule several members, not just Mr. Orchard, but several other members on both sides, out of order for asking witnesses present about the nature of their delegation, about the support they had for the presentation they were making, about their thoughts on things that flow from their brief and apply to the bill. To do that would seriously limit the ability of the committee to question the public, and I'm not prepared to rule those questions out of order.

Mr. Uskiw please proceed.

HON. S. USKIW: Just to repeat that last question, then. Could you give us an indication as to why we

have such little interest on the part of the cattle industry in this bill at the present time?

MR. J. BUND: I've just been handed some information here that tells me that probably there's a lot more interest and concern than what you're aware of. The following organizations have all joined together in supporting the MCPA in opposition to Bill 90: The Manitoba Beef Cattle Performance Association, which I'm representing here this evening; Manitoba Women's Institute; Manitoba Pool Elevators; Manitoba Simmental Association; Manitoba Limousin Association; Manitoba Egg Producers Marketing Board; Canadian Cattlemens Association; Manitoba Milk Producers Marketing Board; Manitoba Aberdeen Angus Association; Alberta Cattle Commission; Manitoba Hog Producers Marketing Board and Manitoba Hereford Association.

I think the fact that they're not all able to be represented here tonight is indicative of the fact that they are busy people as most of us are, including you gentlemen here this evening, and they were not asked to make themselves present at this committee.

In my own case, I just found out about it yesterday on the telephone, otherwise I would never have known that it was taking place, because my time for reading newspapers these days is pretty limited.

HON. S. USKIW: Mr. Chairman, I wonder if Mr. Bund could indicate to the committee that all of those associations that he just read off, such as, the Egg Producers Marketing Board, have they had a membership meeting at which time this issue was put before the membership, resulting therefrom a resolve that has been introduced to the committee by Mr. Bund at this point in time.

MR. J. BUND: As far as I am aware, all of these organizations have taken the request which they received from the MCPA asking for support, as far as I know they've all taken it to at least their board of directors, if not their annual general meeting, which was the case with the Manitoba Beef Cattle Performance Association.

HON. S. USKIW: Do you believe, Mr. Bund, that the Manitoba Egg Marketing Board has, in your opinion, some relevance to this debate here?

MR. J. BUND: I think probably what they're doing is expressing their sympathy and so on to a situation which they hope they wouldn't be faced with themselves some day and I was there just simply providing the support that they were asked to give.

MR. CHAIRMAN: Mr. Driedger. Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, to Mr. Bund, in the second-last paragraph of your brief, you have indicated that the Board of Directors of MCPA have proposed ways which the producers who wish their checkoffs returned to them will be able to do so more easily. Are you aware of the ways that are being proposed by the MCPA?

MR. J. BUND: I haven't got all of their revised procedures. I have just heard what Charlene pointed

out this evening in part of her presentation about the details of how a refund is made. But as I mentioned on the way in when I had coffee with a friend of mine who is a livestock dealer and has a couple of thousand dollars in his account with the MCPA, as far as he was concerned there was no problem in getting his refund.

HON. B. URUSKI: But you know, for someone who would have a lot of money involved, it would pay one to follow the procedures. You have indicated that it would be made easier or easily, to do so more easily. What ways were being proposed to you to make the refunds more easily? Are you aware of any ways?

MR. J. BUND: I don't belong to that organization. I am not party to the discussions involved.

HON. B. URUSKI: Okay, thanks.

MR. CHAIRMAN: Further questions?
Mr. Manness.

MR. C. MANNES: Mr. Chairman, I'm a little perplexed at the line of questioning of Mr. Uskiw. When we were in the Crow rate debate, he could hardly wait to hear from Manitoba Pool Elevators who represented 15,000 producers.

Mr. Chairman, my question . . .

MR. CHAIRMAN: Order please.

MR. C. MANNES: Mr. Chairman, my question to the witness is regarding a comment where you say, if the funding rates were removed from the Cattle Producers Association, there is no question in our opinion that the association will cease to exist. Then you expanded that statement a little further by indicating that you felt people would not take the time or the bother to voluntarily submit levies for livestock marketing.

Do you make that assertion on the basis of information presented by the Western Grain Stabilization Fund, where those of us who produce grain who have certified seed sales; who may sell grass seeds to processors; who may sell grain to feed mills; that we are given two weeks after the close of the calendar year in which to voluntarily send a levy, remit a levy to that Fund? It appears that very few of us, as grain farmers, do that.

Now do you make that statement using that as a format.

MR. J. BUND: That's more or less the guidelines that we are keeping in mind, that paperwork is not a fun thing for the average farmer. Most of us are even reluctant to pay bills and we just don't get around to writing letters.

MR. C. MANNES: Thank you.

MR. CHAIRMAN: Further questions for Mr. Bund.
Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, to Mr. Bund, you have indicated that the Manitoba Pool Elevators oppose this legislation. Is that correct?

MR. J. BUND: That's right.

HON. B. URUSKI: Are you aware of their position on this legislation?

MR. J. BUND: Only their reply to the MCPA, indicating their support in opposition to Bill 90.

HON. B. URUSKI: Would you permit if I read you their letter to myself on the bill, and would you indicate whether that is unqualified support for Bill 90?

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

MR. J. DOWNEY: Mr. Chairman, the procedure is to ask questions of the individual, and not to listen to the Minister. We have all had distributed the letter from Manitoba Pool Elevators, that we can read.

MR. CHAIRMAN: Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, to Mr. Bund, are you aware that they have made their position to me directly on this bill?

MR. J. BUND: No, I'm not aware of that.

HON. B. URUSKI: You aren't aware?

MR. J. BUND: That what they've told the MCPA?

HON. B. URUSKI: Yes.

MR. J. BUND: I'm not aware of that.

HON. B. URUSKI: You're also not aware that they have indicated that they support the livestock industry in Manitoba, and that sufficient time be taken to ensure that any change in legislation be desirable and constructive with the objective of maintaining a viable cattle industry in Manitoba. That's what they have said.

MR. CHAIRMAN: Do you have a question, Mr. Uruski?

HON. B. URUSKI: I asked Mr. Bund whether he was aware of that; whether that would be a clear, unequivocal statement in opposition to Bill 90.

MR. J. BUND: I would have to study the wording again, but I didn't detect anything different than what's indicated on this piece of paper in front of me; that they are in support of the MCPA in opposition to Bill 90.

HON. B. URUSKI: Mr. Chairman, I'll show Mr. Bund the letter after he's finished, and he can see it for himself.

MR. CHAIRMAN: Further questions for Mr. Bund from members of the committee? Seeing none, Mr. Bund, thank you very much for being here tonight on behalf of your association.

The next person on our list is Mr. Earl Geddes, Manitoba Farm Bureau.

Mr. Geddes.

MR. E. GEDDES: Thank you, Mr. Chairman. It has been a very long day, and this is one of the last briefs you'll have to listen to this evening.

I would like to begin by making a comment that I noticed this afternoon, and that being that from time to time the old Premiers on the wall here have kind of moved back and forth a bit at some of the comments that were made today. I'm not sure if that was the wind or what.

Mr. Chairman, members of the committee, the Manitoba Farm Bureau is gratified to have this opportunity to express to you some brief comments concerning Bill 90, An Act to amend The Cattle Producers Association Act.

Our study of this proposed legislation has left us with some very serious concerns. Bill 90, if passed in its present form, will eliminate the ability of the Manitoba Cattle Producers Association to utilize a checkoff or levy on cattle marketings to fund the activities of the association, and also the ability to cause the various sectors of the livestock-meat processing system to maintain and submit records from which the association is able to provide cattle producers with accurate and much needed information on markets and prices. This action, on behalf of the government, would in our opinion, seriously detract from, if not eliminate entirely, the effectiveness of the Manitoba Cattle Producers Association.

In expressing support in 1978 for the passage of Bill 25, The Cattle Producers Association Act, the Manitoba Farm Bureau reiterated its longstanding concern about the lack of strong, adequately funded, organization to represent the interests of cattle producers in Manitoba. At that time, the Manitoba Farm Bureau pointed out that there were a number of serious problems within the cattle industry which were not being adequately addressed, partially at least because of the absence of an effective co-ordinated effort on behalf of cattle producers to seek and press for the solutions required. While in 1983, some of the problems have changed, the need for an effective organization to represent the interests of cattle producers in the province has not.

During committee consideration of Bill 25 in 1978, a number of those opposed to the passage of the proposed legislation attempted to establish the point that the Manitoba Farm Bureau, in expressing its support for the establishment of a cattle producers' association, with the ability to fund itself by means of levy on marketings had a vested interest in the development of such an organization. Those representing the Manitoba Farm Bureau at that time stated quite freely that the bureau did indeed have a vested interest in the establishment of an adequately funded and effective cattle producers association.

As an organization responsible for representing agricultural producers in the province on matters of general agricultural policy, the Manitoba Farm Bureau has long been concerned about the completeness of its deliberations on policy matters and the absence within its membership of a unified organization to represent the views of producers of a commodity from which a very significant portion of agricultural income in Manitoba is generated. The Farm Bureau indicated openly at that time that it was the hope of those representing the producers of other commodities that any organization of cattle producers, resulting from

passage of Bill 25, would become part of the Manitoba Farm Bureau, to broaden its consideration of issues and strengthen its representations on behalf of agricultural producers in general.

The Manitoba Farm Bureau is of the opinion that depriving the Manitoba Cattle Producers Association of the ability to fund its programs through the collection of levies on marketings will seriously hamper, if not cripple entirely, that organization in attempting to achieve the objectives for which it was established. We have heard that the proponents of Bill 90 suggest that if cattle producers truly support the Manitoba Cattle Producers Association, funding will continue to flow in without the checkoff and the association will be able to continue to carry out its programs unimpeded. It is our opinion that anyone making such a statement is either naive in the extreme or outright dishonest. Most farm organizations who currently rely on the solicitation of memberships for a major part of their funding have found that a very high and unacceptable proportion of the funds thus generated are consumed by the expense of the solicitation process itself, leaving little money to carry out the programs and activities.

Over many years, the Manitoba Farm Bureau has expressed its support for the utilization of levies on the marketing of agricultural commodities as being the most effective and painless way of generating adequate financing for farmers' associations. Time and time again, farmers have expressed their willingness to contribute their share of the funding required for farm organizations, provided other producers were also prepared to contribute equitably. In supporting the establishment of a beef marketing checkoff in 1978, the Manitoba Farm Bureau acknowledged the fact that there was a small number of beef producers in the province who were opposed to taking this action. However, we expressed our belief that the need for an effective cattleproducers' organization was sufficiently great to warrant proceedings and that the legislation provided ample opportunity for those not wanting to participate to withdraw their support by being able to request a refund of their contributions.

The Farm Bureau continues to believe that the checkoff mode as a vehicle to facilitate the collection of funds, with an opt-out or refund provision, is not only desirable but probably necessary to the effectiveness of this type of organization. It is our understanding that requests for refund of contributions to the Manitoba Cattle Producers Association have never exceeded seven percent of the funds collected in any given year and that the vast majority of such requests have not come from producers themselves, but rather from cattle dealers. It is also our understanding that the MCPA board of directors has offered to simplify the process of obtaining refunds even further for those wishing to withdraw contributions.

In summary, the Manitoba Farm Bureau believes that cattle producers in Manitoba continue to require an adequately funded organization to represent their interests and to carry out important related programs. We are very concerned that the provisions of Bill 90 which, if passed, will remove the ability of the Manitoba Cattle Producers Association to fund its operations through a levy on marketings and to collect and disseminate important information on markets and prices to its members, will make the continued effective

operation of that organization extremely difficult, if not impossible.

While we are aware that there continues to be a small number of cattle producers in Manitoba who do not wish to pay their share of the cost of activities undertaken on their behalf by MCPA, the Manitoba Farm Bureau believes the Minister of Agriculture, in introducing Bill 90, has really not given the organization a fair trial, in terms of an adequate period in which to build confidence and support amongst cattle producers and is acceding, unacceptably, to the wishes of a small but very vocal minority. It is the opinion of the Manitoba Farm Bureau that the government, in its intention to enact Bill 90, is being both unwise and unfair to cattle producers in Manitoba and should seriously rethink its decision to proceed with this proposed legislation. We are left wondering if the government, in moving to deny this group of agricultural producers any effective means to adequately finance their organization, is signaling its intention that only the government will speak for farmers in Manitoba.

Please accept our appreciation for this opportunity to express our views to your committee. I have also in front of me here a text of a telegram sent by the Canadian Federation of Agriculture to the Premier and the Minister of Agriculture of Manitoba, dated July 26, 1983. Those gentlemen may not have this in their hands as yet, but it has been sent and dated today: "The Board of Directors of Canadian Federation of Agriculture meeting in session at Wolfville, Nova Scotia, is very concerned that the principle of utilizing mandatory collection of dues by farm organizations subject to year-end refund at the option of the producer, be recognized as a sound and necessary one for building viable farmers' organization structures across Canada. The maintenance of a strong voice for agriculture is of greatest importance. We understand legislative amendments to The Cattle Producers Association Act, Bill 90, to rescind authority for this funding method are being considered by the Manitoba Legislature. We would greatly hope that the Manitoba Government and Legislature will conclude that this is not a desirable direction to take." It's signed by Glenn Flatten, the President of Canadian Federation of Agriculture.

MR. CHAIRMAN: Mr. Geddes, thank you for your presentation.

MR. E. GEDDES: May I make one further comment, Mr. Chairman?

MR. CHAIRMAN: Certainly.

MR. E. GEDDES: Because I wasn't involved with Manitoba Farm Bureau when they enacted Bill 25 or dealt with that, I've asked Bob Douglas to answer some of the technical questions, if that's agreeable with the committee, for me.

MR. CHAIRMAN: Questions for Mr. Geddes? Mr. Uruski.

HON. B. URUSKI: Mr. Geddes, you indicated in your brief that anyone who says that funding will continue

to flow without the checkoff is either naive or in the extreme, outright dishonest. Are you aware of other producer associations in the province who have successfully had a voluntary checkoff and continue to make a contribution to agriculture in this province?

MR. E. GEDDES: Mr. Chairman, my reply to that question would be that I am aware of possibly very few of those organizations; I am aware of more organizations which have failed on those grounds. The previous livestock organizations for example, the Manitoba Beef Growers spent a good portion of their time trying to drum up dollars so that they could carry on programs, and when they got dollars, they spent a lot of those dollars trying to drum up more dollars so that they could expand their programs. I realize that there are members sitting around this table from various organizations in the province that have a tremendous amount of difficulty generating funds purely because people don't like to send in their \$10 to fund their organization.

HON. B. URUSKI: Mr. Chairman, are you aware that the Manitoba Milk Producers Co-operative and the Manitoba Sheep Producers Association have been in existence for many years and are quite successful in operating volunteer organizations?

MR. E. GEDDES: I have no way of knowing how the finances of those organizations are. I'm sorry, I can't reply to that on those grounds. I don't know.

HON. B. URUSKI: Mr. Geddes, I understand you weren't involved when the original bill was presented in 1978, you've just indicated. But you were aware that the beef growers did have a vote in '74 on a proposal for a checkoff which was, in fact, defeated by a majority vote of beef producers in this province. You are aware of that?

MR. E. GEDDES: Yes, Sir, I am aware of that. I see you have that question there.

HON. B. URUSKI: Are you in favour of the Manitoba Beef Growers promotion plan?

MR. E. GEDDES: What's the second part of the question?

HON. B. URUSKI: Are you in favour of the Manitoba Beef Growers promotion plan?

MR. E. GEDDES: Were there not two questions on that ballot?

HON. B. URUSKI: "Yes or no, voters will indicate this preference by marking an X in the appropriate square."

MR. E. GEDDES: I am aware that vote did take place; I am aware that vote was defeated, but that was some time ago. I think farm organizations over the past five years, probably more over the past year due to the debate over transportation legislation, have gained a great deal more support from their membership. I believe that if that same referendum was put to the

Manitoba Beef Growers or the Manitoba Cattle Producer members at this time, that it would be passed very unanimously, with a large majority, I should say, not unanimously.

HON. B. URUSKI: Mr. Chairman, I appreciate those comments. Following on those comments that you've made, that producers would support the organization, how then do you say that the organization, after being in existence for four years, has not been given a fair trial? If producers would support such an organization, in effect, a referendum would be held on an ongoing basis on the voluntary checkoff.

MR. E. GEDDES: Mr. Chairman, I believe the organization has really only been functioning for about three years. I believe the organization began with a considerable deficit and is still struggling to get out of that deficit position. I think that deficit, in itself, has held the organization back from really becoming what the producers want it to be. I think that once their funding is well-established, once they've got all their internal house things cleaned up, they will probably be able to get back to a newsletter. They might even increase the checkoff to \$2; I hope they do it.

It would make a lot more sense to me for them to have \$300,000 than \$150.00. I think they would do a better job. But your question, I believe, was . . .

HON. B. URUSKI: You know, after three years, is that a fair trial?

MR. E. GEDDES: No, Sir, it's not; it's not long enough for any organization.

HON. B. URUSKI: One other question, Mr. Chairman, you make the point that it is your understanding that the board has offered to simplify the process of obtaining refunds, are you aware of what direction they have taken?

MR. E. GEDDES: I must apologize for part of that statement, Mr. Minister. Our understanding at the time the brief was written, the previous brief, was that the board had made some comments to you verbally in regard to simplifying procedures. Since talking to some of the board of director people, I am no longer certain that has been done.

I realize that at their annual meeting there was a motion made to simplify procedures, and it was defeated. So obviously, they have done some thinking on it, and I assume that the board of directors, while in opposing this bill, is probably working on alternatives to suggest to yourself that would work to make that refund procedure much more simple, but I do not personally have knowledge of any actual statements.

HON. B. URUSKI: Would you hazard a guess as to why the board of directors at the annual meetings would have voted to defeat a motion to simplify the procedures of the . . .

MR. E. GEDDES: I would hazard a guess to that, yes. I was not at the meeting. Possibly one of the reasons that motion was defeated is because there was another

motion that was suggested that the checkoffs be compulsory with no refund. I think that the feeling of the board of directors, I think the feeling of the majority of the cattle producers in the province, is that everybody gets the benefit of that advertising campaign, and everybody should pay for it. That's a personal opinion, I was not at the annual meeting.

HON. B. URUSKI: Would you care to advise this committee of the financial support that MCPA has provided to the Farm Bureau?

MR. E. GEDDES: I maybe should ask Bob Douglas to give those figures for me, if I can.

MR. CHAIRMAN: Mr. Douglas.

MR. R. DOUGLAS: Mr. Chairman, Mr. Minister, are you talking about 1983?

HON. B. URUSKI: For whatever years there have been financial contributions, if you recall them.

MR. R. DOUGLAS: Yes, there's a commitment for \$15,000 in 1983, and we have not received anything to date.

HON. B. URUSKI: And what about in '82?

MR. R. DOUGLAS: I would be going from memory, but it was considerably less, I think \$7,500.00.

HON. B. URUSKI: And '81?

MR. R. DOUGLAS: Thirty-five, I think. I could be corrected, Mr. Minister, because I am doing that from memory.

