

Farm Products Marketing Agencies Bill

they were simply shut off from any possibility of ever being able to take advantage of the subsidies offered by the Canadian Dairy Commission. Thus, the number of cream producers was cut down sharply at a time when there was already a severe reduction of farm income in Saskatchewan. In fact, the Saskatchewan Department of Agriculture reports today that, rather than there being 23,000 cream producers in the province there are only 15,000, and of those 7,500 are eligible for any form of subsidy as a result of the particular plan brought in by the Canadian Dairy Commission.

• (2:40 a.m.)

At the same time, we had a recent announcement by the Minister of Agriculture that he was going to back up payments to March 31, 1970. If I can use an agricultural term at this late hour, this is like closing the barn door after the horse is stolen. This will not improve the situation for dairy producers and cream shippers in Saskatchewan. Their experience with the dairy subsidy will make them very leery of what is in store for them in the future under the supply management proposals in this bill. These are some of the fears that exist. Farmers hope that this situation will not occur. I would ask hon. members to consider this seriously.

If the marketing boards established once this bill is passed are to succeed, the farmers must have some say in the determination of marketing plans and in the operation of the boards. There must be some degree of farm bargaining power. Farmers must have a voice, not only in the plans but in the day-to-day operations of the agencies and boards. For this reason the bill must be changed so that workable plans can be produced that will have some chance of success.

For these reasons I commend the amendment moved by my colleague, the hon. member for Timiskaming. There is one further point with which I would like to deal, and it is in reference to a comment made by the hon. member for Bruce. He said these marketing boards were being set up so that farmers could run their own affairs and could do things for themselves in terms of an organized plan. This is a very commendable idea, but I suggest it comes too late in the game to have any hope of success.

If marketing plans, boards or agencies are introduced as a result of this legislation, they will require a significant and adequate degree of public support in the marketplace if they are to benefit farmers. This was one of the issues under debate on the grain stabilization bill. It was an important question, acknowledged by the minister in charge of the Wheat Board. Incidentally, Mr. Speaker, I did not see that minister here during the debate. He admitted that one of the important questions concerned the amount of money that the federal government was going to put into the plan and would be available for the grains industry.

Mr. Francis: On a point of order, Mr. Speaker, have not the hon. member's 20 minutes expired?

Mr. Deputy Speaker: The hon. member's time has just expired. The Chair was about to point out this fact.

Mr. Jack McIntosh (Swift Current-Maple Creek): Mr. Speaker, I believe this is a bad bill, and when passed—as I

presume it will be this morning—it will represent a major step toward the complete socialization of the agricultural industry. To my hon. friends in the NDP I wish to say that in so far as they are socialists they are merely pikers compared with the government. There is a further difference. The NDP members have their theories but they will never have the responsibility for enforcing them. Members on the government benches just do not know any better, Mr. Speaker.

I predict that after this bill is passed many government members will regret their support of it, particularly members who represent agricultural ridings, just as they now regret their support of the official languages bill that was passed in this House a couple of years ago. I understand that there are several members from the city of Ottawa who now repent that they supported it. I predict the same thing will happen to members opposite who represent agricultural areas.

Further, Mr. Speaker, just like the official languages bill, I suggest that this bill is unconstitutional. It is contrary to the provisions of section 121 of the BNA Act. In this respect I agree with the statements made tonight by the hon. member for St. John's East (Mr. McGrath). I would like to substantiate further our contention that it is contrary to the provisions of section 121 of the BNA Act by quoting two or three statements made in this debate by our House leader, the hon. member for Peace River (Mr. Baldwin), when he said:

I would point out that the decision of the Supreme Court of Canada was very welcome in this House and in all parts of Canada. It immediately had some effect in bringing to an end increasing economic divisions between different parts of Canada and the kind of Balkanization which is bound to be dangerous to the survival of our federal structure.

But there is far more than this involved in this particular bill. The case in the Supreme Court of Canada in respect of the Manitoba reference was decided on the simple ground that no provincial legislature has any right to legislate with regard to matters which constitute the regulation of trade and commerce. . . . That has now been established beyond any question of doubt. But we must go beyond that and deal with the danger this legislation in its present form presents.

How did the people who wrote our constitution attempt to ensure that there would be this freedom of movement within Canada? They did so through section 121 of the British North America Act. Just to refresh our memories I shall read this very short section. It states:

"All articles of the growth, produce, or manufacture of any one of the provinces shall, from and after the Union, be admitted free into each of the other provinces."

This may not mean very much to government members because this is not the first time that they have forced unconstitutional legislation through this Parliament. I recommend to my constituents, particularly livestock dealers, that if they run into trouble with this bill they should take their case to the Supreme Court of Canada. I only hope they do not have the same trouble that a former very high member of the bench is having in trying to take his case on the official languages bill to the Supreme Court because of the obstruction of the government. The hon. member for Peace River went on to say:

—by the Supreme Court of Canada in 1958, it was suggested by the judges of the court that section 121 of the British North America Act applies not only to prevent provinces but also the federal government from dealing with the free flow of goods and property from one part of the country to another.