

Supply—Public Works

access to the information I need to be deady accurate.

Two British Columbia cabinet ministers, Hon. Ralph Loffmark and Hon. Frank Richter, had previously assured the lower mainland public that the original route was by far the most economic that could be chosen. Paradoxically, Mr. Broadbent's route is now being boosted as being the cheaper by some \$7 million. What kind of hasty planning has our provincial government been up to when a \$7 million anomaly of this kind can manifest itself in so short a time? It reminds me of the Ottawa arts centre estimate.

Mr. Broadbent's second stage of recommendations disturbs me possibly a little more. It foresees a new C.P.R. bridge at Albion to connect with Fort Langley, thus avoiding the use of the C.N. line. This seems to be directed toward the development of a rail loop which would give the provincial government owned railroad complete access into the lower mainland area, and anticipates a causeway over the arm of Burrard Inlet to the present P.G.E. lines. Apparently what has happened here is that the public has been asked to approve of a half-loaf set of rail links, which probably implies more than we have been led to believe up to this moment. I do not think that a rationalized rail system is necessarily a sinister thing, but I am afraid that once we have agreed to a portion of the line it is possible that a much larger system may be forthcoming.

● (4:50 p.m.)

I do not think any one link in a rail pattern should be considered in isolation. The general public is entitled to know what are the over-all plans and effects. I believe that by keeping this whole matter under wraps the federal government has defaulted in its responsibility for Canadian federal interests and has allowed provincial interests, the B.C. Hydro and Power Authority and the Pacific Great Eastern Railway, to drive a rather bold bargain with the national railways throughout the lower mainland.

Mr. Laing (Vancouver South): Mr. Chairman, would the hon. member permit a question?

Mr. Rose: I would prefer, sir, that I be allowed to finish.

Mr. Laing (Vancouver South): I was only going to suggest to my hon. friend, if I may, that while I would like to discuss all these matters in my position as a member of parliament from Vancouver and a minister

from British Columbia, I would be entirely out of order if I discussed them now. They fall entirely within the jurisdiction of the Minister of Transport, whose estimates will be considered immediately after those of my department. Therefore I am certain my hon. friend will have to repeat everything he is now saying.

Mr. Rose: Mr. Chairman, I assure the minister that I would be most reluctant to repeat everything I have now said, and I know the minister would not want that. However, since the rail links are directly involved in the access to the superport, I suggest this question comes under the minister's department. I would be most happy if I were allowed to proceed with this question.

The federal government has been reprovved once before because it neglected its duty to the people of Canada over matters concerning rail lines within a province. I cite the pertinent parts of the case of *The Queen v. Board of Transport Commissioners* before the Supreme Court of Canada, and later the *Luscar* case. Referring to the *Luscar* case, the judge said:

There again the criterion of the jurisdiction is the fact that the operations are a part of the inter-provincial system.

The question of jurisdiction before the supreme court was whether an Ontario government system for commuter trains using C.N.R. tracks came under the federal board. The court held:

The constitutional jurisdiction depends on the character of a particular service provided on that railway line. The fact that for some purposes the commuter service should be considered as a distinct service does not make it a distinct line of railway. From a physical point of view the commuter service trains are part of the over-all operations of the line over which they run.

The court has since reprovved the board and the federal attorney general for not appearing to argue for their jurisdiction and held that the provincial system was subject to federal regulation. On the basis of this ruling the physical character of the Roberts Bank route is that it is the sole rail connection from interprovincial rail lines to a federal port. That it may incidentally carry local deliveries from Vancouver by B.C. Hydro trains does not change the principal purpose or character of that rail connection.

Perhaps it would be to the benefit of everyone if there were a rationalization of the whole lower mainland rail system into a recognizable rail authority for the area. There is a federal interest involved here. I think the