HON. B. URUSKI: That's fine.

MR. CHAIRMAN: Mr. Orchard.

MR. D. ORCHARD: Thank you, Mr. Chairman. Mr. Geddes, the Minister of Agriculture made reference to a 1974 referendum on a beef checkoff. Do you recall whether there was an option for a refund on that proposal at that time?

MR. E. GEDDES: No, Sir, I do not.

MR. D. ORCHARD: Mr. Geddes, you're a cattle producer. Would you care to hazard a guess as to whether the majority of cattle producers in your area, or in your sphere of association with cattle producers, basically agree with the Manitoba Cattle Producers as an association representing them, and with their present method of fund collection?

MR. E. GEDDES: I am not sure, it would have to be a guess. I am quite positive that the vast majority of the cattle producers in our area do support the Manitoba Cattle Producers Association and the way they collect their funding. The people that I talked to in our local farm business groups, and other associations around Pilot Mound and that area, there

have been no complaints, to my knowledge, of the funding mechanism for MCPA.

MR. D. ORCHARD: Thank you, Mr. Chairman, thank you, Mr. Geddes.

MR. CHAIRMAN: Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, I have a couple of questions for Mr. Geddes. First of all, I'd like to indicate to him that I think the brief pretty well speaks for itself, however, there's a couple of questions that I would have. The Farm Bureau is made up of a fairly large representation of the farm community. Approximately how many farmers would the Farm Bureau represent in Manitoba?

MR. E. GEDDES: Well I would hazard a guess, through one of the various 18-member groups of Manitoba Farm Bureau, that every farmer in Manitoba is probably represented three or four times. I realize that there are certain individuals in the province, some of those being members of National Farmers Union, which another quite bona fide farm organization in the province who have quite often disagreed with policy that is generated by the Manitoba Farm Bureau; but I would hazard a guess that most of those National Farmers Union people are represented from time to time by one of the grain organizations on Manitoba Farm Bureau, or one of the other commodity organizations. Whether they like it or not their interests are being looked after by those groups.

MR. J. DOWNEY: Mr. Chairman, a further question. Can Mr. Geddes indicate to us where he would feel the opposition would be coming from? The Minister of Agriculture has asked him the question, would three years be not sufficient enough time to give the organization the proper test of time? I would ask the question, why or in what way would the Farm Bureau see or foresee any need of any change to the present Cattle Producers Association? Why or where would the need for Bill 90 be generated from because we're hearing from a large farm organization that basically supports it, and where would this need for any change come from for Bill 90 to be before this committee at this time?

HON. S. USKIW: You should have asked that question in '78, Downey.

MR. E. GEDDES: Mr. Chairman, my reply to that would be the position that Manitoba Farm Bureau, I believe, has always had in regard to Manitoba Cattle Producers Association, and the act which enables them to be an association, is that while there was a checkoff and a procedure for those funds to be returned to producers who did not want to be involved, you had an ongoing plebiscite of the organization.

MR. CHAIRMAN: Further questions?
Mr. Enns.

MR. H. ENNS: Mr. Chairman, through you to Mr. Geddes, I just want to put on the record that, at the

time the checkoff legislation was passed by my colleague, the Honourable Member for Arthur, he was under considerable criticism for passing the bill without a vote, but on Page 3 of your submission you indicate that the Manitoba Farm Bureau at that time, in 1978, supported the legislation as being proposed by Mr. Downey. That, I appreciate, while you may not have been an active member of the Farm Bureau and its executive at that time, but that is a statement of fact.

MR. E. GEDDES: Yes, it is.

MR. H. ENNS: So, Mr. Chairman, for the record, the Minister of Agriculture at that time was responding to a request by the legitimate farm organization in Manitoba.

MR. CHAIRMAN: Order please. If the member wants to participate in the debate we will be going into clause by clause in due course in the proceedings of this committee. If the member has questions please proceed.

MR. H. ENNS: Mr. Chairman, in 1983 the Manitoba Farm Bureau, I ask this question to Mr. Geddes, supported by telegram by the Canadian Federation of Agriculture opposes the actions taken by the current Minister of Agriculture in proposing Bill 90. Mr. Geddes, is that the purport of the message that you're bringing us to this committee at this time?

MR. E. GEDDES: I could reread the last paragraph, if you'd like, the last line, last paragraph.

MR. H. ENNS: Please do.

MR. E. GEDDES: The last paragraph of the telegram reads: "We understand legislative amendments to The Cattle Producers Association Act, Bill 90, to rescind authority for this funding method, are being considered by the Manitoba Legislature. We would greatly hope that the Manitoba Government and the Legislature will conclude that this is not a desirable direction to take."

MR. H. ENNS: Mr. Geddes can you tell me why this Minister of Agriculture is proposing to go against the wishes of the Manitoba Farm Bureau and the Canadian Federation of Agriculture on this particular bill?

MR. E. GEDDES: No, sir, I cannot, that is the Minister's business to know.

MR. H. ENNS: Thank you.

MR. CHAIRMAN: Mr. Uskiw.

HON. S. USKIW: I believe, Mr. Geddes, the line of questioning that I'm going to present to you will be very similar to the line of questioning that I've put to others that appeared before. I want you to know that it's not out of any disrespect for you, sir, because I believe that you're a very worthy contributor to the industry and we all recognize that.

I do want to ask you, however, for an opinion as to why it is that only one brief, so far today, was presented

at this committee of a neutral person, one that didn't have a conflict of interest, in opposition to Bill 90. If you add them all up, Mr. Chairman, you have a total of 13 briefs, of which only one member had no conflict of interest, that was opposing Bill 90. There were two briefs that supported the bill where there was no conflict of interest, but all of the other ones, except one, have a conflict of interest and I say that in the knowledge that all of the members of the association, the board of directors, obviously have a self-interest, self-perpetuation.

A MEMBER: That's not conflict.

HON. S. USKIW: Oh, yes, definitely it is. The Farm Bureau has a conflict because they derive part of their revenue from this source, so that is a conflict, Mr. Chairman. They all have self-interest, everyone that presented a brief here today, with the exception of one, in opposition to Bill 90 had a self-interest, from the point of view not as producers, but as board of directors or people who derived a financial benefit from the association.

A MEMBER: Not Wayne Dawydiuk.

HON. S. USKIW: I said with the exception of one. There's one other person, and that was a person who is an ex-member of the board of directors. My question to you, sir, again is, how do you explain the fact that the general public, at large, is not presenting briefs on this issue, but only people that have a direct interest, financial and otherwise, to themselves.

MR. E. GEDDES: Mr. Chairman, I will reply to that question in the best fashion I know how. I will begin by saying anybody that's presented a brief here today has definitely got a vested interest in it because it's our promotion money that you're trying to take away, and that's a vested interest. Boy, I want that promotion program to keep on because that keeps the guys selling beef and that keeps the guys buying bulls and I like selling bulls. As far as Manitoba Farm Bureau is concerned, not so much a vested interest as an interest to see that we have an organization representing cattle producers in the province that can sit around our board of directors and discuss livestock legislation with us, livestock policy with us, as it affects the other member groups.

The funding that we have received from the Manitoba Cattle Producers Association has certainly not been the backbone of the Manitoba Farm Bureau, as is evident by the dollars that Mr. Douglas has told you that we've received from the them. The number of people who haven't been here today, I hate to think what would happen if there was a whole roomful of them still out there, you guys would be here for another two or three weeks.

HON. S. USKIW: That's what we expected, that's why I raised the question.

MR. E. GEDDES: Mr. Bund read a number of associations who have written letters to the Minister proposing Bill 90; all of those associations have a board

of directors, probably 7 to 12, that brings in about 100 people right there. All of those boards of directors are elected by producers in their home areas; I would say that's another 5,000 or 6,000 people. We operate under a system whereby we elect people to speak for us, that's why you people are sitting around the table. Your constituents are not all sitting here advising you. That's really the answer, everybody cannot be here, Mr. Minister.

HON. S. USKIW: Just to clarify my question to you, again, Mr. Geddes. If you were presenting a brief, in your own right as a cattle producer, then in my opinion, yes, you have a vested interest but you don't have a conflict of interest in the sense that you're not on the board of directors, or you don't receive a financial reward from the association, and that's the point that I'm making. There's a distinction between you, as a farmer, that's one hat; and you as a person representing the Farm Bureau, that's a totally different entity.

MR. E. GEDDES: Mr. Chairman, if I might answer that question. I sit on the executive of the Manitoba Farm Bureau because I'm elected to that organization through a Diploma Agricultural Graduates Association. That association consists of 1,800 graduates in the province, we have approximately 100 active paid-up members. I get zero for all the time I put into that association, and I get zero for all the time I spent here today, and I had to buy my own dinner and I'm going to have to buy my own gas to drive home. If I had to write a brief, coming to you people as an individual, it probably would not have sounded quite as nice as a lot of the briefs today, because I don't believe that this bill is good legislation; I believe it's poor legislation. The Manitoba Farm Bureau has a vested interest because we are responsible; we do our very best to represent producers in the province. We do not have a conflict of interest because the dollars we receive from this organization do not keep us alive.

HON. S. USKIW: Mr. Chairman, the reason I put that question, or one of the reasons is that we did notice this ad which was published by the Manitoba Co-operator, as I recall it, advertising and urging people to present briefs to this committee expressing concern about Bill 90. I would have thought that would have generated a fair number of individual briefs and so far we've only had three, of which two are for Bill 90 and one was against Bill 90, and I'm perplexed by that. This is quite an expensive campaign, Mr. Chairman. Do I draw a conclusion that there is either lack of interest or that the bulk of the producers care less or would rather that the association not be funded in the way that it is?

MR. E. GEDDES: Mr. Chairman, my reply to that is that there are two written submissions here today. I talked to both of the people and they couldn't stay because they've got work to do at home. Neither one of them are directors on any association that I know of. I talked to a couple of other people who were here sitting in on the hearings who had never put their names in to present briefs, but just wanted to come because they wanted to hear who was really supporting this

legislation. They said, give 'em hell, because we didn't have a presentation ready for them.

There are a lot of people out there that truly believe that Manitoba Cattle Producers represent them. They know that their board of directors are at these hearings and that's their job; they're elected to represent them.

HON. S. USKIW: Can I then put to you the question of what your attitude would be if we were to enact another bill that said that every farmer in Manitoba must belong to this overall agricultural association, including members of the beef growers, and if we had the same provision in that piece of legislation . . .

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

MR. D. GOURLAY: The Minister of Highways is now discussing another issue altogether that's not part of Bill 90. It's a hypothetical presentation he's making and I think that it's out of order.

MR. CHAIRMAN: Mr. Uskiw pursued this same line of questioning with several other people who appeared before the committee earlier today and this morning. I didn't rule him out of order at that point; the same line was pursued by other people, questioning other organizations becoming compulsory. In fact, I believe the last question on that subject was posed by Mr. Orchard to either Mr. Proven or Mr. Whitaker about an hour and a half ago.

A MEMBER: No, it wasn't the same.

MR. CHAIRMAN: I haven't heard the whole question. It certainly appeared to be going in that direction. I'd like to hear the full question if it's in any way related to the concept of compulsory versus voluntary organizations, which appears to be the nub of a lot of the discussion and questioning that's taking place. I find it hard to rule that out of order.

Mr. Uskiw, please continue.

HON. S. USKIW: If we had another bill that provided for compulsory membership, which Bill 90 is altering to make it voluntary, would you be here presenting the same kind of brief if that was an association not of your choosing and if all the conditions were the same as in the present statute, with respect to membership organization, election and opting out?

MR. E. GEDDES: I think I may have lost you in the middle of that, Mr. Uskiw, but I'll try to answer. Give us two months and we'll write the legislation for you.

HON. S. USKIW: That I can expect, yes.

MR. E. GEDDES: On the same grounds, if it was a provincial organization which was funded by a checkoff on all producers to represent all producers in the province with elections for directors, you call it what you want, we can support it. We believe that Manitoba could very well use a farm organization funded by a checkoff. We would suggest \$100 per farm would raise us in the neighbourhood of nearly \$2 million. Then we would be almost a third of what Quebec farmers have

with their legislated checkoff, at \$6.5 million. Sir, we would be happy to have it.

HON. S. USKIW: Are you, sir, familiar with the study that was done on farm organizations in Manitoba during the 1960s, which resulted in a report that recommended the amalgamation of all of the farm groups under one sort of title, and that that be legislated? Are you familiar with that period?

MR. E. GEDDES: I'm familiar with some of that. Part of that is the reason that we have Manitoba Farm Bureau, I believe.

HON. S. USKIW: That's right. Now my question is, if we were to introduce a very similar bill now, amalgamating the farm union and the farm bureau and the cattle association under this kind of act, would you think that would be desirable?

MR. E. GEDDES: Yes, only we would say that the money is not refundable; you can give it to a charity of your choice. Every producer should pay for the lobby that he receives from his provincial organization.

MR. CHAIRMAN: Further questions for Mr. Geddes? Seeing none, Mr. Geddes, thank you very much for your presentation today.

MR. E. GEDDES: Thank you for your time.

MR. CHAIRMAN: The next two names on our list were skipped over earlier because of their unavoidable absence, Mr. Munroe and Mr. Chambers.

Mr. Munroe, please.

MR. B. MUNROE: Thank you, Mr. Chairman, and I would take this opportunity to convey my apologies to the committee for being unable to be here when my name came up. I explained it to the Honourable Mr. Uruski and I was away on cattleman's business, and I would stress "cattleman."

I welcome this opportunity to read this brief and answer any following questions to the best of my ability.

In addressing this bill of amendment to Bill 25 or The Cattle Producers Act, I will be as objective as possible when government insists on proposing change for political reasons instead of for the benefit of the industry involved.

Bill 25, as passed by the Second Session of the Thirty-First Legislature is of particular interest to me for several reasons. The first reason, I started in the purebred end of the cattle business in 1943, upon receipt of four pedigreed cows. I was 11 years old at the time. From these cows I built up a herd of over 100 head of registered animals. At no time was government assistance requested; in fact, not offered or needed. My father felt that if I could not make them pay their way, then I should not have them.

With this philosophy and his advice, the free use of some pasture and equipment in return for working on the farm, I developed into a cattleman where government interference in my chosen business was unwelcome. I have not changed in my belief that government's main reason for existence is to create

an economic and social environment whereby a taxpayer may make a living or in fact go broke, by his own endeavour.

Bill 25 is a clearly worded, democratic act to allow the vast majority of the registered cattle producers of Manitoba to finance their own association without the use of tax dollars and without the cover of government involvement.

As a member of the legislative committee of the Manitoba Beef Growers, I helped to draft this bill. This bill not only is effective in establishing a source of funds, but is democratic in its ability to allow dissenters the right to withdraw their money, if their association did not represent their views.

This is accomplished by the simple method of a letter of request for the printed form on which a list of reductions the producer has contributed along with the receipts showing his contributions, is returned to the office. The full amount of the producer's contributions which were received from him are then refunded. The refund procedure gives the association members a very effective control of their association, while giving an organized indication to the board of directors whether their policies are supported by a majority of their members. If the members are unhappy with their association and a majority request a refund, then obviously the funding stops and the change of policy would be necessary. The refund, in effect, provides the cattlemen of Manitoba with an ongoing plebiscite as to the acceptance of their association.

At the present time less than 2 percent of the registered producers have requested this refund. An open annual meeting is required to be held each year at which any member, any registered member, has a vote equal to that of his district director, who has been elected to represent him at a district meeting. This allows a minority view the same forum to be heard as the majority view. There are people who will claim that a small number of producers presenting views of the association at the annual meetings shows a lack of support and a lack of interest in the business of the association. However, with the mandatory district meetings which are held prior to the annual meeting, I would suggest that the annual meeting is, in fact, the forum which was set up for those opposed to the board's administration of policy and that a low turnout of these people, along with supporters who have constructive criticism, indicates strong support in our association.

For those members of other farm organizations which oppose the MCPA, I find great difficulty in understanding their opposition, inasmuch as they receive the benefits of our expenditures and work at no cost to themselves. As they say they don't have a vote in the MCPA and do not have representation in the association, is because they do not qualify as cattle producers, therefore being entitled to no say in our business. Another reason is upon the request for refund, they automatically become non-members while still deriving benefit from the members' expenditures.

The proposed deletions of Bill 25 by Bill 90 makes the word "democracy" in fairness obsolete, as far as this legislation is concerned. As an example, under the objects and powers of the MCPA found in Clause 6, Paragraph 1, (a) to (f) of Bill 25, am I to understand that this government sees something wrong with an

association funded by its own producers at no cost to the taxpayer in: (a) advertising and promoting its product; (b) encouraging research and development; (c) encouraging education information and market development of its product; (d) co-operating with other organizations with similar goals such as the Manitoba Beef Commission or the CCA; or (e) entering into the mutual advantage agreements with other cattle-related organizations; (f) adhering to the restraints within the act.

These are some of the examples of the completely useless and undemocratic results arising from the implementation of Bill 90. In closing I can clearly state that the passage of Bill 90 will bring only shame to those who support it and deliver another serious setback to an already hard-pressed industry. Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Munroe. Questions for Mr. Munroe?
Mr. Uskiw.

HON. S. USKIW: Mr. Munroe, I was very intrigued by your opener when you said that you didn't like - or government interference in your business was unwelcome - that was your opening statement. Do you not recognize that Bill 25 was the first government interference in the livestock industry? Up till that point there was none.

MR. B. MUNROE: Mr. Chairman, if I may answer that by saying, I don't consider that an interference in my business.

HON. S. USKIW: Because you prefer it?

MR. B. MUNROE: That's correct.

HON. S. USKIW: But if you didn't prefer it, would it be an interference in your business?

MR. B. MUNROE: I would then opt out of the act.

A MEMBER: Right, which was provided for.

MR. CHAIRMAN: Mr. Uskiw.

HON. S. USKIW: Would you rather that if you wanted to not participate, that you not opt in, as opposed to having to opt out?

MR. B. MUNROE: I do not understand the question.

HON. S. USKIW: Well, wouldn't it be fairer to those that don't want to be part of it, to opt in as opposed to opting out? Why does a person have to opt out of something when they didn't ask to be put into it in the first place?

MR. B. MUNROE: I disagree. I believe that the cattle producers have requested since I started the cattle business, that they would like a strong voice representing them.

HON. S. USKIW: That's right. But let me take you back to your opening statement. You said you didn't want

government in your business. Now for a person that doesn't like this bill - it is government in his business - why should he have to go through the trouble of writing letters asking for his money back and asking to be disassociated from this piece of legislation? Why should he have to do that, if government is not interfering in his business?

MR. B. MUNROE: I do not, Sir, consider Bill 25 interference in my business, so I . . .

HON. S. USKIW: Well because you support it, but if you were on the other side - put yourself on the other side.

MR. B. MUNROE: Who's arguing?

HON. S. USKIW: Anybody.

MR. B. MUNROE: There is nobody on the other side.

HON. S. USKIW: Any one citizen.

MR. B. MUNROE: I am here, sir, as a representative of District 9 and I have never had anybody on the other side from my district explain their side, so I can only represent my side.

