

*Western Grain Transportation Act*

believe that the long title in any way has any provision for disposition of the Dominion coal lands. If you recall, Madam Speaker, that is why on numerous occasions I have asked that the Bill be split. Quite frankly, and I have made the argument before, the long title of the Bill has nothing at all to do with the Dominion coal lands. It seemed to me as if it were stuck in there at the last minute by someone who, in the dead of night, thought that he could perhaps sneak it through.

● (1230)

My first request of the Speaker would be that the Speaker determine that that particular section is not appropriately in the Bill. However, if the Speaker were to determine that that is beyond the scope of the Speaker—and I ask that that be looked at—that it does not fall four-square within the long title and therefore ought not to be contained within the Bill, then I would ask that the amendment which we have placed be seen to be appropriate for debate and disposition, in a political sense, in the House of Commons.

I pose two questions for the Speaker in that regard. I would argue in a substantive way that the long title could never, never be seen to include the disposition of the coal lands. If that is beyond the scope, I would argue that Motion No. 20 is quite clearly a motion which should be dealt with politically. It deals with provisions the Government has placed in the Bill. We are suggesting how they should be disposed of. Our suggestion is that it should go to the Province of British Columbia, and I think that option is for the House of Commons to decide. I would ask, therefore, that Motion No. 20 be deemed to be suitable for debate and for disposition by the House of Commons.

I turn now to Motions Nos. 20 and 21. In the Speaker's preliminary ruling on Motion No. 22 the Speaker has indicated a predisposition that the new subsection would enforce conditions and burdens on the Canadian Pacific Railway not contemplated in the Bill, as agreed by the House on second reading. I want to draw to your attention, Madam Speaker, that those kinds of things were not contemplated at second reading because it is inappropriate to contemplate them then. One can deal only with the principle of the Bill at second reading; it is not possible to contemplate the various and many clauses in the Bill at that time.

The principle of the Bill is to facilitate the transportation, shipping and handling of western grain. We contend that one of the two parties to the transportation, shipping and handling of western grain is the Canadian Pacific Railway, and that it is not unreasonable for the House of Commons to want to impose restrictions or to direct how the legislation will affect one of the two major carriers. We were not in a position to debate that at second reading; it is clearly outside the scope of what is acceptable debate at second reading and it is, therefore, only acceptable in the form of an amendment.

It may well be that the amendment we have put before the House is not politically acceptable, but that is not the question before us, as I argued in the case of the Minister of Transport

(Mr. Axworthy); what is before us is whether it is procedurally proper to place it before the House.

In this amendment we are suggesting that just as there is in place today an agreement between the Government of Canada and the shippers, and just as this Bill intends to alter that agreement, the terms and conditions of the existing agreement and all of the terms and conditions surrounding that existing agreement are subject to discussion here. What was the subject of serious negotiations when the original agreement was entered into surely is a subject for continued negotiation when the change takes place. That is our argument in a nutshell—that if I enter into an agreement, the terms of conditions of that agreement are all on the table if we decide to change the agreement. That may not be the case if we decide to change it in some minor way, but in the case we are changing the agreement substantially.

The Government has decided to abolish the agreement that existed in Canada which required that the Crowsnest Pass freight rate, the statutory grain rate, should be in force and effect in perpetuity. The Government has decided to alter that; it has decided to impose a new regime. We contend that those questions which were legitimately before the participants at the time of the original agreement was signed are now open for debate.

I put it to the House that those participants never envisaged that the perpetuity of the agreement they were signing would somehow or other be abridged or interfered with the House of Commons at a later date, and that is why they made it a permanent feature. Be that as it may, they arranged certain things with the two railroads and with one in particular, CP, in return for an agreement which they signed. We are now dealing with that agreement. I contend that it is not beyond the scope of this Bill and that it is not contrary to the Royal Recommendation because what we are proposing requires no expenditure of any kind. It is not beyond the scope of the Bill to address in the House of Commons, by way of amendment, changes which would conform with the intent of the existing legislation to preserve the costs for western farmers to a level deemed at that point in time, to be acceptable.

I would therefore argue that on Motion No. 22 the Speaker agreed that a decision is in order on whether some compensatory factor by way of claim by the people of Canada upon the railroads, which were given significant benefits at the time they agreed to carry grain at a statutory rate should be made. A compensatory clause is not out of order.

Motion No. 23 follows on Motion No. 22 and therefore requires no further elaboration; the same basic argument would hold.

Motion No. 36 and Motion No. 41 prohibit the Administrator from regulating bodies other than railways. We believe it is legitimate to place a restriction and we do not see why the House of Commons would be denied the right to move amendments which would restrict the scope of the Administrator. It may be that from the point of view of the Government or the Official Opposition that is not desirable, but it is not what we