

local government districts and rural municipalities, the CTC finally gave permission to abandon that rail line.

No sooner had that happened than the CNR made application to abandon another three and a half miles of line. That would remove another elevator from the line and there would be only one left. You can mark my words, Mr. Speaker; as soon as they get permission to abandon the three and a half miles they will apply to abandon the remaining six. That is the way they operate. Since 1969 there has been no train on the line through South Junction, Sundown, Vita, Gardenton and Ridgeville.

We knew the rail line abandonment would come but we wanted certain conditions. We made strong representations that we should know exactly what would happen to the land. This is what happened. Permission has been given to lift the rail. Tenders are now out for lifting the rail, the ties and the clamps. Rural officials have told me, the Canadian Transport Commission and the CNR that they feel the right-of-way should revert to local government districts or rural municipalities—that is, the local government district of Stuartburn or the rural municipality of Franklin. I see the hon. member for Assiniboia nodding his head, I take it in assent. I am glad we agree so far.

These rights-of-way that divided the small communities create problems and increase expenses for such things as roads. Some of these communities are now service centres for the highway system. The division in these towns has increased the cost of water and sewers. Planning is difficult for them because they do not know whether they will get the land. These problems are all valid, and I think everyone raised on the prairies understands them. Here is where the difficulty comes in, however: The federal government wants to take these rights-of-way and transfer them to the ultimate owner, namely local government districts, rural municipalities and private farmers; but the point is that the federal government, under the constitution, has no jurisdiction over the municipalities. The municipalities, the local government districts, the towns and villages fall within section 93, provincial rights. The three prairie provinces want the land and say they will give it to the local government districts, the rural municipalities and local farmers, but in some areas the rights-of-way parallel the roads. If the rail lines are abandoned some of those road systems will have to be upgraded, so surely the rights-of-way could be used for that purpose.

Mr. Goodale: That is possible under our plan.

Mr. Epp: Of course it is possible, but the federal government wants to bypass the prairie provinces and go directly to the municipalities over which they have no authority. I would ask the federal government to approach the three prairie provinces. Basically they are in agreement, but they want jurisdiction because they have a responsibility to local government districts, rural municipalities and regarding land titles.

If the federal government is honest in its approach, and I believe it is, then it should make an agreement with the provinces that the ultimate owners can get the land. The hon.

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member for Okanagan Boundary had this clear insight two years ago, well before the government all of a sudden decided it might be able to exploit the issue politically. I commend the hon. member and I support this bill wholeheartedly.

Mr. Cliff McIsaac (Battleford-Kindersley): Mr. Speaker, the hon. member for Okanagan Boundary (Mr. Whittaker) has moved an interesting bill. I am reminded of an argument he made previously on a resolution which I had an opportunity to read before this debate began. Last November he made essentially the same argument. There is nothing wrong with that because it is a good argument, and it is a good argument today although I think he might have updated it in light of what has happened since.

Bill C-222 will certainly have my support. My only point is that the bill is superfluous and unnecessary as the government has made an agreement with both major railroads that would implement the thrust of the bill. To a large extent, therefore, we are going over previously plowed ground.

Mr. Whittaker: I rise on a point of order, Mr. Speaker. A member who spoke previously said that the minister had done certain things, and now the hon. member for Battleford-Kindersley is saying the same thing. I should like to know when and where the minister made this announcement. The last I heard of it was when I asked a question in committee and the minister said the government could not do anything without changing the act.

Mr. McIsaac: Mr. Speaker, the hon. member may or may not have been at the committee in November when this question of ownership of rural rail beds was discussed very thoroughly by the hon. member for Vegreville (Mr. Mazankowski), the transport critic of the hon. member's party. There was nothing secret as my hon. friend would have us believe. He quoted earlier some press release he had found about a secret deal between the railroads and the minister. It was a well understood and well known move, although it may have taken my Tory friends some time to learn what happened and to realize the speed with which the minister was moving on a number of the recommendations in the Hall report.

● (1752)

I am pleased to know that my hon. friend from Saskatoon-Biggan (Mr. Hnatyshyn) has had a meeting with Chief Justice Hall and perhaps other members of that commission. Members on this side have met with various members of the Hall commission and held private discussions during the time the hearings were being held and following their conclusion. It is pleasing to note that the Tories are joining other groups of people and agencies across the prairies in finding out what was recommended in the Hall report as well as learning some of the background to the recommendations.

Mr. Hnatyshyn: We are supporting the Hall commission recommendations.

Mr. McIsaac: I was interested to hear the remarks of the hon. member for Provencher (Mr. Epp) who just took his seat.