HON. S. USKIW: Is it not a fair assessment that your industry has asked for government intervention in order to give you the clout, if you like, or the muscle that you want in the industry, collectively, that you couldn't do that without the government involvement?

MR. B. MUNROE: No, sir, we did not ask for government intervention. We asked for the Legislature of Manitoba to pass an act which is required by law, so that we could collect a checkoff.

HON. S. USKIW: Could you give me any association that is established in the way that this one was established?

A MEMBER: The Law Society, the College of Physicians and Surgeons.

HON. S. USKIW: Hear me out - that was not established for the purpose of economic gain.

A MEMBER: Well that's why we're in business.

MR. B. MUNROE: I fail to understand. Are you referring to the fact that there's economic gain coming to me as a director of this association?

HON. S. USKIW: No, I'm suggesting to you that governments, over many years - and all governments - have recognized the right of people to collectively bargain for a greater return for their labour, whether it would be marketing boards in agriculture or trade unions in the labour market, or associations on the professional side, that's been recognized by all governments, all stripes, all political parties. This association bars you from doing that. This is unique. I have never seen this kind of legislation on the books

of Manitoba. I don't recall ever this kind of legislation having been put in the books that denies you the right to economic gain by way of collecting market . . .

MR. CHAIRMAN: Question. Do you have a question, Mr. Uskiw?

HON. S. USKIW: Well my question is, can Mr. Munroe give me an example of an analogous association which has built into it the prohibition of bargaining for its membership for economic gain?

MR. B. MUNROE: Sir, if you had a cow calving, I could help her calve, but I'm not in the business of the statutes of Manitoba. I'm sorry, Sir, I cannot answer that question.

HON. S. USKIW: Okay, that's fine.

MR. CHAIRMAN: Mr. Enns.

MR. H. ENNS: Mr. Chairman, you may wish to rule me out of order but I assure it's germane to . . .

MR. CHAIRMAN: I don't wish to, honestly.

MR. H. ENNS: . . . the proceedings. I would ask Mr. Bob Munroe to explain to the committee why he was unable to be here at the time of his listing in the order of speakers.

HON. S. USKIW: We've already dealt with that, Harry. We explained that from the Chair.

MR. H. ENNS: And for Mr. Allan Chambers who was also listed to speak to us.

MR. CHAIRMAN: Mr. Munroe.

MR. B. MUNROE: Mr. Chairman, if I may answer that. We had scheduled, prior to the scheduling of this hearing, the first preconditioned feeder calf demonstration where some feeder calves would actually be tagged and certified by a veterinarian under the Manitoba Cattle Producers Feeder Calf Program which was deemed necessary by our association partly and, in fact, more than partly by the implementation of the Manitoba Beef Commission - and I think that's good. The Manitoba Beef Commission's and the Honourable Mr. Uruski's goal is to have our calves held in Manitoba, fed in Manitoba and, in fact, added value in Manitoba increasing the income to the Province of Manitoba.

However, history has shown that the cow-calf operators, and I do not mean this as a slur to them, has shown that they historically have brought their cattle in on Monday, weaned their calves on Tuesday morning, put them on the truck and taken them to the stockyards on Wednesday with milk running out their mouths and bawling. The feedlot industry has had to contend with the health of these animals and the death loss. Our preconditioned feeder calf program is an attempt to educate, to assist and to, in fact, help the cow-calf producers of Manitoba market these calves at a profit to themselves at no expense to the taxpayer.

As the chairman of that committee, that's where I was tonight. I was preconditioning some calves to show the cattle producers how they could, in fact, increase their profit in their business and do a better job of managing their business. Does that answer the question? — (Interjection) — about 150.

MR. H. ENNS: Mr. Chairman, through you to Mr. Munroe, this was done, as I understand, because it happened in an area that I'm familiar with, in Gunton I believe at the Grasslands Project that's sponsored by the Department of Agriculture. This was done in co-operation with, indeed, I believe it was co-hosted by the Department of Agriculture. Is that right, Mr. Munroe?

MR. B. MUNROE: I'm not sure that is right, Mr. Enns. I would like to explain at this time that I do not wear this blue shirt, this colourful blue shirt, for any political connotations but I was standing beside the chute when there was a veterinarian and a Manitoba agriculture beef specialist working on that calf and I was damned if I wanted to be mistaken for that calf for what they were doing to him. But, yes, it was in co-operation, it was co-hosted by District 9 as myself as director. It was co-hosted by Mr. Allen Chambers who is still out there carrying the load for both of us and with the Grasslands Society of Manitoba and if that is a part of the Department of Agriculture then I'm very proud to say that we have had very very good relationship with them and that I'm sure that they appreciate our contribution as much as we appreciated theirs.

MR. CHAIRMAN: Mr. Enns, did you want to try again?

MR. H. ENNS: No, but that's the point that I'm trying to make to those members of the committee. Here we have the Manitoba Cattle Producers Association working in concert with the Department of Agriculture in trying to improve the lot of cow-calf producers in this case in providing a better product and in providing a better return for them. Would your association be able to do this and continue to do this and increase these kinds of programs if Bill 90 were passed?

MR. B. MUNROE: No, sir, it would not.

MR. H. ENNS: Mr. Chairman, allow me to ask one further question. I ask these questions, Mr. Chairman, through you to the Minister of Agriculture and to Mr. Bob Munroe to at least establish some responsibility of the role the cattle producers are playing in the interests of the cattle industry of Manitoba. What role has the Cattle Producers Association played since their involvement in the term of recording and registering cattle and so forth?

MR. B. MUNROE: I can speak with some authority, Mr. Chairman, on a portion of the cattle producers role inasmuch as I am the Chairman of the All Breeds Committee. A previous speaker alluded to the Record of Performance Program, for example, the record of performances I'm sure the gentlemen around the table recognize is a federal-provincial sharing program that got into considerable trouble a few years ago because they didn't, in fact, listen to producers. The Federal

Government became the proud owner of a very expensive and fancy new computer; that computer, I assume, had to be used. The ROP Program was a prime candidate for use and they developed a link-in program when a half-ton truck was what we needed. Two years later they were in trouble. The cattle producers said we don't want a link-in, we want a half-ton. As Chairman of the All Breeds Committee and as a Member of the Executive of the Federal ROP Advisory Board through my connection with the Provincial ROP Advisory Board, I was requested by the Federal Government to come to Ottawa and see if I couldn't assist with three other producers from other provinces in sorting out the unholy mess that the new program had developed. To give a small example of this mess, to find a calf and his sire and his dam and his production took a whole kitchen floor of paper from this computer, to make the story short, Mr. Uruski.

At this time I would like to thank you for helping us see this through with our vote in Victoria. I believe you received my letters explaining the importance of two votes as opposed to one and I would thank you, sir, for your assistance. We did get, in fact, our half-ton truck program and we got it in its entirety. It will be starting next spring and we now have cattlemen going back on record of performance to improve the performance of cattle in Manitoba, thanks to the efforts of the Manitoba Cattle Producers Association. That is one of the areas in which I've been involved.

MR. H. ENNS: Mr. Chairman, a final question. The point that I wish to make is and ask Mr. Munroe to confirm that the Cattle Producers Association of Manitoba has no reluctance at all, in fact is only too willing to work co-operatively with the various programs that come forward from time to time. Whether they come from the Department of Agriculture in Manitoba or from the Federal Government such as the ones that you have mentioned, you play and are prepared to play and have played an active role in trying to make those programs work for the cattle producers. You have never shied away from co-operating with a provincial or a federal program.

MR. B. MUNROE: No, sir, we have never shied away with co-operating with one that our membership told us we were in agreement with, nor have we ever shied away from the responsibility of opposing one that we were not in agreement with.

MR. H. ENNS: Mr. Chairman, and that includes the present Beef Stabilization Program that the present Provincial Government is involved in.

MR. B. MUNROE: We, as a board, I believe were instrumental in the development of the Beef Stabilization Program. We did, however, resist and still resist the marketing aspect of it.

MR. H. ENNS: Thank you, Mr. Munroe.

MR. CHAIRMAN: Further questions for Mr. Munroe? Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, Mr. Munroe, in your remarks you indicated that there were certain objects

and powers being taken away, I guess that's as referred in Section 6. Are you aware that Section 2 in terms of the purposes of the act you will be able to set whatever by-laws your association desires which, of course, by the removal of Section 6, will also remove the restricted powers that you now are restricted in, shall not engage in any other activities that are outlined in Section 6(2). That can be set by the association in its by-laws. That's the reason that was taken out. You're open to do all of what you say that you're being restricted to do, without having a section restricting you to do something or allowing you to do something. You will be able to set your own by-laws to do whatever you desire.

MR. B. MUNROE: I used that section, Mr. Uruski, as an example, as I said in my statement, and if you are, at this time, suggesting that by setting our by-laws we are able to use everything that has been repealed, then we don't have an argument with you.

HON. B. URUSKI: Exactly, that's exactly what I'm suggesting.

MR. B. MUNROE: Then the first thing we will do in our by-law is suggest that we have a checkoff.

HON. B. URUSKI: Exactly.

MR. B. MUNROE: And we can, under the laws of Manitoba, have a checkoff collected as it is now.

HON. B. URUSKI: The only difference will be, it will be a volunteer organization.

MR. B. MUNROE: But I have heard several times here today, Sir, that it would be a voluntary checkoff, and my understanding of the deletions of Bill 90 really forbids us from collecting a checkoff.

HON. B. URUSKI: On a compulsory basis.

MR. B. MUNROE: On any basis, sir; we do not have the mechanism to collect a checkoff.

HON. B. URUSKI: No, you have. Mr. Chairman, you will be able to pass a by-law to have the members of your association to pay a checkoff. How you decide that the checkoff shall be collected to your membership is up to yourself to decide, as an association.

MR. B. MUNROE: We do not have the authority, as I understand the law of Manitoba, of collecting a checkoff. We are not allowed to receive a checkoff.

HON. B. URUSKI: That's not my legal interpretation of it. You have the right to collect it; you have the right to collect memberships, and in what form they shall be, that's up to yourself.

MR. CHAIRMAN: Further questions for Mr. Munroe? Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, as you understand the current act, is that you will not be able to provide funds for your organization, as you currently do; that

the producers will pay into your organization and then request funds. Is it your understanding that you won't be able to proceed in that manner?

MR. B. MUNROE: That is correct.

MR. J. DOWNEY: Thank you.

MR. CHAIRMAN: Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, to Mr. Munroe, are you aware that in Section 11(1) of the new act, that "11(1) The board may make by-laws respecting any one or more of the following matters:" and in "(b) the imposition of annual membership or other fees payable to the association by a registered producer of the association; (c) the collection of fees imposed under Clause (b) from the registered producers in such a manner as the by-law may provide."

MR. B. MUNROE: I'm sorry, Mr. Uruski, I don't have my act with me because it's in the briefcase at Gunton, however, I would ask of you, sir - I don't need it because you have read it and your interpretation is going to become more important than mine. I would ask you, sir, if we were to request our producers to submit a voluntary checkoff at source, in other words, a truck comes into a producer's yard, the cattle are loaded onto that truck and on that bill of lading he says, I voluntarily request that \$1 per head be taken from my receipts. With Bill 90, sir, we cannot do that.

HON. B. URUSKI: Mr. Chairman, in all deference to Mr. Munroe, you will recall that before I tabled the bill in the Legislature, to your association, I said if you had some ideas as to how you wanted to accomplish the collecting of fees, in a voluntary way, we would be prepared to try and assist in that matter. I put that to the association; your association has not come back to me and said, look, we think this might be the best way to approach it, is there some way that you can co-operation with it? I was prepared to do that and that still remains.

MR. B. MUNROE: If I might answer that, Mr. Uruski, by saying that we still, and probably always will consider Bill 25 the correct and most honest way of collecting it, however, it has not been myself, as a director, that brought up the word "voluntary" checkoff, sir, it has been yourself. It was mentioned in the Farm Union brief and, in fact, it has been advertised and that is, in fact, untrue; we cannot receive a voluntary checkoff. But it has been called, I've heard it on the radio, I've heard it in this room, that Bill 90 provides us with a voluntary checkoff and that's not right.

HON. B. URUSKI: Mr. Chairman, can I suggest to Mr. Munroe, if you wish to collect your fees, on the basis of a checkoff at times of marketing, and you call it an annual fee on a basis of \$1 per head, that is still the imposition as outlined in Section 11, "in such manner as the by-law may provide." However you choose to put that in, that will be a matter for the association and its membership to decide.

MR. B. MUNROE: All right, sir. I'm sorry, Mr. Chairman.

MR. CHAIRMAN: Go ahead, Mr. Munroe.

MR. B. MUNROE: If I might, Sir, in the event that it would appear now that we could, if we desired, institute a voluntary checkoff of the type I described, do we have the authority, or do we have any authority, to request the books or the bookkeeping system of the collector of this checkoff to make sure that we do, in fact, receive it?

HON. B. URUSKI: Mr. Chairman, you would not have that authority to request the records, but you would certainly have the authority to agree and make agreements with any group in society that you wish.

MR. B. MUNROE: However, sir, I have been a cattleman, as I said, all my life and I don't consider that there's a dishonest cattleman in the country. However, I would like to have some reason for suspecting that I am getting the money that I have asked to be checked off.

MR. CHAIRMAN: Further questions for Mr. Munroe? Hearing none, Mr. Munroe, on behalf of the committee, thank you for making your presentation tonight on behalf of your district.

MR. B. MUNROE: And thank you, Sir, for allowing me to.

MR. CHAIRMAN: In addition on this bill, I believe Mr. Chambers is not here, however, he has left a copy of his brief with the Clerk and in addition two written submissions; one from Darcy Hickson of the Keystone Simmental Association, and one from Ken Barron, private citizen have been received. The Clerk will distribute copies of those to the members.

Is it the will and pleasure of the committee that these three briefs be appended to the back of the transcript of this meeting since they weren't presented here? Is that agreed? (Agreed)

That concludes presentations on Bill 90, gentlemen.

WRITTEN BRIEFS SUBMITTED BUT NOT READ

Presentation by Allan Chambers, Arnes

The official purpose of legislative committee hearings is to give the public an opportunity to provide input into the formation of legislation.

Unfortunately it appears that the introduction of this bill is motivated so completely from a narrow partisan point of view that one must be pessimistic that these presentations will be of any avail.

Unfortunately the MCPA was initially set up in a highly charged political atmosphere. As the organization has matured and moved to provide many useful services to Manitoba cattle producers this aspect of its inception is diminishing in importance. Although the press has continued to give high profile coverage to a few issues where the views of the government and the MCPA board are somewhat different, most of the energies of the Board have been directed to the more technical aspects of services to producers. Most people are less aware

of activity, such as, providing a marketing and price reporting service, work on R.O.P. advisory boards, development of computerized marketing systems, organization of preconditioned calf sales and, etc. The list could go on and on. Even in the more controversial policy areas, such as, Beef Stabilization, the present Manitoba plan borrows heavily from concepts developed by the MCPA Board. In addition, three of our Board served on Mr. Uruski's committee to develop the Manitoba plan.

Fifty percent of the present checkoff goes to finance a national promotional campaign which, to the extent it increases domestic beef consumption, provides economic benefit to every Canadian beef producer.

There is now, and will continue to be, a need for an organization to speak for Manitoba cattle producers on both provincial and national policy issues. Manitoba producers lead the way to have the Canadian Cattlemen Association adopt a positive position on Beef Stabilization. The present Manitoba Government has recently expressed support for the plan for National Stabilization prepared by the CCA as adopted, in principle, recently by Ministers of Agriculture.

On the provincial level the MCPA has become an important member of the Manitoba Farm Bureau providing the Beef industry's perspective on provincial issues, such as, property taxation and education financing, recent amendments to The Highway Traffic Act, etc. Through the Farm Bureau and Canadian Federation of Agriculture structure cattle producers also have input on national policies, such as, stabilization, feed grain policy, farm credit, and processor bankruptcy.

The legislation, as proposed, will remove the voice of Manitoba cattle producers from both forums because of lack of funds and energies. It will likely effectively completely kill the organization. Is this what the government wants? Increasingly it seems that this is so.

The Minister has stated that many producers have asked for this legislation. How many are many? I suggest that it may be about 30 National Farmers Union activists living mainly on the southern slope of Riding Mountain that apparently dominate the NDP agricultural policy sessions. In the past I understand that this group have engineered a resolution at party conventions calling for the demise of MCPA. The policy positions on various issues by the mainstream and majority of Manitoba cattle producers as articulated and adopted by MCPA varies from their view of the world. Because they have been unsuccessful at convincing other cattle producers of their views, their course of action is to deprive that majority of a vehicle to express the majority view.

And why would any responsible government let such a small group set policy? Perhaps it is because on occasion the MCPA has been a vocal critic of this government's policy, particularly when the government has allowed political dogma to override common sense.

For example, the Manitoba livestock organizations, along with the MCPA, have documented for the government the economic damage that will flow to Manitoba farmers and the rest of Manitoba's economy if the massive Federal subsidy for grain transportation is paid directly to the railroads. The government staff could find no loopholes in the numbers and the argument. Instead of responding in a common sense fashion to co-operate in pressuring for reasonable

alternative pay-out methods, the government has chosen to attempt to escalate the conflict and misunderstanding on this issue. Recently they are spending \$150,000 of taxpayer money on a series of ads that provide half-truths, partial information and outright lies on the position taken by livestock producer organizations, in particular.

Perhaps the government wants to muzzle those organizations with enough knowledge of issues to provide alternate information to producers and the public. If so, a good many other organizations may begin to wonder how subject they are to being "terminated" if they disagree with this government's policies.

Is this how we expect governments to operate in a democracy?

If the government proceeds with the bill and, in effect, kills the MCPA as an organization representing cattle producers, then what are the options?

The Manitoba Beef Commission views itself as having a specific technical job to do i.e. administering the marketing system and the stabilization plan. Secondly, their board members would have to be elected to function as representatives of producers; and thirdly, at present not all producers are participating in the plans administered by the commission. If the government does proceed with this bill it will continue and will accentuate the political partisan aspect of Manitoba cattle producers organizations.

My fear is that, even if we were able to devise a method to have the Beef Commission evolve to become the organization representing Manitoba cattle producers, a change in government might mean another vindictive piece of legislation. We could have the commission wiped out of existence and the MCPA restructured. The cattle industry could stay in a state of chaos. Organizations must be left in place and given time to mature. The MCPA is well on its way and should be left alone to continue to evolve. I believe the same is true of the Beef Commission.

Gentlemen, I have expressed myself quite strongly. I am normally the kind of person who looks for compromise, however, in this case I see no room for some middle ground.

One Saturday afternoon this summer I visited my neighbour, the Minister of Agriculture, to discuss alternatives on this bill. The only two possibilities raised, a manifest with producers checking off at the time of each sale the intention to make a deduction, or the selling of memberships, are not being used by any other Manitoba commodity organization and have not been used successfully anywhere else. The first is an administrative mess; the latter exhausts energies of interested people raising money, rather than providing services.

The present system is the best that can be devised. If a producer is unhappy with the organization's actions he has two courses of action. He can either run for office so as to change actions of the organization; or he can apply for a refund of his checkoff.

