

or I, within recent days, have spoken at least once to all of the premiers.

**Senator Olson:** Including Premier Wells?

### AGRICULTURE

#### ECONOMIC EMERGENCY ASSISTANCE TO PRAIRIE GRAIN FARMERS—STATUS OF DISCUSSIONS—REQUEST FOR REPORT

**Hon. Hazen Argue:** Honourable senators, while the Senate was in recess I was in Saskatchewan. I was able to listen to a crisis television broadcast in which Premier Devine outlined, rather eloquently I might say, the severe crisis facing Saskatchewan—a crisis brought about because of the serious agricultural situation. In that broadcast he reiterated the demand of the Saskatchewan government, the Saskatchewan Wheat Pool, and virtually every organization in that province for emergency relief in the form of a payment of \$500 million to assist farmers in putting in their crops. The second thing he dealt with rather extensively was the need for banks to slow down their foreclosure procedures and to restructure individual farm accounts.

My question is: Can the Leader of the Government in the Senate say when the Premier of Saskatchewan is to meet—or perhaps he has met—with the Deputy Prime Minister? Can the Leader of the Government in the Senate, either now or at his earliest convenience, bring to the Senate a report of the results of any deliberations or of any decisions that are likely to be made with regard to the urgent question of emergency help for prairie farmers and, in this particular instance, Saskatchewan farmers?

**Hon. Lowell Murray (Leader of the Government and Minister of State for Federal-Provincial Relations):** Honourable senators, as I indicated yesterday in answer to a related question put by Senator Olson, I shall obtain a report from my colleague and bring it here as soon as possible.

### RAILWAY ACT

#### BILL TO AMEND—SECOND READING

**Hon. Martha P. Bielish** moved the second reading of Bill C-5, to amend the Railway Act.

She said: Honourable senators, Bill C-5 is an act to amend the Railway Act. Canadian National Stettler subdivision was first declared to be a work for the general advantage of Canada in section 18 of an act to incorporate the Canadian National Railway Company and respecting Canadian National Railways, (Statutes of Canada 1919, Chapter 13), which created Canadian National.

In November 1986 Central Western Railway, CWR, purchased the Canadian National Stettler subdivision in order to operate it as a short-line railway in the business of carrying grain, after CN had declared its desire to abandon the line. This bill will ensure that all relevant regulations and laws, including labour laws, are applied to the Central Western

Railway in the same manner as they will be to any other future short-line railway in accordance with the policy stated in the National Transportation Act, 1987. That act provides that the declaration under the Constitution Act, 1967, that the line or segment is a work for the general advantage of Canada, will cease to have effect if there is a sale of a branch line from a national railway to a short-line railway company. However, Central Western Railway purchased the CN Stettler subdivision before the enactment of the National Transportation Act, 1987.

If Central Western Railway had purchased the subdivision after the coming into force of that act, the declaration that the line is a work for the general advantage of Canada would have expired automatically.

Central Western Railway should be brought in line with present government policy as reflected in section 174 of the National Transportation Act, 1987. Parliament has already approved the concept that short-line railways would be under provincial jurisdiction when it approved the National Transportation Act. Bill C-5 will put Central Western Railway in an equal position with any future short-line railway, but it will not necessarily put Central Western Railway under provincial jurisdiction for all related railway matters.

The railway unions have argued that since the Central Western Railway only carries grain, it should fall under the Federal Labour Code. Central Western and its employees do not agree. The Supreme Court has agreed to hear the case. It is important to note that the passage of this bill will in no way diminish the excellent safety record that the Central Western Railway has enjoyed to date. In fact, I understand that the railway has higher standards than is strictly required. There are ample provisions to ensure that this continues.

As for the question of union representation, the employer is not the only one who wishes to have the question of successor rights settled. The employees of the railway have made it clear that they feel they are better treated without the help of the major unions and would like to be free to make this railway work to their advantage and to the advantage of their customers along the route, namely, the grain farmers who have given this railway not just their verbal support but who have sent their grain over this line in increasing numbers.

This is essentially a housekeeping bill to regularize an undesirable situation. Central Western Railway should be brought in line with the present government policy as reflected in section 174 of the National Transportation Act, 1987. This bill will rescind the existing declaration, which will have the effect of making the Supreme Court case a direct test of the impact which sections 158 and 174 of the National Transportation Act, 1987 can be expected to have on the questions of jurisdiction and union successor rights for short-line railways. To fail to bring Central Western's status concerning a federal work in line with the prevailing legislation would mean that someone else would have to go through a similar lengthy and costly investigation sequence before any court decision is available on the union jurisdiction and successor-rights questions.