The only reasonable room for change is to streamline the procedure for applying for the checkoff rebate. The MCPA Board has attempted to do this at the last annual meeting and is willing to again attempt to persuade members to adopt such a change.

Gentlemen, this Bill is so ill-conceived, so lacking in significant support it must be withdrawn and allowed

to die. A recommendation from this committee to proceed with this bill is to do a major disservice to Manitoba cattle producers. Such action is unworthy of a provincial government which has responsibility to all cattle producers in Manitoba.

**Presentation by Mr. Ken Barron,
Darlingford, Manitoba.**

In regard to Bill 90 we feel that it would be a great setback to the Manitoba Cattle Producers; one they would be years recovering from.

As producers it gives us great satisfaction to know that we are financing and have some control over the direction of marketing of cattle in Manitoba.

As the checkoff is mandatory the money can be claimed at the end of the year if so desired. It is definitely in keeping with Government policy of rebates, for example, the Gas Tax.

This brief is presented by Ken Barron and Sherm Collins and on behalf of the livestock producers in the Darlingford area who are in agreement with this statement.

**Presentation made by Darcy Hickson,
Keystone Simmental Association**

The members of the Keystone Simmental Association oppose the proposed Bill 90 legislation which would repeal the authority of the MCPA to establish a checkoff system. The Keystone Association whose members are purebred cattlemen understand and appreciate the importance of advertising and marketing information which has been made possible through the MCPA checkoff. Our association feel that this legislation has a total lack of beef producers support and urges the government to let majority opinion prevail.

BILL NO 7 - THE DAIRY ACT

MR. SPEAKER: The next bill before us is Bill No. 7, an Act to amend The Dairy Act. There's only one person wishing to be heard, Mr. Bob DeMyer.

Mr. DeMyer please.

MR. R. DeMYER: Thank you, Mr. Chairman. I have copies here if the Clerk would distribute them.

I'm a dairy producer and a member of the Milk Producers Marketing Board and in the absence of Mr. Art Rampton, our Chairman, he asked me to read this brief to you. If I may go on?

MR. CHAIRMAN: Please proceed.

MR. R. DeMYER: We appreciate the opportunity to speak to this committee regarding Bill 7, an amendment to The Dairy Act. The stated intention of the proposed legislation is housekeeping to formally establish a dairy board to advise the Minister of Agriculture on economic viability of proposed dairy plants in Manitoba. This does not give us any difficulty.

However, we are concerned with the drafting of the proposed Subsection 6(5) of the act which reads as follows: "The board shall perform such duties and

functions as may be given to it under this Act or any other Act or the Legislature or by the Minister." We believe the inclusion of the words "or any other Act of the Legislature or" are inconsistent with the expressed desire of the proposed legislation. The deletion of these words, however, would result in a clear statement of purpose of the amendments.

As you know, there are a number of statutes currently dealing with the milk industry in Manitoba. In addition to The Dairy Act, The Natural Products Marketing Act establishes certain authority for our board, the Manitoba Milk Producers Marketing Board and the Natural Products Marketing Council, the Milk Review Prices Act, establishes certain authority for the Milk Prices Review Commission.

It is our opinion that the Dairy Board activities should be clearly spelled out, or at least be limited to the subjects dealt with under The Dairy Act, just as the Milk Prices Review Commission limits its activities to the subject matter of its act, and the Natural Products Marketing Council limits its activities to the subject matter of The Natural Products Marketing Act.

Our second concern and suggestion pertains to the method of appointment of board members under subsection 6(1). We would suggest the board would be more effective in advising the Minister if it contained representation from each segment of the industry. We believe the overall objective should be to promote the production of quality dairy products without discrimination towards any section of the industry or toward the general public. The spirit should be one of co-operation to promote the health of all sections of the industry. If we are to achieve the maximum success of this objective, the expertise that all segments affected can contribute is necessary. Accordingly, we would suggest this subsection be changed to provide for the appointment to the Dairy Board of one member nominated by each of the following organizations and Ministry: The Dairy Manufacturers Association, the Manitoba Bulk Milk Haulers, the Consumers' Association of Manitoba, the Manitoba Milk Producers Marketing Board and the Minister of Agriculture.

In addition, the subsection could provide that the five members that are appointed by these organizations would have the right to appoint a member and would also be chairman of the board.

Respectfully submitted, the Manitoba Milk Producers Marketing Board.

MR. CHAIRMAN: Thank you, Mr. DeMeyer. Any questions for Mr. DeMeyer from members of the committee?

Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, with respect to your Point 2 in your brief, are you of the opinion or are you aware that legal opinion has it that the words, "or any other act" as set out in 6(5), to our definition, means that any other legislation would have to say that The Dairy Act supercedes that legislation before the Dairy Board could effectively undertake powers or duties of another piece of legislation. To my knowledge - and legal counsel here might be able to mention - I don't believe that, for example, The Natural Products Marketing Act or the Milk Prices Review Commission or The Milk Prices Review Act have any provision that would give greater powers to another act.

MR. R. DeMEYER: One of the things that we're concerned about is, just like the other acts, The Natural Products Marketing Act or the Milk Prices Review Commission, they have specific guidelines and statutes to follow and we think these should be defined clearly. It leaves it open and this is what we have reservations about.

HON. B. URUSKI: The only point is that the whole purpose of the board is to recommend and not to do any other matters other than recommend. So there's a difference of opinion, but it's understood that the purpose of the board is to do one thing and one thing only, to recommend to the Minister.

MR. R. DeMEYER: Do I understand that it would not have any powers to change regulations or . . .

HON. B. URUSKI: That is correct; it would not have powers to change regulations. They are an advisory arm of the Minister of Agriculture, and advisory only.

MR. R. DeMEYER: Could I ask our counsel if he interprets it the same way?

HON. B. URUSKI: Sure.

MR. CHAIRMAN: Would you please identify yourself, sir.

MR. T. DOOLEY: My name is Tom Dooley, I'm with Scarth and Co. and I'm legal counsel to the Producer Board.

Mr. Chairman, perhaps we're talking about a very narrow point and one which only a milk producer or a lawyer could appreciate. I appreciate your patience and I'll try to deal with a couple of points that were raised.

The first point made by the Minister is that no duties or functions could be given to the Dairy Board unless the duties were also spelled under another act. I'm not sure that that is really the case, but I would submit that if the Minister's right, then putting the words into this act would create a redundancy. If another act of the Legislature wants to say that the Dairy Board may do certain things, then let that act say it. There's no need to repeat it in this particular statute or to lay any groundwork for that in this particular statute.

I do believe though that, under other statutes, there may be authority to delegate or, pardon me, there may be provision of a general nature to pass on duties or responsibilities to a government board or commission and perhaps that general kind of authority could be used. There's another aspect of this though, that I think we're ignoring and that is, the way this is structured at the present time, if passed, the board could perform duties and functions that are given to it by the Minister, not duties given to it under this act, not duties given to it under any other act of the Legislature, but simply duties given to it by the Minister.

If the board is to be advisory in nature only, as it is under this act, then with the amendment we're suggesting, the duties and responsibilities of the board will be limited to advisory in nature. If they are to be expanded to duties or functions given under another

act, we don't know whether those would be advisory or not. If it's to be expanded to duties or functions given to it by the Minister, we don't know whether those will be advisory or not either.

So with the amendment suggested, yes, the Minister would be right, the duties and functions of the board would be strictly advisory. However, if the words are left in, we really don't know what those duties or functions could be and it could lead to some confusion and it could lead, perhaps, to overregulation. It could lead to the board being responsible to more than one government board, over the same appointment.

MR. CHAIRMAN: Further questions for Mr. Dooley or Mr. DeMeyer?

Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, just a short question. I'm sure the dairy industry would feel a lot more comfortable if that amendment was made and we will try to proceed to encourage the government to do so, so that you can feel easier about this current act.

MR. R. DeMEYER: Thank you very much. One of the things that we're concerned about, I think we're one of the most overregulated industries in Canada. We have more boards and it's mostly government boards, regulations that are controlling us and I said, one thing we don't need is one more. For anything that's going to be an advisory group, that's fine; but if there are going to be more regulations in there to regulate us some more, we're not in favour of it.

MR. CHAIRMAN: Further questions? Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, I'd just like to indicate to Mr. DeMeyer what our intentions are and we will no doubt be moving an amendment to deal with that one clause.

Thank you very much.

MR. R. DeMEYER: Just one other point. Would the Minister give some thought to the recommendation in Number 6, about appointments?

HON. B. URUSKI: Mr. Chairman, your counsel and the chairman of the board and for members, we've had I would say, a fairly lengthy discussion on that matter, on that very particular matter, in terms of the placing into statute specific organizations which I have indicated that I do not support at all. To say that recommendations can be received from various organizations for consideration to make appointments to a board is one matter, but to legislate is an entirely different matter which I would not be prepared to go along with.

MR. R. DeMEYER: Thank you very much. I'd just like to make a comment that we find that with all the Ministers of Agriculture we've always had a good working relationship, and we'd like to keep it on.

Thank you.

MR. CHAIRMAN: Thank you very much, Mr. DeMeyer.

Gentlemen, that concludes the business before the committee in terms of representations. The balance of

the business is the three bills, clause by clause. What is your will and pleasure?

It's being suggested by some, committee rise; by other, committee proceed. What is your will and pleasure?

Mr. Uskiw.

HON. S. USKIW: Mr. Chairman, the bills before us are not, other than one, are not substantive an issue or they are very small documents of one page in content. There's no point of having the committee meet again and the staff is here. I think we can proceed with it clause by clause and recommendation back to the Assembly without having to meet again.

MR. CHAIRMAN: Mr. Orchard.

MR. D. ORCHARD: Mr. Chairman, is the Minister of Highways seriously suggesting that after listening to seven-and-a-half hours of representation in which a number of points were made which should be of valuable consideration to the government, to the Minister of Agriculture, that he's going to ram these things through tonight without further discussion of the briefs that were presented?

MR. CHAIRMAN: Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, there's no doubt that the representations that have been made are being considered in terms of the bills but the bills in question are 6, 7, and of course 90. I expect some debate but the question will and should proceed through committee. Bills 6 and 7 are very minor in nature and should proceed so we can let staff go and continue the debate on Bill 90 and move it along on its course.

MR. CHAIRMAN: Mr. Downey.

MR. J. DOWNEY: Can the Minister indicate that he would amend Bill 7, The Dairy Act, which I would expect him to proceed to do at this particular time? I would agree to do the two bills, The Dairy Act and the . . .

HON. B. URUSKI: Let's proceed and see how far we go.

MR. J. DOWNEY: Let's start with The Dairy Act, Mr. Chairman.

BILL 6 - THE PESTICIDES AND FERTILIZERS CONTROL ACT

MR. CHAIRMAN: Bill No. 6, An Act to amend The Pesticides and Fertilizers Control Act. There is an amendment. Page 1—pass; Page 2, I believe there's an amendment to Clause 1(a).

Mr. Uskiw.

HON. S. USKIW: Mr. Chairman, I move,

THAT the proposed new Clause 1(a) to The Pesticides and Fertilizers Control Act as set out in Section 1 of Bill 6 be amended by adding thereto immediately after the word "person" in the first line thereof, the words "other than a person exempted by the regulations."

MR. CHAIRMAN: Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, briefly the changes made is to better define regulations. The whole definition that the Member for Pembina was talking about, a farmer, as to who might be eligible to be a farmer under the act to make sure that the fellow carrying the packsack, as he claimed in his speech, was exempt under the act which he claimed would not be under the act. That's basically the amendment that we're proposing.

MR. CHAIRMAN: Mr. Orchard.

MR. D. ORCHARD: Mr. Chairman, I don't have the original Pesticide and Fertilizer Control Act here but my memory tells me that that act had a specific definition that explained whereby a farmer could do spraying for his neighbours without falling under the control of this act which, I understand, is designed to provide guidelines for commercial applicators of fertilizer products and pesticides.

Now my objection to the bill, which was not well received at the time I made it, turns out to be a matter of concern that the Minister did not have the ability, by regulation, to change the intent of the act and clearly his amendment in Bill No. 6 was going to change the act to draw in all sorts of people as commercial applicators.

HON. S. USKIW: So you're a hero.

MR. D. ORCHARD: Well, Mr. Chairman, the Minister of Transportation says I'm a hero. It's about bloody time this government starts getting their legislation in order so that they don't have to make these kinds of amendments.

HON. S. USKIW: That's what committee is for.

MR. D. ORCHARD: Now, Mr. Chairman, the simple change of "person" to "other than a person exempted by the regulations," can still leave a farmer undertaking co-operative work with his neighbours subject to this act, subject to the fines I outlined in my address to this bill and subject to the reporting procedure. This simply does not do anything but transfer to the regulations which, I assume, are yet to be drawn up and which are subject — (Interjection) — well, okay if they're drawn up the Minister can pass those without any debate in the Legislature and that leaves farmers in the same kind of a position again.

I think it would be incumbent on the Minister to seriously consider an exemption where farmers are not intended to fall under this act as commercial applicators to have that written in the act.

MR. CHAIRMAN: Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, the act has been in place for a number of years. The exemption of the farmer is already in regulation who was not . . . it was in the act. It was in the act, Mr. Chairman, and it is now in regulation, Mr. Chairman, it has been moved to the regulations. The Manitoba Regulation 4183 of

March, 1983 has been passed indicating, "a farmer is not considered a commercial applicator when the total of the pesticide application off his farm is less than 500 hectares and work is carried out for not more than three individuals in any year." That is already in regulation form.

MR. D. ORCHARD: Mr. Chairman, that's very nice to hear from the Minister.

HON. B. URUSKI: Mr. Chairman, the honourable member if he had listened to my remarks when I introduced the legislation and spoke about it, I indicated that the regulations had been passed earlier in the year.

MR. D. ORCHARD: Mr. Chairman, the Minister is trying to justify that his regulations were all right when he's got an amendment here to make his regulations correct. When I spoke to this bill and he replied to it his act was wrong and required amendment. What I simply suggest to the Minister, if it is his intention to exempt farmers spraying less than 500 hectares and less than three people, that would be a simple definition to include in the act which could not be changed without debate. His regulation he can go back tomorrow, at tomorrow's Cabinet meeting tomorrow morning, and change the regulation and bring all farmers under it which he now admits he doesn't want to do. That is why the original definition of farmer should remain as it was in the act so that if we have an act of this government, such as we have right now, that has great concerns over pesticide application, they won't be able to sneak in the back door and change the regulation in Cabinet, without debate, to put the clamp down on farmers who may wish to have a co-operative arrangement with their neighbours.

That is a simple request that I think this Minister of Agriculture might duly consider as a proper amendment, not simply the one he has proposed here tonight, to justify the regulation he's already passed which, I would assume, would be contested and are illegal without this amendment tonight that he's proposing. I simply say to him, why don't you put your regulation into the act as it is now to let farmers know because farmers seldom have the regulations but they can get the act fairly quickly?

MR. CHAIRMAN: Mr. Manness.

MR. C. MANNES: Well, Mr. Speaker, I just want to reiterate some of the things my colleague has said. We, in speaking to this, indicated that same concern several times and I'm surprised that the amendment that's put before us does not bring forward the existing wording that was in the old act. At the time that we spoke on this in debate the Minister of Agriculture nodded his head, and he could see the wisdom of that. I remember that plainly because a number of us, at least two of us, spoke to that. So again, I pose the question as does the Member for Pembina and ask the Minister why, indeed, he can't bring back to the act the farmer exemption clause that was in the original act.

HON. B. URUSKI: Mr. Chairman, putting in details of description of people that we may want to exempt and

change from time to time, that kind of detail is not normally put in any legislation. It was originally put into the act when the first act was drafted. It is now being removed to make it much easier and much more flexible to deal with the kind of situations that may be necessary in order to, if there be situations that require further exemption, that (a) an amendment would not have to come to the Assembly, it can be made routinely and that is the reason for such a change.

MR. CHAIRMAN: Mr. Orchard.

MR. D. ORCHARD: Can I ask the Minister if his regulations, which now specifically exclude a farmer doing less than 500 hectares for three different farmers or neighbours, that exclusion is in there. Is there an exclusion which specifically excludes myself from going in with my backpack sprayer and, for valuable consideration of babysitting with my father, spraying the dandelions out of his lawn, is that exemption in the regulation? Or will I be a commercial applicator and subject to the fines, the reporting, etc., etc., that are part of the act and the regulations? Or has he specifically exempted that operation as well?

MR. CHAIRMAN: Mr. Uruski.

HON. B. URUSKI: You see, Mr. Chairman, that's the very kind of stretching and imagination that comes into play with the kind of comments the honourable member makes. The act is made and written to be as flexible as possible to deal with the eventualities as they occur and not to be as rigid as the honourable member would like to see it as such.

MR. D. ORCHARD: Mr. Chairman, the Minister's argument goes out the window when you read what a commercial applicator is. It means a person, and now he's changing "person", by adding immediately after, "other than a person exempted by the regulations who applies pesticides or fertilizers for a fee, charge or other valuable consideration." If I, for the valuable consideration of babysitting from my father, spray his lawn for dandelions, is that exempted in the regulation because if it isn't, I fall subject to this act as a commercial applicator? Am I correct or am I incorrect?

HON. B. URUSKI: Mr. Chairman, I'm looking at the legislation that is in place and I want to ask the honourable member, following his questions, which section does he want to be put back in the act?

MR. D. ORCHARD: When I get the act, I'll tell you.

HON. B. URUSKI: Here is the legislation. I've just had legal counsel look at it and we wanted to know from the honourable member which definition or which section he wishes to be put back into the act that he says is being removed and changing the legislation.

MR. D. ORCHARD: This is also part of the reason, Mr. Chairman, why I suggest that at five past one this is rather an inappropriate time to be driving through legislation.

Mr. Chairman, I believe I have an answer for the Minister. Under the present act, "commercial

applicator," and I will read what the present act says, "means a person whose application equipment is used for hire or for service to others for a fee, charge or other valuable consideration to the extent of 50 percent or more of the annual usage of that equipment."

Now under the present act, if I take my backpack sprayer and spray the dandelions out of my father's lawn, I am not using that application - and the valuable consideration as I say is babysitting - I am not using that equipment for more than 50 percent of its use, therefore I am not a commercial applicator.

HON. B. URUSKI: How do we know?

MR. D. ORCHARD: Mr. Chairman, how do you know? The point that I'm making with the Minister that he has seen half-way fit to amend, is that under his new definition a commercial applicator means, "a person, other than a person exempted by the regulation who applies pesticides or fertilizers with no reference to the amount whatsoever for a fee, charge or other valuable consideration," backpack spraying the dandelions out of my father's lawn for a valuable consideration of babysitter brings me into the commercial applicator category unless there is an exemption in his regulations which says, that if I backpack spray dandelions out of my father's lawn, I'm not a commercial applicator. The present act, there is no way that you could call me a commercial applicator, under the present act. Why are you changing it so that I would become a commercial applicator?

HON. B. URUSKI: Why couldn't the present act call you? How does it exempt you now?

MR. D. ORCHARD: Because, Mr. Chairman, I do not use my backpack sprayer for more than 50 percent of its annual use in custom application for anybody else for valuable consideration.

HON. B. URUSKI: How do we know that?

MR. D. ORCHARD: How are you going to know it with the present act, the way you're structuring it?

HON. B. URUSKI: What difference will there be?

MR. D. ORCHARD: Because now you can have one of your zealots from Mr. Cowan's department come out and catch me backpack spraying dandelions in my lawn, my father's lawn, call me a commercial applicator and fine me \$500.00.

HON. B. URUSKI: Why can't that occur now?

MR. D. ORCHARD: Because he has to prove now that I use the application equipment for more than 50 percent of its time, which he can't do; but under this amendment all he has to do is prove I do it once and that I'm contravening your regulations and they can charge me.

HON. B. URUSKI: And now he has to prove that the work is more than 500 hectares, doesn't he?

MR. D. ORCHARD: No, you said a farmer. What if a neighbour comes over and sprays my father's lawn, in

return for him rototilling? Your present act doesn't allow the frivolous abuse of calling people commercial applicators. You are opening your act up so that inspectors now can do just that and I ask you, why are you doing it? You can't justify what you're doing.

HON. B. URUSKI: Mr. Chairman, the honourable member heard, at the debate on the bill, in fact the bill is becoming more flexible to exempt more people under the act. If the honourable member doesn't accept that explanation, I can't help him.

MR. D. ORCHARD: Mr. Chairman, I can't accept that because the Minister's explanation is simply not factual. His amendment has the ability, unless you are specifically written in to the regulations, as his amendment says, "other than a person exempted by the regulations," unless you are specifically written in as a farmer doing less than 500 hectares for less than three people, unless you fit that category of exemption exactly, you can fall under the act as a commercial applicator, subject to the fines and the reporting if someone in the department, some inspector so desires.

Under the present act, that would not happen. The present act catches commercial applicators in all circumstances. It does not give the ability to harass innocent third parties who are doing their neighbours a favour; but your present structured amendments will allow that to happen. You've made the regulations more complex because now you've got to think of all sorts of exemptions that you've got to pass by regulations. You didn't have to do that under the present act, and if you don't realize that you're making it worse, then good heavens, my friend, you've got to get some good advice from somebody.

MR. CHAIRMAN: Are you ready for the question? On the question on the amendment to Section 1(a). The amendment as read, is it agreed? (Agreed)

All those in favour of the question, please say aye. All those opposed, please say nay.

In my opinion, the ayes have it. I declare the amendment carried.

All those in favour of the amendment, please raise their hands.

All those opposed to the amendment, please raise their hands.

Mr. Orchard is not a member of the committee.

MR. D. ORCHARD: Well, I used to be.

MR. CHAIRMAN: You're not now.

MR. D. ORCHARD: How come I got a notice then, Mr. Chairman?

MR. CHAIRMAN: I can't control who receives notices. I go by the Clerk's record of committee membership and it indicates that Mr. McKenzie is the fourth member of your caucus on the committee, but we do appreciate your contributions nonetheless.

MR. D. ORCHARD: Mr. Chairman, I just saw how much it was appreciated.

MR. CHAIRMAN: Section 1(a), as amended—pass; balance of Page 2—pass; Title—pass; Preamble—pass.

Bill be reported—pass. Did I hear members opposite request that the Bill's Report be recorded on division?

A MEMBER: On division.

MR. CHAIRMAN: On division.

BILL 7 - THE DAIRY ACT

MR. CHAIRMAN: Bill No. 7, An Act to amend The Dairy Act.

Page 1—pass; Page 2, Section 6(3)—pass; Section 6(4)—pass. I understand there's an amendment on 6(5), Mr. Uskiw.

HON. S. USKIW: I move,

THAT the proposed Subsection 6(5) to The Dairy Act as set out in Section 1 of Bill 7 be amended by striking out the words "any other act of the Legislature or" in the 2nd and 3rd lines thereof.

MR. CHAIRMAN: You've heard the amendment. Is there any discussion? Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, it was the understanding that the Minister of Agriculture undertook when the representation was here from the dairy industry that he would, in fact, agree to an amendment that was proposed and he has only gone part way that he is saying he's removing "or any other act of the Legislature" and he has excluded the part that was really the concern, "or by the Minister". The Minister is now going to be able to continue to direct the board to do those things that really shouldn't be within his power and it should be clearly stated in this act that he doesn't have that power.

HON. B. URUSKI: Mr. Chairman, the honourable members, either they were sleeping or . . .

MR. J. DOWNEY: Well, we could have been at 1:15, if you can't clean up your act.

HON. B. URUSKI: Mr. Chairman, the member should read the brief and what I indicated to the representation made by the Milk Producers Marketing Board where, in their brief in Section 2, they say "or any other act of the Legislature" and I, Mr. Chairman, have agreed to that provision where they felt that we were giving this board greater powers and that's what they asked for, and we have agreed to that amendment. Mr. Chairman, the purpose of the act is to have the Minister use the Dairy Board to enquire into any matter or refer any matter for recommendation to the board, that's been the history of the board and that is how the board has functioned. It's a matter of whether or not a Minister wishes to use the Dairy Board in any way.

MR. CHAIRMAN: Are you ready for the question? The amendment as proposed by Mr. Uskiw, strike out the words "any other act of the Legislature or" in the 2nd and 3rd lines of Clause 6. All those in favour please say aye. All those opposed please say nay.

In my opinion the ayes have it.

MR. CHAIRMAN: Clause 6(5) as amended—pass; The balance of Page 2—pass; Title—pass; Preamble—pass. Bill be reported—on division.

BILL 90 - THE CATTLE PRODUCERS ASSOCIATION ACT

MR. CHAIRMAN: Bill No. 90, an Act to amend The Cattle Producers Act.

MR. J. DOWNEY: Committee rise.

MR. CHAIRMAN: There's been a motion proposed by Mr. Downey, committee rise. All those in favour please say aye. All those opposed please say nay. In my opinion the nays have it.

QUESTION put, MOTION defeated.

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

MR. J. DOWNEY: We sat and listened to briefs from 10 o'clock until 12:30 and from 8 o'clock tonight until almost 1 o'clock. We haven't had time to fairly assess what was put forward in those briefs as opposition; we've had all the briefs distributed today, listened to those presentations and there hasn't been a fair assessment made by the opposition of what has been proposed by the public. He's making a sham of the whole committee hearing if he proceeds to go in this manner. It's changing a whole act that reflects on how an organization in Manitoba is going to fund itself and operate in the future, and that's what they're going to ramrod through this committee tonight because they've got their majority? No, Mr. Chairman, there was a gentlemen's agreement prior to getting into this. We would do those two bills and I heard the Minister of Agriculture - not on the record - but he indicated that those two Bills 6 and 7 would, in fact, be the ones we deal with and we'd deal with Bill 90 and Bill 3 at some future date. I heard it, Mr. Chairman.

MR. CHAIRMAN: To the same point of order, Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, the honourable member heard me say that we would see how quickly we would move along in Bills 6 and 7 and see where we would get to Bill 3 and, of course, we didn't have Bill 3 here and I changed it to Bill 90. We have moved along relatively quickly in Bills 6 and 7 and we should try and proceed along Bill 90 and see how far we get.

MR. CHAIRMAN: Further discussion on the point of order? Mr. Manness.

MR. C. MANNES: Mr. Chairman, we have two briefs that we've introduced which you're going to include in Hansard, that we haven't even read yet. Can you tell me how those people who wrote those briefs have had a fair hearing? I would ask the Minister that question.

MR. CHAIRMAN: To the point of order, any further discussion?

HON. S. USKIW: Mr. Chairman, yes, we have moved a motion that we proceed with Bill 90. I believe that is the order of business at the present time. We had just voted the motion.

MR. CHAIRMAN: Mr. Orchard.

MR. D. ORCHARD: Mr. Chairman, this government has now demonstrated what it's going to do with bilingualism; they're going to railroad that through committee; they're going to have Manitobans come here and sit till one, two, three in the morning, then they're going to ram that through. Now, tonight, we've seen the first demonstration of the railroad tactics that these people are going to use. The Minister says it's Speed-up which is what we wanted, that is not correct because, Mr. Chairman, I believe that the function of this committee today was to hear 14 briefs tonight - not 14 entirely - but probably 12 briefs tonight. There has been a brief tabled by Mr. Allan Chambers which I have not had an opportunity to read; there were five briefs earlier on today, all of which offered comment to this government to this committee.

What the Minister of Agriculture and the Minister of Transportation now are proposing to do is because they have five members and we have three members, that we shall railroad this thing through and then once we've railroaded it through here we'll railroad it through the House and we'll get our will. The will, which was given to them, not by the cattle producers tonight from any brief I heard except from two National Farmers Union briefs - and they're going to railroad it through without giving any consideration to what was said to them tonight, without giving any further review of the briefs that were presented, without any further considerations of the ideas given to them. What is the purpose of us sitting here for some seven and a half hours? Why didn't the government just say no one need put a brief into this committee on Bill 90 because we've made up our minds; we won't change anything; we're going to railroad it through and avoid all of the expense of people that came here tonight to have their views heard by what they thought was a system of democracy in the Province of Manitoba. This is an incredible sham, Mr. Chairman.

HON. B. URUSKI: Mr. Chairman, I find it very odd for a member of the opposition whose members have been clambering for what they call Speed-up in the Legislature, to let's get the business of the House going, move the business of the House along and we want to get out of here and we want to have Speed-up. Mr. Chairman, the honourable member should be aware that there was not one brief presented to this committee in terms of making specific comments as to sections of the bill which might or might not be changed in terms of giving further consideration. But the members all know that there was a fundamental difference in principle as to the approach taken by the government vis-a-vis the present legislation; but there were no concrete amendments put forward by any one of the people who presented briefs in opposition to the bill in which it should be considered. There will also be ample opportunity for any member to raise any matters that they wish on third reading, when the bill comes into the Legislature, which certainly does not stifle anyone's debate or anyone's opportunity to speak.

Had there been concrete proposals made that the government might have wanted to consider, in terms of the specific sections of the briefs, one might certainly

entertain that; but certainly that has not occurred in the presentations that we have had.

MR. CHAIRMAN: Order please. I have heard several members on the point of order. I have to point out to members that the point of order raised by Mr. Downey relates to the proceedings of the committee and is a further request that the committee not proceed. However, the committee has given its voice on that question by turning down a motion for committee to rise, and it's out of order to entertain a further motion for committee to rise until an intermediate proceeding has taken place. In other words, a clause in the bill has been passed, or a page, however the committee wishes to proceed.

The Citation on that states: "A motion 'That the House do now adjourn' is always in order but no second motion to the same effect may be made until some intermediate proceeding has taken place," that's Citation 283; and Citation 284 under that, "The term 'immediate proceedings' used in Standing Order 25, means a proceeding that can properly be entered on the Journals," which means a substantive motion.

The same rules apply to committee, so before another motion can be entertained, to be in order for committee to rise, for us to adjourn, we must do something else by substantive motion on the denial for committee to rise. I can entertain further points of order on that but I have to advise the committee that in reply to Mr. Downey's point of order, that's the rule.

Now do you wish to proceed by points of order, or by clause by clause?

Mr. Gourlay.

MR. D. GOURLAY: We received a number of briefs here tonight after all the written briefs, after the formal presentations were made. I have not had a chance to read them and how can we conceivably proceed clause by clause until we've had a chance to peruse the material that has been given to us?

MR. CHAIRMAN: Mr. Gourlay, I appreciate the point of order you are raising with the committee. Had it been raised prior to the vote, I could have entertained it.

MR. D. GOURLAY: It was just a point of clarification I was on.

MR. CHAIRMAN: Yes, but the difficulty I have is the committee made a decision not to adjourn . . .

MR. D. GOURLAY: Mr. Chairman, this is a sham then, because how can we possibly to ahead . . .

MR. CHAIRMAN: Order please.

MR. D. GOURLAY: . . . and the Minister of Agriculture made reference to the fact that we were in Speed-up and this is Speed-up. This is ridiculous because it's very poorly organized Speed-up, I would say, and we've had weeks we could have had the Agricultural Committee to sit down and listen to these presentations. Why didn't we meet earlier, before Speed-up, if necessary?

MR. CHAIRMAN: Order please. I can't entertain further points of order on the question of whether or not we proceed or rise, simply because the committee has spoken and I'm at the will of the committee.

Mr. Orchard.

MR. D. ORCHARD: Mr. Chairman, I have a question for Mr. Uruski. Has he read Mr. Chamber's brief?

HON. B. URUSKI: Members have looked at the brief, I have not seen it myself.

MR. D. ORCHARD: Then do you mean to say that you're willing to ram this bill through without even having read a brief that was presented to this committee? What kind of a democracy do you purport to be running here? It's incredible.

MR. CHAIRMAN: Order please. How do you wish to proceed, clause by clause or page by page?

MR. D. ORCHARD: Mr. Chairman, I believe you have dealt with a substantive motion in a point of order and, therefore, I move committee rise.

MR. CHAIRMAN: A point of order is not a substantive motion, Mr. Orchard. A point of order is exactly that.

MR. D. ORCHARD: Do you want a matter of privilege then?

MR. CHAIRMAN: A matter of privilege is not a substantive motion. Matters of privilege can only be dealt with in the House, not in committee. How do you wish to proceed with the bill?

Mr. Orchard.

MR. D. ORCHARD: Mr. Chairman, I move that we delete Clause 1 of Bill 90 on Page 1, seconded by the Minister of Agriculture.

MR. CHAIRMAN: I have not yet called Clause 1 and it is out of order to delete.

MR. D. ORCHARD: That's a substantive motion dealing with the bill, what kind of rules are you playing with?

MR. CHAIRMAN: Well, obviously, Mr. Orchard in terms of the rules, and I'd be pleased to advise you if you would ask. It is out of order to move a motion to delete when one can, instead, vote against the clause. Now I'm asking the committee for advice as to how the committee wishes to proceed, page by page? Page 1—pass - I have now put a substantive question before the committee. Would you please deal it?

Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, I move that Page 1 not be accepted.

MR. CHAIRMAN: The motion is out of order. A motion to delete is redundant against a motion for passage and can be effected the same way by voting against the motion. The question before the committee —

(Interjection) — On a point of order? Mr. Orchard on a point of order.

MR. D. ORCHARD: Mr. Chairman, in other words, the way you are going to run this committee is you are going to call a page. We cannot move a motion to delete any portion of that page? You simply call the question; Ayes and Nays; your majority carried the page; you entertain a motion for adjournment; you defeat that; you go to the next page and you railroad it through.

Well, Mr. Chairman, I refer back . . .

MR. CHAIRMAN: Mr. Orchard, I hope you're not reflecting on the Chair. I'm calling the business according to the rules as I'm directed by the committee. To suggest your Chair is railroading the bill through the committee is a reflection on the Chair and I hope you'll consider that.

MR. D. ORCHARD: Mr. Chairman, I consider everything I say very carefully, and you have five members that are helping you to railroad this bill through.

MR. CHAIRMAN: Mr. Orchard, with respect, I must ask you to withdraw the suggestion that the Chair is in some way directing the affairs of this committee to railroad a bill through this committee.

MR. D. ORCHARD: Mr. Chairman, is the Chair at the behest of the majority of the committee?

MR. CHAIRMAN: The Chair is at the direction of the whole committee, but guided at all times by the Rules of the House.

MR. D. ORCHARD: And, Mr. Chairman, if . . .

MR. CHAIRMAN: And I can be overruled at any time by a majority of the committee if they don't like my ruling.

MR. D. ORCHARD: Right, and when the majority of the committee wishes to railroad this bill through you must also proceed with the railroading of that bill through because it is the will of the majority, is that not right?

A MEMBER: But not his will.

MR. CHAIRMAN: Mr. Orchard, you implied with your comment that I was directly involved in leading the railroading of this bill through this committee, and that allegation I would like you to withdraw.

MR. D. ORCHARD: Mr. Chairman, let us leave the withdrawal of that statement until we have Hansard which shows the exact comments that I made, and then we will deal with whether I withdraw the remarks and the allegations if I, in fact, made them.

MR. CHAIRMAN: Mr. Orchard, it is not in the power of a committee to deal with a matter of privilege. I do not intend to push the matter if you're prepared to withdraw it, otherwise, I must make a report to the

Speaker tomorrow that that allegation was made against the Chair of a Committee of this House.

MR. D. ORCHARD: Mr. Chairman, might I ask you that with that impending decision by the Speaker this committee can no longer continue its business, am I correct?

MR. CHAIRMAN: Matters of privilege do not prevent the committee from conducting its business, just as the Speaker in the House is not prevented from calling the Orders of the Day when he has taken a Matter of Privilege under advisement.

MR. D. ORCHARD: Mr. Chairman, I cannot withdraw an allegation that I am not sure I made and, until I see the printed record of Hansard, I cannot, with due respect, comply with your request to withdraw an allegation that is purported to have been made by myself and comments several minutes ago.

MR. CHAIRMAN: Mr. Orchard, are you alleging that the Chair is railroading a bill through this committee?

MR. D. ORCHARD: Mr. Chairman, I suggest that by being guided by five members majority of this committee that this bill is being railroaded through.

MR. CHAIRMAN: By whom?

MR. D. ORCHARD: By the committee, and the Chairman must abide by the majority rule of the committee.

MR. CHAIRMAN: Fine. If that's your statement, I accept that. Your earlier statement was somewhat different.

MR. D. ORCHARD: Well, we can check that in Hansard.

MR. CHAIRMAN: I'll accept that. May we proceed?
Mr. Manness.

MR. C. MANNES: Just a matter of clarification, Mr. Chairman. Who made the determination that we would proceed page by page?

MR. CHAIRMAN: I heard page by page from more members than I heard clause by clause. If there is a motion that we proceed page by page or clause by clause, I will entertain either. Usually that isn't a subject of a vote, but if the committee wishes to discuss the merits, I'm prepared to hear that discussion. What is your will and pleasure, page by page or clause by clause?

Mr. Uskiw.

MR. J. DOWNEY: Clause by clause.

HON. S. USKIW: Mr. Chairman, I move that we proceed page by page.

MR. CHAIRMAN: Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, we cannot support that. We would like to do a proper job of assessing

these amendments clause by clause and we have to vote against that proposal which has been introduced by the Minister of Highways.

MR. CHAIRMAN: Any further discussion on the proposal to proceed page by page? All those in favour of the motion, please say aye. Those opposed, please say nay. In my opinion, the ayes have it. I declare the motion carried.
Mr. Orchard.

MR. D. ORCHARD: How is it expected after hearing briefs tonight that the opposition can offer well-constructed amendments to this bill?

MR. CHAIRMAN: Mr. Orchard, may I ask on what you are speaking? I have not yet called Page 1. May I start again? Call Page 1, and then we can begin the debate directed to the bill.

MR. D. ORCHARD: Go ahead.

MR. CHAIRMAN: Page 1—pass. Mr. Orchard.

MR. D. ORCHARD: Thank you, Mr. Chairman. Can I ask the Chairman, how it is expected that members of the opposition, having heard representation this morning and again this evening and wishing to make amendments to this bill, are to have the opportunity to present those amendments in consultation with legal counsel at this hour of the evening, of the early morning?

MR. CHAIRMAN: Mr. Uskiw.

HON. S. USKIW: Mr. Chairman, the Member for Pembina is indeed attempting to kid us along with that question because he knows full well that all of the briefs that were in opposition to the bill were in opposition in principle to the entire bill. Therefore, there is no substantive motion by way of amendment to improve on the bill that is before us by any person that appeared before this committee.

HON. B. URUSKI: Not even Mr. Chambers.

HON. S. USKIW: Mr. Chairman, the people who supported the legislation did not recommend any changes. There were no recommendations for changes to the bill other than that the bill not be proceeded with. So, there is nothing at issue that should bother the member for Pembina with respect to the substance of presentations that were heard throughout this morning and this evening. It is very clear-cut what the presentations said. They said, scrap the bill in its entirety. That is the issue before this committee now, the whole bill, not any section of it, although the members are free to make amendments on any page that they so wish. There is no question as to the intent of those who have made representations here today.

MR. CHAIRMAN: Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, on dealing with Bill 90, the front page of the bill, it freely states the name of the amendment, The Cattle Producers Association

Act, an amendment to that bill. Let us deal with the bill and the front page as it is being presented to this committee.

We did hear briefs; we heard them from 10:00 until 12:30, and we heard them from 8:00 until 1 o'clock this morning. And what we heard, Mr. Chairman, was the majority of the people of Manitoba, the farm community, who, if not in the cattle business, represented the cattle producers and the larger agriculture sector - the agriculture sector at large - saying they wanted to scrap Bill 90.

We had two members of the National Farmers Union, which are well-known supporters of an NDP Party, they're one and the same, who were in support of pushing this bill through. This is what we heard today. My colleagues make the comments that we had presentations given to us, which we haven't had time to peruse and make the appropriate amendments or changes at this time that may accommodate those people who are in the majority today wanting to scrap Bill 90.

The Minister is not prepared to listen to anybody. He's taken the arrogant, socialist, dictatorial approach to the operation of the democratic system, putting legislation in place that is not in the best interests of the people.

Our job, as opposition, is to put forward our feelings on this, and we're going to do it, Mr. Chairman. I'm going to do it because I believe firmly that it is not in their best interests and Bill 90 cannot be passed in this manner.

What we've done, we've seen the leaving of all the people who were here because they had to drive home - distances. We now have the government proceed to walk in with their majority and say, here it is. Because of a philosophical hangup, we're going to shove this thing past you people. We don't care about what the people of Manitoba said. We don't care about what the farm people and the cattle producers said, we're going to do it our way, and we're going to use our majority in the Legislature to do it. The hell with the cattle producers; the hell with the Farm Bureau and anybody that represents them aren't worthy of listening to. That's what they're saying, Mr. Chairman.

It's a railroad sham job on the farm people of this province, and they won't get away with it, Mr. Chairman. I can tell you right now, we were committed to the cattle industry in 1977-78, and when the government changes again, we'll be as committed again to give them their proper kind of legislative mechanism that they need to protect themselves.

Also, Mr. Chairman, I think it would be fair to say that the majority of people would feel that the marketing legislation that's in place would have to be very closely looked at and probably eliminated as far as the compulsion aspect of it is concerned because that, again, is what the producers of beef in the province want.

We are sitting here tonight being asked to make a sham - which they are doing and we're not being a part of it - of the legislative process. Nothing more. That's precisely what they're doing. They're using the heavy hand, a socialist dictatorial government saying, we know what is best; we heard from the cattle producers; we heard from the Farm Bureau; we heard from two people from the National Farmers Union who

were supportive of us, so that's the way we're going to go. It won't wash, Mr. Chairman. The farm people are going to be told in spades what happened here tonight, and they'll be told that the Minister of Agriculture, his own constituent, Hal Chambers, who presented a brief and wasn't able to be here, the Minister didn't even read his presentation and yet is proceeding.

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

HON. B. URUSKI: Mr. Chairman, on a point of order. When I mentioned to Mr. Orchard that I had not had an opportunity to look at it, in the intervening time, Mr. Chairman, I perused both briefs.

A MEMBER: It took five minutes.

HON. B. URUSKI: That's right, Mr. Chairman. The fact of the matter is, both briefs are very clear in their direct opposition to the bill with no suggested amendments in terms of improving or at least compromising or attempting to say there might be improvements made to the legislation. I have read both briefs that were presented to us, by Mr. Chambers, by Mr. Hickson of the Keystone Simmental Association and, Mr. Chairman, from Darlingford, Manitoba, Ken Barron.

MR. CHAIRMAN: I don't believe the Minister has a point of order. He could have made the same comments by getting on the list and speaking in debate.

Mr. Downey, please continue.

MR. J. DOWNEY: Mr. Chairman, I want to again go over what I have just said, and I think it's important to do so, that he has received a brief, but he didn't have an opportunity to go over and assess and listen to. I did make a suggestion during the hearings tonight; I suggested when the Farmers Union were on before this committee, the possibilities of taking a look at a compromise on a marketing mechanism in conjunction with the Cattle Producers Association because we have through his, again, heavy hand of socialist dictatorial approach, we have got a Marketing Commission in the Province of Manitoba, we have a cattle producers' organization, each at both ends of the spectrum, but he's not prepared to take any time to allow the two of them to assess whether there could be some compromise. He won't do that, Mr. Chairman, and if government's responsibility is not to make sure there is a balance in society, then what is it? Is it to continue to have them fighting the way they have been fighting over the last umpteen years? I thought that that, Mr. Chairman, was somewhat behind us in the cattle industry, but apparently not. We have nothing more than a confrontationist-type government. Everything they've done in this last Session has been to upset the people of Manitoba; upset and tear the social fabric of this province like it's never been torn before. If they're satisfied and that they can go down in the record books as that kind of a government, then let it be, Mr. Chairman, and the people will correct it at the next election and we will do our best to make sure that correction is made.

A commitment that I am making to the cattle producers here tonight, whether I am a member of a

Treasury Bench or whether I'm a member of a backbench, I will do so as a private member to reimplement the program that is being stripped from them by this Minister of Agriculture. That's a personal commitment of mine at this particular time. He'll be sorry that he ever did it, Mr. Chairman, and particularly the method in which they're doing it now. He didn't tell the people who made those briefs. At the end of it he said, it's too bad what you had to say to me because when you all leave here tonight, we're just going to use our majority and shove it through this committee. Why didn't he tell them that, Mr. Chairman? He didn't have the intestinal fortitude to do it.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Parasiuk.

HON. W. PARASIUK: I'm somewhat bemused by the comments of the Member for Arthur. I ask where was he from 1977 to 1981 when closure was used, when we sat until 4 or 5, 6 in the morning under the gleeful urgings of the Leader of the Conservative Party, the Premier at that time? That went on consistently. That was with respect to specific amendments that were being discussed, and that was after hearing people who brought forward specific recommendations for amendments.

The Leader of the Conservative Party has a reputation that's been well-earned over all of his years in the House. I've never heard any of the Conservatives question that. What we are talking about I think is something that is different. If there were specific amendments; if in fact people had come forward with specific amendments; if people on the other side had come forward with particular amendments that they wanted to discuss, but they want to discuss in committee on amendments is the bill in principle. We discussed that in second reading; we spent a long time discussing this bill in terms of principle. We knew that there was a division in terms of principle, and according to the democratic process, the majority prevailed. We then went to see whether there were grounds for changes to the bill. No one came forward with any recommendations with respect to changes. Some people said they were in favour of the bill in principle, and some people said they were against the bill in principle.

So that's where we are. We're at a stage now where we've heard principle discussions in second reading. We have no particular amendments, but someone wants to now carry on a long debate rehashing second reading again. We're not in second reading again. If they want to discuss it at a final stage, they have an opportunity in third reading to do so.

I've not heard recommendations for amendments, so therefore I say to myself, what are we going to discuss. We will discuss then if we want to discuss 3 or 4 or 6 or 8 or 10 or 12 hours of principle, but that's not what Law Amendments is all about.

When I get the Member for Arthur who I thought had learned something about the legislative process from '77-81. — (Interjection) — You listen, because you didn't — (Interjection) — Well, I know. If in fact, it goes over your head I guess you can't listen. You don't want to look back between '77 — (Interjection) — no, you don't

want to look back between '77 and '81. Take a look and read through sitting till 4 o'clock if you want to talk about good years when specific amendments were being discussed.

I'm trying to distinguish between a debate in principle where you had no amendments that you want to put forward — (Interjection) — The date on amendments. — (Interjection) — You didn't come forward with amendments. No amendments — (Interjection) — How many people recommended amendments? — (Interjection) — If you can't read — (Interjection) — . . .

MR. CHAIRMAN: Order please, order please. Would the honourable member please address his remarks through the Chair so that he doesn't incite others to reply.

HON. W. PARASIUK: If the honourable members of the opposition, sitting through a whole process have not been able to read the briefs that were given to them over an eight-hour period, one- or two-page briefs. Yes, it's possible, yes, Mr. Chairman, it is possible to read the magazines, read the briefs, listen, ask questions.

I've seen the Member for Lakeside do that often. He's got some ability to do that. I've seen some of the other members on the other side do that as well, Mr. Chairman. I believe that it is possible for people to go through this. I don't know what the opposition wants to do with respect to this. If they want to debate it in principle, they have a full opportunity in third reading of debating it in principle. If they had wanted to move particular amendments; they had the opportunity to move particular amendments. No one presenting briefs recommended particular amendments. The opposition has not given any indication whatsoever of wanting to move particular amendments, but for some reason they don't want to conclude the business of this Law Amendments Committee with respect to this bill, so that we can send the bill into third reading where I think it's a legitimate exercise for people to debate it on third reading on the base of principle. — (Interjection) —

MR. CHAIRMAN: I would point out to members (1) that this is the Standing Committee on Agriculture, not Law Amendments and (2) that debate on principle is allowed at committee stage on the motion to approve the title of the bill. There can be debate on principle at that point.

The discussion we're on right now is Page 1 of clause-by-clause consideration of Bill 90, that's Clauses 1 through 3 to 3(1). I would ask members, we've allowed some wide-ranging debate on this discussion of the first page, but I would ask members to please direct their comments to the appropriate clauses under consideration.

I believe, Mr. Uskiw.

HON. S. USKIW: Mr. Chairman, the Member for Arthur suggested that the process is a sham, notwithstanding the fact that there have been no constructive amendments proposed by anyone presenting a brief here today . . .

MR. CHAIRMAN: Order please. I'd ask members, and I would appreciate their co-operation in view of the late hour, since we have had some general discussion, to please direct their remarks to the clauses specifically under consideration. If they're not prepared to do that, I would have to rule them out of order and call the question on Page 1.

Mr. Uskiw.

HON. S. USKIW: Page 1, Mr. Chairman.

MR. CHAIRMAN: Any further debate on Page 1? Page 1—pass. All those in favour of Page 1, please say aye. All those opposed, please say nay. In my opinion the ayes have it and I declare Page 1—passed—on division.

MR. CHAIRMAN: Page 2—pass, on division; Page 3—pass, on division; Preamble—pass; Title—pass, on division. Bill be reported - Mr. Downey.

MR. J. DOWNEY: As I indicated earlier, Mr. Chairman, what we have seen here is the government using their majority to force the law through that is going to take away the funding mechanism for an industry in this province that generates several hundreds of millions of dollars. Cattle producers who have funded their own organization, promoted their own industry, spoke on their own behalf, brought forward I would say constructive programs and objective ideas for this province, and let's go back to the history of really where it has come from, Mr. Chairman.

The Cattle Producers Association, Bill No. 90, is really the bill which is now going to take us back to where the producers were many years ago, where we saw the former New Democratic Party have nothing but continued turmoil within the cattle industry. When we were elected in 1977, Mr. Chairman, there's no question in mind, we truly represented the agricultural community, so there was a commitment - and still do, and will for a long time - there was a commitment at that particular time that there would be a move made to assemble an organization that would, in fact, speak for the cattle producers of Manitoba, Mr. Chairman, and that took place. You know, albeit the Government of the Day decided to proceed on the information that was available, the support that was brought forward by the Farm Bureau, by the many groups in society that said this is what they want and we listened to them, unlike, Mr. Chairman, what we're seeing tonight.

We're seeing the exact opposite. We saw the Minister of Consumer Affairs, who did he speak out against? The consumers of Manitoba. No, they didn't get on the side of the consumers, he had to have a fight with them, Mr. Chairman. We see the Minister of Agriculture have to get into a scrap with the cattle producers.

Then, of course, the Minister of Highways, anytime he smells the bit of chewed green grass when it comes into the Legislature, he has to get on his boxing gloves and have a real scrap with them. It was a philosophical thing with him, and he isn't going to be happy till this organization goes down the drain. If it goes down the drain, that's when he'll be happy. Mr. Chairman, I put myself in the same position that we will as a party, as an individual, we will give the people of the cattle industry the same kind of organization, as they have

just been taken away from, here tonight in a process that isn't even within the democratic reality of living in Manitoba, a sham as I said. It's a sham that we're seeing this kind of law passed through the committee after we just saw them all leave, the government are saying now we're going to pass it because they've gone home. That's what they're doing. Why didn't the Minister of Agriculture say, we don't give a damn what you're telling us at this committee because we aren't even going to read the briefs, we're going to pass the laws and you're going to like it.

HON. B. URUSKI: Mr. Chairman, we read the briefs. Mr. Chairman, we heard the briefs.

MR. J. DOWNEY: That's what he said. That's precisely what he said and that's what he's doing. He's proving it in spades.

So, Mr. Chairman, we have no alternative, but as an opposition, to fully oppose this act and to promise the cattle producers of this province that when we'll be re-elected again, when we will, that we will proceed to put back in place the kind of legislation that gives them their kind of organization that they deserve.

MR. CHAIRMAN: Mr. Manness.

MR. C. MANNES: Mr. Chairman, I'd like to place on the record how appalled I am as to the democratic process as evidenced tonight.

HON. B. URUSKI: What process?

MR. C. MANNES: I accept notwithstanding some of the comments made by the Minister of Mines and Resources. I find it appalling indeed that people would drive virtually hundreds of miles to be here in attendance at 10 o'clock this morning to sit and wait their turn to make a presentation on this specific bill and, of course, very few of them being able to speak this morning, wait all day and then begin to make orderly presentations at 8 o'clock this evening, not wrapping up till some time at 1 o'clock. Before many of those people had even left the outskirts of the city, before that time, still probably many of them driving for another two hours through the morning — (Interjection) — that we would pass and not take into account any of the comments they'd make.

Mr. Chairman, I guess this is my first opportunity to see some of the heavy times in committee, it made it nice. But I just want to place onto the record, my disbelief almost, at the situation that's occurred here this evening.

MR. CHAIRMAN: Mr. Uskiw.

HON. S. USKIW: Mr. Chairman, I did want to put at ease some of the indignation that has been expressed by members opposite who have not had the opportunity to be with the system of government for a long period of time.

I want to remind the members opposite, or at least advise them if I may, that during the Roblin years of government, I recall sitting when Sterling Lyon, your now Leader of the Opposition, was in the Chair till 5

in the morning; 60 bills went through that night, I believe it was - I think the Member for Lakeside would probably bear me out - I think it was in the order of about 60 bills. Briefs were received till midnight that night, and at 2 in the morning, the former Premier, the Honourable D.L. Campbell, moved an amendment to a bill, and the Chairman, who was Premier just two years ago and now your Leader, said it's too late for amendments, let's keep moving. We cleaned up all of the bills by 5 in the morning. There was no time for amendments, wouldn't hear of any.

A MEMBER: I never heard about this. Did it really happen?

HON. S. USKIW: Yes. Mr. Chairman, why are we here now? It wasn't because the New Democratic Party wanted to be here at 2 in the morning. It's because the Conservative Party walked out of the Legislature the other day and demanded that we move into Speed-up. — (Interjection) — No, but that's what happened, Mr. Chairman.

A MEMBER: That's a bunch of crap.

HON. S. USKIW: That is exactly why we are here. We had no intentions of — (Interjection) — Mr. Chairman, we had no intentions of going through long evening sittings, but is on the urgings of the opposition that we yielded and said, okay, let's push Speed-up in and let's sit late, let's get out of here. We have a lot of time, Mr. Chairman.

MR. CHAIRMAN: Order please. I realize the member is trying to reply to certain comments made by others on the bill and the process. However, the motion is that the bill be reported and that motion is usually the motion under which discussion, more pertinent to the merits of reporting or not reporting of the bill takes place.

I ask the member to continue bearing that caution in mind.

HON. S. USKIW: Mr. Chairman, I appreciate your point. I wish you would have drawn attention to that question when the former members addressed the Chair just a few moments ago. — (Interjection) —

Notwithstanding that, Mr. Chairman, let's talk about the bill, because what does the bill do? It undoes something that should have never been done, Mr. Chairman. The bill that we are undoing, Bill 25, is a piece of dictatorial legislation that doesn't become the democratic system, Mr. Chairman, it has no place in a democracy but belongs in totalitarian systems of either the right or the left. That's right, that's the kind of legislation that we are amending.

We are bringing back to the people of Manitoba a measure of freedom that was taken away from them in 1978, Mr. Chairman — (Interjection) — That's right. We are taking back and giving to the people of Manitoba a measure of freedom, but I think what is fair to observe is that the members opposite, if they thought they had the majority of opinion - and they think they do on this one - that they care nothing about the rights of the minority, if there is a minority in this issue, Mr. Chairman.

That's what's coming through in this debate. They are not at all concerned about the people that object in principle to the very idea that they shall become a member of an association that they had no wish to be a member of, and to have funds extracted from them involuntarily. That's the kind of legislation that we should never condone and this bill redresses that, Mr. Chairman, and it's about time, it's about time.

MR. CHAIRMAN: Mr. Gourlay.

MR. D. GOURLAY: Mr. Chairman, I wanted to get a few comments on the record as well. I'm appalled at what I've seen taking place here tonight, especially when I've had a constituent come in some 260 miles and sat here all day in order to make his presentation, together with some other 18 or 19 people that were on the list here to make their presentations. They would have been better off if they would all have stayed at home because they never really got a fair hearing. Other people sent in written briefs. I haven't had a chance to read it, maybe the Minister of Energy and Mines, I know that he's a brain and can do a lot of things at the same time. In order to do justice to these presentations, I think that the committee members at least should have had a chance to peruse the material that was presented to them tonight. I haven't had a chance to do that. I feel very badly for the cattle producers and the consumers of this province who came here with good intentions, thinking that they would be getting a fair hearing, and they have not had a fair hearing in my estimation.

Certainly, the government have the majority here and they can ram this through, but I think they'll live to see the day when they regret this episode that they have carried on here tonight.

MR. CHAIRMAN: Mr. Orchard.

MR. D. ORCHARD: Thank you, Mr. Chairman. Now, this is an interesting evening. We've had an opportunity to hear a number of people address an issue that they consider to be of considerable importance to the beef industry, and it would seem from some actions and some statements of this government that they believe the beef industry is important to Manitoba.

But as often happens with this government, they speak from both sides of their mouth. They say, the beef industry is important, we're going to help it, and we're going to support it. But, yet, the Minister of Transportation is the most vehement person pushing for the abolishment of the Manitoba Cattle Producers of all the members opposite. At least the Member for Gimli had the good sense to keep his mouth shut except when the Consumers' Association representative was here, and the Member for Ste. Rose only spoke up a couple of times to indicate to the crowd that he could read and listen at the same time, and nobody believed him.

Mr. Chairman, tonight, we didn't just hear from vested interest groups as the Minister said; we heard from cattle producers, cattle producers that were duly elected to represent cattle producer views in the Manitoba Cattle Producers Association. We heard from two people tonight who agreed with the government, said

this bill has got to be rammed through, and they're getting their wish.

Those two people, I don't have to tell anybody, were members of the National Farmers Union, the agricultural arm of the New Democratic Party, there's no question about that. They're the only place that this government goes for agricultural advice. They don't listen to any other agricultural community, because only the National Farmers Union has their ear. We saw that in spades tonight and we're seeing it happen right now with this government ramming this bill through because two National Farmers Union people were heard saying, ram it through, and the government's going to ram it through.

MR. CHAIRMAN: Order please. Mr. Orchard, I cautioned other members about dealing with the process and suggested that the comments should be directed to the merits of reporting or not reporting. If you could make reference to the bill on occasion, it would be of some assistance to the Chair.

MR. D. ORCHARD: That's right. I said that the two members of the National Farmers Union suggested this bill be rammed through, and they're getting their wish. These National Farmers Union people claim to represent the majority of cattle producers out there, and that the majority of cattle producers are, according to them, against Bill 90. That's what they tried to tell us tonight.

The Minister of Transportation says, I don't believe them. I certainly don't. I don't believe them because neither one of them admitted to having majority support of the producers, whereas in contrast, everyone else who spoke on this bill put it on the record that they believed they had the vast majority of the cattle producers in their area that they contacted. The Minister of Transportation is nodding his head; he recognizes that. — (Interjection) — oh well, Mr. Chairman, the Minister has added a new dimension here. He said they believe it, so it's right. Well, is the Minister suggesting that they didn't tell the truth tonight when they were on the record?

HON. S. USKIW: I'm saying that they . . .

MR. CHAIRMAN: Order please. This isn't question period. The Member for Pembina has the floor.

MR. D. ORCHARD: Mr. Chairman, the last speaker that we had, Mr. Geddes . . .

MR. CHAIRMAN: Order please.

MR. D. ORCHARD: I posed the question to him about whether the majority of the producers in his area agreed with this bill and agreed with the Cattle Producers Association, and he said yes, the vast majority of the producers in his area agreed with The Manitoba Cattle Producers Act and did not want Bill 90 to proceed.

Now, that gentleman is a pretty well-respected and knowledgeable person in the agricultural community in the part of the province he comes from, which I'm proud to say is part of my constituency. What he says as being representative of cattle producer opinion to Bill 90 is correct; that the majority of the producers don't object to the provisions of Bill 25 that allow the front-end

collection; that the majority of producers don't want Bill 90 to destroy the Manitoba Cattle Producers Association. They're quite satisfied with the way it's structured right now.

But the Minister isn't interested in listening to the majority opinion. No, he's interested in listening to two National Farmers Union representatives who say at this committee that they cannot say their opinion is the opinion of the majority of cattle producers that they have contacted and that they know. So, in other words, this government, the Minister of Transportation, because he's got wounds that are still healing from 1976, is forcing the Minister of Agriculture to make a fool of himself in the agricultural community and ram Bill 90 through, which will affectively destroy the only meaningful organization that the cattle producers have had in the history of this province.

They're not doing it at the behest of the majority of the cattle producers; they're doing it at the behest, tonight, of two new National — (Interjection) — the Minister mentions ethics at the same time he's ramming seat belts through. Mr. Chairman, would you put him under control.

MR. CHAIRMAN: I've tried.

MR. D. ORCHARD: This government has no ethics. They have no principles on which they base legislation. What this government makes amendments and brings in legislation for is their vocal lobby groups, the little groups that they made their unholy alliances with during the last election, and they made an unholy alliance, Mr. Chairman, to bring in Bill 90 during the last election.

Four policy conventions of the New Democratic Party said that this Manitoba Cattle Producers Act should be destroyed. They made their unholy alliances with the National Farmers Union prior to the last election and they're fulfilling it now. They are fulfilling a promise to a fringe group of people who don't represent the Manitoba agricultural community and certainly don't represent the cattle producers of this province.

They are ramming it through tonight, without any consideration to the thoughtful presentations and more importantly, Mr. Chairman, we all can sit back and read a number of briefs that we've got tonight. We could read these briefs that were presented to us to Bill 90, but we certainly can't review answers to questions posed and answers given by those people that took the time out from their private endeavours to come to this committee and offer their views and answer questions. The Minister is justifying it, and the Minister of Transportation is backing him up, or the fact that we didn't hear any amendments. I suggest that there is food for amendment in the answers to the questions that were posed.

The Minister of Transportation spent some considerable time saying all you people that are here have a vested interest. If you're truly concerned, if the Manitoba cattle producer is truly concerned about Bill 90, why weren't they here in droves? Well, if a majority of cattle producers agreed with the Minister of Transportation that it should be removed and destroyed by Bill 90, why weren't his supporters here tonight? The only two that he could muster were two National Farmers Union people that are after him for \$140,000

worth of government money to support their organization, that's what he's after. Those are the only two people you could drag in to support your legislation.

You know, Mr. Chairman, the Minister of Agriculture, tonight I asked the simple question have you read Mr. Chamber's brief? He said, no I haven't. — (Interjection) — Well, the Minister says he didn't hear me. He said well I don't know all the points that are in it. He's going to skate around on the issue, but if he tells the truth, he hasn't read the brief. He doesn't know what's in it. He cannot comment on whether Mr. Chambers has suggestions for amendment as neither can I, because I haven't read Mr. Chamber's brief yet either, because I haven't had time, because I've been fighting to try to get this committee to carry this meeting over so that Bill 90 would not be proceeded clause by clause tonight, so that we could have made thoughtful amendments to Bill 90, given them due consideration on the basis of the briefs and the answers to the questions posed by the people that took time out from their busy schedules to be here tonight. No, the Minister of Agriculture doesn't know what's in Mr. Chamber's brief, doesn't care, who cares? He hasn't perused the replies to the questions that were posed to these people that took their time out to come here.

In other words, what the Minister of Agriculture might have said, and my colleagues have mentioned this tonight, what the Minister of Agriculture should have said after he heard the last brief was, thank you very much, go home, forget about it, you didn't even have to bother coming here because we weren't listening. We didn't care a hot damn what you were saying tonight, because our mind is made up, we're not changing anything, we're going to ram this Bill 90 through, and we're going to destroy your organization because the Minister of Transportation and I have a wound that's been festering since 1976, and we want vengeance on you guys that beat us in 1976. — (Interjection) — No, the referendum. — (Interjection) —

MR. CHAIRMAN: Order please. Mr. Orchard has the floor.

MR. D. ORCHARD: Thank you, Mr. Chairman.

Now, what are some of the consequences of Bill 90, Mr. Chairman, that you haven't given any thoughts to? One of the speakers tonight indicated that there were four employees in the Manitoba Cattle Producers Association. One of them is a home economist. She provides advice to housewives and consumers. It was commented and complimented on by the Consumers' Association of Canada, something I think that the Member for Gimli might have some semblance of concern for. He listened, but obviously he listened as a deaf mute, because he isn't doing anything except allowing the Minister of Agriculture and the Minister of Transportation to ram this through.

What's the consequence of it, Mr. Chairman? That home economist will be unemployed. The Minister of Transportation says sure. — (Interjection) — Mr. Chairman, the Ministers knows — (Interjection) — Mr. Chairman, that home economist is going to be unemployed as a result of this government's action on Bill 90 . . .

MR. CHAIRMAN: Order please. If members wish to carry on private conversations, they know where they

can go to do so. Mr. Orchard has the floor. Mr. Orchard, I would appreciate it if you would address your remarks to the Chair so you don't incite members on both sides to join in. Thank you. .

MR. D. ORCHARD: You're welcome, Mr. Chairman, I certainly will attempt to do that.

Mr. Chairman, this government and the Premier and a number of the gang over there have said well, we're interested in creating jobs. They brought in the payroll tax which un-employed people, and now they're bringing in this which is going to throw four people on the unemployment rolls. It's going to happen — (Interjection) — and the Minister does it with glee. He's glad he's going to be able to make these people unemployed. He loves that because he hates the organization, because he doesn't like to see an organization that was created by our Minister of Agriculture, the MLA for Arthur, during his term, that has been successful by any standard of measurement that you want to put to it. — (Interjection) — Yes, my colleague reminds me that jobs don't happen, they're created. Well, with this government, jobs definitely don't happen, they're uncreated. This government causes them to be uncreated, this government causes unemployment.

The Consumers' Association came in and they spoke in favour of the association and against Bill 90. Why, because they were pleased with the efforts and education that the Manitoba Cattle Producers were doing to inform the consumers of Manitoba of the benefits of beef. The Consumers' Association of Canada believed that there was excellent value in the association for the consumer, No. 1, it didn't cost the consumer anything which was their most important criterion, it was a producer checkoff that funded the organization, which is going to be destroyed by Bill 90, and the Consumers' Association said that this is a good association. It has allowed the consumer to be well served, and we've got the Minister of Consumer and Corporate Affairs voting to ram this bill through to solve some political vengeance that the Minister of Transportation, the former Minister of Agriculture has got with the cattle producing community in Manitoba. He lost in '76, he lost in '77, and he's now going to use the majority in the House to try to win a little small battle. Isn't that a vindictive little child attitude. You can't win in the legitimate route, you take your majority and you ram it down the cattle producer's throat.

The Breed Testing Association was here, and they said that this Cattle Producers Association would provide them with the ability to be funded, to take the record of performance testing throughout this province and get more producers on it. The Minister says we're interested in making this beef industry in Manitoba a viable industry, we want efficiency, we want good performance, we want a packing industry. There's the Breed Association saying that without the Manitoba Cattle Producers Association's help not only in funding, but in arranging the meetings, that the record of performance testing will not go on as it should. So, there's another black eye for the cattle community, the cattle business in this province, given by the Minister of Agriculture who out of one side of his mouth says he supports the beef industry, and out of the other side of his mouth destroys it.

Mr. Chairman, that brings about a number of questions, but the Minister of Agriculture mentioned in 1974 referendum and how it was defeated and a checkoff was involved. He forget to mention in that question that in 1974 the checkoff was compulsory with no possible option for a refund at any time, and it would apply to all people in the province. Naturally, it was turned down and fourthly, with the Minister of Agriculture who is now the Minister of Transportation in charge, every cattle producer in the province saw it as the back-door way to get a marketing board in, and that's why they defeated it. It had nothing to do with the principle of having a checkoff fund to establish a cattle producers association to work on behalf of cattle producers in promoting their industry.

Representation tonight, as I have said, might just as well not have come here tonight, because this government doesn't care to listen to the reasoned argument and the thoughtful presentation of cattle producers whose livelihoods are on the line. They don't care, they absolutely do not care about the cattle industry in Manitoba and they're demonstrating it by ramming Bill 90 through tonight.

I think, Mr. Chairman, that demonstrates the pathetic and pitiful attitude that this government has towards the people of Manitoba. They will ram any measure down their throat. They are proceeding with Bill 90, they will move on with a number of other bills and they will ram them all down the people of Manitoba's throat and they're going to say that I know better than you do who voted me in, what you need to be better in the Province of Manitoba. We, the government, the bright-eyed, bushy-tailed and all-wise New Democrats know that you don't need a Cattle Producers Association, that you need seat belts and helmets, that you need bilingualism in the Province of Manitoba, that you need payroll taxes, that you need a litany of terrible legislation taxation policies and errors that you gang of incompetents have given to the people of Manitoba.

Bill 90 is the starting point and it's not the finishing point. Let me assure you, the people of Manitoba will not stand for this. You are alienating more and more individual groups of people in Manitoba with every single piece of legislation you pass; this is alienating one more group.

The Member for Transcona just said: well, you know, we've heard this before and it doesn't sell to the people of Manitoba. If he's so confident of that, take your policies before the end of this Session to the people of Manitoba in an election and see whether the people would vote for Bill 90; see whether the people would vote for seat belts; see whether the people would vote for bilingualism; see whether the people would vote for election financing; see whether the people would vote for The Law Enforcement Review Act; and see if they would vote for the other litany of incompetent legislation you're bringing to the people of Manitoba, and you would get your answer as to whether we're speaking for the people of Manitoba or whether you incompetents are.

MR. CHAIRMAN: Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, I've certainly heard a lot of comments tonight coming from a party who

professes that they wish to have less government, take the heavy hand of government off the backs of producers, off individuals, have freedom of choice, and here we have a party now saying, "Let's have dictatorial powers given to a group in society that we would not give to anyone else."

Mr. Chairman, talking about ramming something through - all that one has to do is go back and look at history, and I guess history does repeat itself in terms of this legislation. There were several votes. There was a vote of beef producers who said, "No, we don't want a checkoff and we're not prepared to support it." Notwithstanding that, the new administration in 1978 brought in a bill, and we're going to give it to you whether you want it or not. We're going to hand it to you on a platter. We'll even give you more, we will give you more powers than we would give anyone in society without even coming to government for approval of those powers.

Mr. Chairman, that's the kind of dictatorial powers they were prepared to give one group in society, that they would not give anyone else. For a party who profess constantly, Mr. Chairman, that they fight for freedom and for less government, they should welcome this legislation with open arms. This legislation takes the heavy hand of government off the backs of producers, gives producers in the province the freedom of choice.

Mr. Chairman, throughout this evening, both in the presentations and comments from the honourable members, they have continually said that the majority of producers are opposed to this legislation. Mr. Chairman, then what are they afraid of? What are they afraid of, Mr. Chairman, if the majority of producers who we have said, who I have said continually, I will respect their opinion if they wish to continue to support an organization, whether it's this organization or any other organization, but the producer should make that choice? They're not prepared to accept that. Mr. Chairman, I am prepared and we are prepared to accept that.

We are more confident that producers, if they feel this organization represents them well and has represented them well over the last four years, that they will continue to support this organization. The members opposite do not have that faith, Mr. Chairman, in that organization. They don't have that kind of faith in the producers of this province that they have the ability to say, yes, we want an organization that we are prepared to support, and we will put our money where our mouth is.

They go on with the same sham about this legislation that they did when they brought in the original one. They said the original one is a voluntary organization. We are bringing in a voluntary checkoff, Mr. Chairman, when exactly the opposite occurred. They tried to convince people of Manitoba that this is something that is voluntary.

Now, Mr. Chairman, they go on the reverse attack. They are saying, look, this bill will do away with the funding of the MCPA. Mr. Chairman, nothing could be farther from the fact of the matter.

The legislation opens it up for the members of the association to pass whatever kind of by-laws they desire, whether they want to have a deduction at source, they can have it. But, Mr. Chairman, it has to be done with the consent of the members of that association

prior to taking that checkoff, not after, as the case is now and the case that was made earlier, Mr. Chairman, that this original Bill 25 was somehow a voluntary piece of legislation.

Mr. Chairman, no one in the audience who came to this committee said that the majority of producers oppose the bill. They said, they oppose the bill. Who actually made presentations, Mr. Chairman? The bulk of the people were - and of course I accept - the elected representatives of MCPA. I would accept that they would come. They could have put in one brief on behalf of the association.

There were some briefs, even from the members of the association who said that they opposed government intervention into the cattle industry, but they supported this legislation or the original legislation of Bill 25. What a contradiction, Mr. Chairman, in terms of position on this bill!

Well, Mr. Chairman, there is one major flaw in this whole matter of support of farmers. There was a major campaign put forward for the last month by the association saying that if you oppose this bill, sign the letters and send them in. Mr. Chairman, when this bill was brought in, it was the former Minister of Agriculture who used the pretext of farmers who opposed an earlier setting up of a checkoff and a marketing association and they used the words "voluntary checkoff." They used that pretext to bring his legislation in.

There was no one today who was prepared to table whether it's 10 letters or 100 letters, and they put out the ads that reached every farm home in rural Manitoba. Mr. Chairman, I venture to say, had there been massive support for their position, we would have had a stack of letters this high saying, we want the checkoff to continue, and we would have been bombarded by the position of having briefs and having letters signed by these individuals.

Mr. Chairman, I didn't go and I didn't table in this Legislature the over 300, I think between 300 and 500 letters and signatures and petitions that I received. I didn't use that tactic because we believed that the act in principle was wrong, to give powers to an association that we would not give to anyone else, and to have a freedom party, a party who professes to support freedom of choice, Mr. Chairman, to now support this legislation is totally contradictory and this bill should be reported.

MR. CHAIRMAN: Mr. Enns.

MR. H. ENNS: Mr. Chairman, at 2:25 in the morning we hear from the Minister of Agriculture wind and rabbit tracks, not an original quotation, but one that my leader has correctly applied to this government.

You know, Mr. Chairman, let's not kid the troops. What did we hear at this committee? We heard overwhelming support for the withdrawal of this bill from the producers, from the consumers, from the Manitoba Farm Bureau, from the Canadian Federation of Agriculture, that took time to send a telegram to this committee asking this government to reconsider this bill.

Mr. Chairman, I just marvel at this government's willingness to fly in the face of that kind of politics, and begin to understand why they're standing 15

percent at the national poll and going down. Why does this Minister of Agriculture want to tackle the Farm Bureau on an issue like this? — (Interjection) — Of course you are. The Farm Bureau has asked you to withdraw the bill, and you are saying no, we will not withdraw the bill. The Canadian Federation of Agriculture has sent a telegram asking you to withdraw this bill, and you're saying no.

Mr. Chairman, the Minister of Transportation reminded me of the fact that I've been around and listened to many submissions and many bills passed at committee stage. Mr. Chairman, I suggest to you that most bills that appear in front of a committee like this, in front of any government of any political description come here by virtue of pressure, lobbying that is applied by a particular vested interest group within our society. We have doctors, we have lawyers, we have nurses, we have teachers, we have optometrists, we have farmers, we have labour organizations asking the Government of the Day to pass specific pieces of legislation. Our jobs by and large is, as members protecting the public interest no matter from what side of the coin we come on philosophically, no matter how we may lean one way or another sympathetically towards a particular piece of legislation, but we do have that greater responsibility in making sure that we do protect the public interest, that we do not pass amendments to a professional bill, for instance, that will make it very difficult or, in our point of view not in the public interest.

Most of the bills come to us that way. There are some exceptions. I could name one that parties, either at convention time, or because of deep down and basic principles wish to impose on the people should they have the privilege of being a majority government. My colleague here wants to become an oil baron and wants to create an organization called ManOil. We don't think it's particularly right. We have told him that in the House, second reading and at other readings. However, I can't particularly fault him for that. He gave advance warning to us at election time that was his intention and I accept that. This government didn't particularly run despite their convention resolutions on the platform of doing away with Bill 25, but it's now before us.

Mr. Chairman, I simply cannot understand the politics that is being exhibited by honourable friends opposite. I can't help but concur with the remarks made by the Honourable Member for Pembina that reflect on the Minister of Transportation's sudden interest in the legislative process, who by and large has been pretty quiet during this Session. Now all of a sudden, much to the embarrassment of the Minister of Agriculture, who right about now could use some friends and some help in the agricultural community with all the things that he has done, I would like to see my Minister of Agriculture - I never have trouble addressing the Minister of Agriculture of the Province of Manitoba as my Minister of Agriculture - be able to walk through the cattle barns of the Brandon Fair or any other fair in Manitoba and be reasonably well accepted. — (Interjection) — But, Mr. Chairman, not with this kind of legislation.

Mr. Chairman, what I'm perhaps most concerned about is that we see in the actions that this government is now proceeding with a very dangerous precedent. Other members have remarked upon it, because there

is no other way of describing this bill other than vindictive. There's no way, there's not politics in it for you. You're not reaching out to a community of interest and concern here. Okay, that may be principle, but this is not a bill. The act was set up by the former Minister of Agriculture. By the way, my regard for that former Minister of Agriculture heightens every moment that I sit and listen to this debate.

I was once a Minister of Agriculture, but I can't say that I ever passed a bill that has received such overwhelming support cabled in from the Canadian Federation of Agriculture to hold up the bill that my colleague, the Member for Arthur passed, supported by the Consumers' Association, supported by the Manitoba Farm Bureau, supported by the producers that this bill deals with. Mr. Chairman, what more can a Minister of Agriculture ask in terms of success with respect to a bill? — (Interjection) — That's right. What more can a Minister of Agriculture ask for accolades being passed onto him from afar, Mr. Chairman, on a national scene, telegrams being sent.

Mr. Chairman, it's in that light, if members opposite, and the Minister of Transportation has a concern about the manner in the way in which that bill was introduced in its initial phase, let me be at least one member on the official opposition's side to say okay, maybe we should have gone to a vote, a referendum at that time. We didn't, but as luck would have it because we are on the right and God is with us, the people that are affected by the bill overwhelmingly support it. We could have been wrong. If we would have had 15 producers here telling us that what Mr. Downey did was wrong, if we had the Farm Bureau telling us what we did was wrong, if we had telegrams coming in from the Canadian Federation of Agriculture saying what we did was wrong, and if we had the Consumers Bureau telling us what we did was wrong, then I might have to eat some crow and accept that your arguments in 1978 were right, and we should not have done it that way.

Mr. Chairman, that is not the case. We are now dealing with practical politics, and the people that are affected by the bill support it; 93 percent of them; 7 percent have withdrawn; 93 percent of them in support of it; all the major farm organizations support it; consumer organizations support it, and so that only vindicates the action taken by the then Minister of Agriculture in introducing that bill.

So, Mr. Chairman, what are we left with to surmise as to the reason for the bill other than the word vindictive? Mr. Chairman, and as I started out to say, this sets a rather dangerous precedent. Mr. Chairman, I was not particularly pleased, nor was the Conservative Party particularly happy - we voted against it, we argued against it till late at night at many of these committee meetings - at much of the labour legislation that was being passed during the Schreyer years, eight years of NDP Government. We felt that was top loading it and biasing it in favour of labour. Mr. Chairman, four years of Tory administration didn't see us, in a vindictive mood, repeal one iota of it. — (Interjection) — Yes, we appealed the family law and made it better law which you are carrying on today.

Mr. Chairman, the kind of action that is being taken at 2:35 this morning only leads to the kind of destructive system that's going to develop, that will be on this basis, okay when you boys are in you pass your laws,

when we're in we'll pass our laws. That, Mr. Chairman, unfortunately, does not lead to good public administration. It leads to disruption in public administration, it leads to the kind of disabling influence that nobody knows where they're at and people hold off from making the kind of important economic decisions that speak for the welfare of this province.

Mr. Chairman, I appeal to the Minister of Agriculture, I know it's late in the morning, I must tell the Minister of Agriculture that he is going to expect on this bill a number of major speeches at third reading which is not normally the case. Mr. Chairman, I really cannot understand this government's determination in this particular instance.

Mr. Chairman, I can understand the government being determined to pass a bill that will create more day care centres or even pass seat belt legislation or do many other other things. I will vote against it, that's my privilege to do so. But, Mr. Chairman, they have made a policy decision. Also, I think, they believe that they are responding to legitimate interest within the community in passing that kind of legislation. If they pass legislation that sets up more workplace health safety centres on job sites in the Province of Manitoba, that's understandable, they are responding to a legitimate interest group that supports them at election time. I don't find fault with that. I may be critical of it in the way they are implementing it but, what is so blatantly obvious in this case and must be blatantly obvious to you, Mr. Chairman, as a peripheral urban rural member, to Mr. Parasiuk, who is not a farmer, there must be serious questions in your minds as to why this bill is before us.

You know, Mr. Chairman, even in the business of getting even with someone, as the Member for Pembina has quite correctly pointed out, this is the motive for the Minister of Transportation in getting into it. But, you know, if you want to get even with someone, you've got to do it reasonably fast; you've got to do it preferably the next day after someone has offended you, not four years later, because the issue is lost by then.

All that the cattlemen now remember is that you were destroying an organization that they have studiously built up, not perfect by any means. Certainly some of the modifications in the refundable program should be introduced; certainly that same organization could take quite a different turn. If they are not in line with what the majority of the cattle producers feel the policies of that organization should be, they could turn quite a different tack.

HON. B. URUSKI: Is that what you're worried about?

MR. H. ENNS: Not at all. I respect an independent organization to have that right to do that. But you can't stomach the idea of having an independent organization alive and well in this province. You want them under your control, you want them under your thumb, and that's what I referred to wind and rabbit tracks. You know that passage of this bill destroys the organization. — (Interjection) — It doesn't matter what you say, it destroys the organization. — (Interjection) — I'm not saying that as Harry Enns. You heard it from one spokesman after another spokesman representing the industry tonight and this morning. You've heard that.

The vegetable organization would not be there too long without that organization.

Mr. Chairman, I described it in my remarks on Bill 52 as nothing but vindictive action on the part of this government, and I can't understand the Minister of Agriculture for allowing himself to be used in this way. The Minister of Agriculture has enough problems on his hands. He's got a major bill on his hands that has yet to see the light of day in this Legislature.

The Minister of Agriculture in this province does not need to go out of his way to look and to antagonize people, producers in this province. I simply cannot understand why the Minister would tolerate the passing of this bill.

Mr. Chairman, it is not too late. It's not too late at 2:40 to reconsider the briefs that you heard this morning and this afternoon. It's not late to consider the fact that the Manitoba Cattlemens Association is prepared to work co-operatively with the Department of Agriculture in the various programs for beef promotion, beef improvement programs that they may have from time to time.

The Minister of Agriculture, in fact, would become a bigger man in the eyes of the producers of cattle in the Province of Manitoba if he would simply say, okay, I've listened to your briefs this morning, I've listened to your briefs this evening. I'm not bowing under pressure to Jim Downey or Clayton Manness or Doug Gourlay or Don Orchard or Harry Enns. I'm not bowing under that kind of pressure, but I'm also not bowing under the pressure of one Sam Uskiw. I'm taking my independent position in this case. I'm beginning to worry about my position as Minister of Agriculture and I'm going to, not withdraw the bill, but I'll put it on the back burner for a little while and work out an arrangement that could see the association stay alive.

You challenged several of the speakers, how can we arrange to have better voluntary contribution of these funds. Mr. Chairman, the official position of the Manitoba Cattlemens Producers Association is: let's have a vote; let's have a referendum. Maybe Mr. Downey should have had that. They're asking for it now.

Mr. Chairman, if the Minister is truly interested . . .

MR. CHAIRMAN: Order please, order please.

MR. H. ENNS: Mr. Chairman, if the Minister is truly interested in the welfare of the cattle industry in the Province of Manitoba, why doesn't he take that position? Mr. Chairman, I haven't caucused this situation, but we will not make a big issue of it if the Minister decides to, not withdraw this bill, but say, that I'm going to hold this bill over until such time as I can sit down with some of the people that made briefs here, until we can find out a way that can meet some of the concerns that are being expressed by the Minister of Transportation, by the members of the government, that will not, however, as the members who made the representation said, kill the organization.

Why don't you even give yourself time until next we meet to review how that legislation can be changed whereby that organization can still become viable. Mr. Chairman, the Minister would not be a smaller man if he did that, and I can't really and sincerely understand why the Minister in this instance would not accept that

advice. Because there are ways to do it, the Minister has not shown us that he has sat down with that organization to try to figure out those means, certainly we didn't get that from the briefs that were being presented to us.

What he is prepared to do is, when this bill gets passed, that organization will be dead. Not only that, it will go into receivership and it'll likely be owing in debt some \$16,000 or \$20,000.00. Because Mr. Chairman, the minute this bill passes, everybody that has contributed will ask for the refund and that organization will be in default by \$20,000 or \$30,000 and somebody's going to have to pick up the bill. You, Sir, Mr. Uruski, will go down as having killed a viable cattle association. Mr. Chairman, I can't understand the political reason why you want to do that.

MR. CHAIRMAN: Mr. Uskiw.

HON. S. USKIW: Mr. Chairman, the Member for Lakeside is his usual good self at a quarter-to-three in the morning. I don't believe that he believes what he has just said.

MR. H. ENNS: I believe every word of it.

MR. CHAIRMAN: Order please. Order please.

MR. H. ENNS: That's imputing motives, Mr. Chairman.

HON. S. USKIW: No, no.

MR. CHAIRMAN: It's strictly against the rules to suggest that a member does not believe what he has told the House.

HON. S. USKIW: Mr. Chairman, let me pursue that course. The Member for Lakeside doesn't believe that the beef industry in Manitoba is such a fledgling, weak industry that they could never survive in a voluntary organization as do all the other commodity groups in Manitoba survive. There isn't one commodity group other than the beef industry that has an act installing an association and compulsory checkoff membership dues. Mr. Chairman, there is not another commodity group that has that. The beef industry is second, I believe, only to the grains industry in economic size in Manitoba. It is a giant industry in Manitoba. It has a lot of sophistication built in within the membership of that industry.

Mr. Chairman, they have the wherewithal better than almost any other sector in our economy, better than any other sector in the agricultural economy to put together an organization second to none. They could even finance it with a handful of members if they chose to do so. They could, yes. There's some pretty big people in that sector, Mr. Chairman. They don't need to lean on the public. — (Interjection) — Mr. Chairman, they don't need an act that says that people must belong to their association in order to have a membership. That is an insult to the industry, Mr. Chairman. No one can convince me that the beef industry can have a voluntary association more viable than any other agricultural commodity group in this province. That I cannot be convinced of, because I know them too well, Mr. Chairman.

The easy way is the way they had it on a platter given to them by the state in spite of their protests that they don't want state intervention in their business. This is a bunch of nonsense, Mr. Chairman. The former Minister of Agriculture went too far when he gave them compulsory checkoff. He should have given them voluntary checkoff, and they would have had more respect in the community, Mr. Chairman, and would have been a stronger organization. The former Minister of Agriculture weakened the beef growers association, if you like, or the beef industry by getting them so comfortable and so reliant on the public that they row themselves, that is the Conservative Party, is alleging that they can't survive the idea of a voluntary membership system in their association. That's quite an admission, Mr. Chairman, from some of the most rugged tough individuals in the Manitoba economy to admit that they cannot survive without the good will of the government who puts the strap and the boots to people who don't want to belong, so that they can extract a pound of flesh, a few dollars a year from thousands of people who don't want to participate, but don't want to bother to ask for a refund because of the cumbersome way in which they must approach the refund question. — (Interjection) — Intimidation of the highest degree, Mr. Chairman.

Do we really believe that the stalwarts in the beef industry want to depend on that? I don't believe that, Mr. Chairman. I believe the industry will be stronger if they're on their own feet and not leaning on the crutch of the state.

MR. CHAIRMAN: Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, I will try and keep my comments brief. The Minister of Highways cannot go unanswered with his comments. He indicates that the cattle producers are leaning on the state or have to lean on the state. Mr. Chairman, the Minister well knows, and I challenge him to tell me that the person who is in the production of eggs or in poultry or in turkeys as you are, Mr. Minister, or in any other supply management system in the Province of Manitoba can do so without the government or a government-regulated body or appointed board to say that they can do that and at what limit they can do it. — (Interjection) — Oh, he didn't say that, but that, Mr. Chairman, is truly what it's all about. He believes, Mr. Chairman, that the government have to have that control. He believes, Mr. Chairman, that the Minister of Agriculture has to control what's happening within that industry, and that's their hangup. To provide enabling legislation for a cattle producers organization to fund themselves, to opt out and get their funds back is totally democratic, Mr. Chairman. It is as free as any system can be, but not, Mr. Chairman, the way in which he would have it, and I would challenge him to say that he, in fact, could produce milk, that he could produce broilers or turkeys without a government appointed body giving him the ability to do that or telling him that he could do it.

HON. S. USKIW: It's apples and oranges.

MR. J. DOWNEY: The Minister says it's apples and oranges. That, Mr. Chairman, is not the case. It is not

apples and oranges. It is a situation where it's simple and plain as that, it's as black and white as that. The cattle producers run their own system, they fund their own organization. If they don't want to be a part of it, they opt out. That, Mr. Chairman, is what they are doing today, and that's what they want to continue to do. That's why the bill shouldn't be reported.

If this government purports to listen to the people of the Province of Manitoba, then it better start listening. My colleague for Lakeside pointed out very well, what are the politics, what are the positive politics in doing what you're doing? It's a suicide course. Hurray for you, we're happy for you certainly. What we're not happy for is the demise of a cattle industry, an organization that represents the cattle industry who depend on this legislation to fund their organization. Well, the Minister of Highways says they shouldn't. Well, they do because the historical pattern of the development of the cattle industry in Manitoba tells us that they have depended on government to help them through that kind of an organization.

Every other province in Canada has it. The Province of Alberta has it, and they don't have it refundable, you are a part of it. Ontario are moving in the direction. You can go to the Manitoba Co-operator, which is a paper that most people in Manitoba read, farm people particularly, and they lay out how good an organization we have in this province. And yet you people are destroying it and it's a vindictive move on behalf of the Minister of Highways and Transportation, who in his speeches, he's right, promised us he would do it. He didn't do it at the election campaign. He's undermining his Minister of Agriculture. His Minister of Agriculture doesn't any longer speak for the Department of Agriculture, the Minister of Highways does. That's who is speaking for the Department of Agriculture. He's out of control and what he's doing here is destroying the credibility of this Minister of Agriculture, but he didn't have much to start with, so now he's right down to zero.

Mr. Chairman, we cannot support this bill being reported.

MR. CHAIRMAN: Mr. Enns.

MR. H. ENNS: Mr. Chairman, the Minister of Highways and Transportation knows better, knows that indeed the cattle industry is unique. When you're talking about chickens and broilers, eggs, you're talking - thanks to supply management by the way which was meant to keep the little producer in business - about a handful, a hundred.

HON. S. USKIW: How about the hog producers? 5,000 of them, 6,000?

MR. H. ENNS: Right.

HON. S. USKIW: They don't need this law.

MR. J. DOWNEY: Well, they did need the law. They had to forced to use the commission . . .

MR. CHAIRMAN: Order please, order please. Order please.

MR. H. ENNS: Mr. Chairman, there is a uniqueness to the cattle industry. Anybody from, as we heard in the submissions - and the surprising thing is those who represent the 7 percent that were withdrawing their contribution were those who sold one or two or three animals a year.

Mr. Chairman, the Minister also remarks about the uniqueness of this law, changing it 180 degrees. There are thousands of sportsmen in this country that enjoy hunting migratory birds. They were never given a vote as to whether they should contribute compulsorily without refund to a general fund for compensation, for wildlife damage or to contribute to the National Duck Program, Stamp Program that costs them \$5 or \$6 on their hunting licence. That was never asked.

Now, I admit there is a difference between the two types of people we are talking about, but the Minister makes some comments about the very uniqueness. This is the one and only kind of way that a levy has been imposed on people or users, or people that are involved in harvesting a resource.

Mr. Chairman, many sportsmen say they are harvesting resource. Many cattlemen say they are harvesting a resource. Mr. Chairman, all of that is still wind and rabbit tracks. The truth of the matter is - and the Minister of Agriculture nor the Minister of Highways and Transportation has answered me - why are you officially, as a government, wilfully opposing the Canadian Federation of Agriculture and the Manitoba Farm Bureau.

Now, I know you don't like the Manitoba Farm Bureau. The Minister of Agriculture made that very plain on a program.

HON. S. USKIW: That is nonsense.

MR. H. ENNS: No. The Minister of Agriculture made that very clear on a CBC radio talk program. He wants to see the Manitoba Farm Bureau disbanded, he wants individual farm memberships taken out, like the National Farmers Union, and he has no respect for the Manitoba Farm Bureau. Now, that's fine, but I want to tell the Honourable Member for Springfield and the Honourable Minister of Energy and Mines that that's what is going on.

I can't understand why - you have heard the presentation before today, sent to you by special telegram, the Canadian Federation of Agriculture asks you not to proceed with this bill. I would ask you for an answer, why are you opposing that bill? Why are you carrying on with the bill?

The Manitoba Farm Bureau is asking you not to proceed with the bill. The Manitoba Cattle Producers Association is asking you not to proceed with the bill. The Consumer organization is asking you not to proceed with the bill. Now, how many more people, other than Jackie Skeleton, do you have to have who are promoting this bill?

Well, Mr. Chairman, I give up, but let me put it on the record that if a New Democrat comes to me 10 years from now and wonders why cattlemen still hate their guts, part of the reason will be because of what you're doing at two minutes to three this morning.

MR. CHAIRMAN: Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, just one comment in response to the remarks that the Honourable Member for Lakeside made. He should be aware, and I repeat again what I said earlier, that I made an offer to the association before I tabled the bill in the Legislature to sit down with them if they wished to present some ways that they wished to accommodate their collection of fees, which the bill leaves totally open to their discretion. We were prepared to sit down and discuss that. I made that commitment tonight to some of the members here, and I put that on the record now so that it not be said that for some reason there was no co-operation to allow a voluntary checkoff to take place, because we were prepared to do that. I'm sincerely hopeful that the association does remember that offer and is prepared to sit down and work that out.

MR. CHAIRMAN: Is there any further discussion on the motion that the bill be reported? Are you ready for the question?

All those in favour, please say aye; all those opposed, please say nay. I declare the question carried. Bill be reported.

All those in favour of the motion, please raise their hands; all those opposed to the motion, please raise their hands. Results: 5 to 2 in favour. Motion passes. Bill be reported.

HON. B. URUSKI: Committee rise.

MR. CHAIRMAN: That concludes the business before the committee. I'll entertain a motion that committee adjourn.

HON. B. URUSKI: Committee adjourn, I so move.

MR. CHAIRMAN: Carried. Committee rise.