

LEGISLATIVE ASSEMBLY OF ALBERTA

Friday, October 12, 1973

[The House met at 1:00 o'clock.]

PRAYERS

[Mr. Speaker in the Chair]

INTRODUCTION OF BILLS

Bill No. 70 - The Workers' Compensation Act, 1973

DR. HOHOL:

Mr. Speaker, I beg leave to introduce, seconded by the hon. Minister of the Environment, Bill No. 70, The Workers' Compensation Act, 1973.

The major content of the bill deals with those matters having to do with the development of occupational accident programs, the prevention of accidents, income maintenance and rehabilitation. The nature and level of benefits are other subjects of the legislation. The structure of the board of commissioners and the management and administration of compensation are additional topics, as well as other matters to which the legislation addresses itself.

[Leave being granted, Bill No. 70 was introduced and read a first time.]

FILING RETURNS AND TABLING REPORTS

DR. WARRACK:

Mr. Speaker, I have the honour to submit herewith copies of the proceedings of the public hearings on proposed timber development in the Whitecourt-Fox Creek area, held June 4 and 5, 1973 and sponsored by the Alberta Forest Service, Department of Lands and Forests.

ORAL QUESTION PERIOD

The Coroners Act

MR. CLARK:

Mr. Speaker, I would like to direct a question through you to the Attorney General. It is a follow-up question to a remark that was made during the last session, Mr. Speaker, to the Attorney General. When might we expect a new Coroners Act to be introduced in the Legislature?

MR. LEITCH:

Well, Mr. Speaker, I assume the hon. member is familiar with the terms of reference for the board of review which was established during the summer. In case all hon. members aren't familiar with those terms of reference, I will refer to them. They included a request for a report on whether any changes should be made in the practices and procedures presently being followed in the office of the coroner and with respect to inquests, whether any changes should be made in The Coroners Act and whether judges and coroners should receive some initial and continuing training in their duties.

Mr. Speaker, I would be very loath, and indeed I think it would be inappropriate, to introduce any legislation changing The Coroners Act until the board of review has reported specifically, on those terms of reference. Now that the board has had some time to form an opinion on when it might complete its work - if that's going to be delayed for some lengthy period of time, I would be interested in exploring with the chairman of the board whether it would be practical to submit an interim report dealing with the terms of reference related to the Coroner's office.

MR. CLARK:

Mr. Speaker, a supplementary question to the Attorney General. Mr. Attorney General, will you do that?

MR. LEITCH:

Yes, Mr. Speaker, I'd be willing to do that.

MR. CLARK:

Another supplementary, Mr. Speaker, to the Attorney General. Is the government actively seeking a new Provincial Coroner at this time?

MR. LEITCH:

Mr. Speaker, I take it that the hon. Leader of the Opposition's question has some reference to a recent news story. I must say that I have a great feeling of regret and, indeed, sadness that that matter was raised in that way. I think one must bear in mind that the Chief Coroner is now a man of about 70 years of age and he has served the Government of Alberta for more than 40 years. He was appointed by the prior administration as the Chief Coroner of the province some 25 years ago.

To answer the question specifically, Mr. Speaker, a number of months ago, having regard to the Coroner's age, to the time he had held that position and to the possibility of changes we might be making in that area, I initiated discussions regarding his retirement plans, and have been for some time holding discussions about possible replacements.

As I say, the sadness and regret over raising [the subject] in the way it has been raised, results from the fact that it puts a cloud over the man who has given many, many years of what, I think, all will agree was valuable service to the province.

[Applause]

MR. HO LEM:

Supplementary, Mr. Speaker. Has the hon. Attorney General considered amending The Coroners Act to make autopsies or inquests mandatory where, in case of death, the cause is not determined?

MR. LEITCH:

Mr. Speaker, as I indicated earlier in my answer to the question of the Leader of the Opposition, and in earlier statements in this House on the terms of The Coroners Act, there are a number of things we have had under consideration.

After completing a review of that legislation and the practices of the Coroner's office within the department, I was of the opinion that it would be helpful to us to have an outside review, which is explanation for the terms of reference appearing in the board of review to which I have just referred. So, to deal specifically with the question, we are considering all of these things, but we want to wait until that board has had a chance to report on its work.

MR. SPEAKER:

The hon. Member for Calgary McCall followed by the hon. Member for Drumheller.

Gas Export Controls

MR. HO LEM:

Mr. Speaker, my question today is directed to the hon. Minister of Mines and Minerals. Would the hon. minister advise the House if he or the Energy Conservation Board were consulted by the federal government preceding the announcement yesterday by the National Energy Board that export controls would be placed on butane and propane?

MR. LOUGHEED:

Surprise.

MR. DICKIE:

Yes, Mr. Premier, I'm pleased to announce that the consultative process we had arranged with the federal government was working and we did have consultation on the question of controls.

MR. HO LEM:

A second supplementary, Mr. Speaker. What effect would these controls have upon the province?

MR. SPEAKER:

With great respect, this question appears to have extremely broad scope. Unless the minister, whose knowledge of the matter is greater than mine, feels that it can be answered in a very short way, perhaps the information could be obtained in another manner.

MR. DICKIE:

Mr. Speaker, perhaps I could give an answer that might be of assistance to the hon. member.

When this matter first arose, I did inquire about the actual production and the distribution of that production. I think the hon. members will be interested in some of the figures I have received from the Energy Conservation Board. I will refer just to propane, although it did apply to butane and the residual fuels. I'll be very brief on this, Mr. Speaker.

In the gas plant production, Alberta produces approximately 90,000 barrels a day. That's about 96 per cent of the production. On refinery production, Alberta produces 1,400 barrels a day. That's only about 9 per cent of the total Canadian production.

Of the total production in Canada, Alberta produces about 83 per cent. The disposition of that, and I think these are the important figures, the deliveries to Alberta are about 10,000 barrels, and the remainder of Canada about 18,000 barrels. That makes a total, according to my calculation, of 31 per cent of the total production of Alberta in Alberta and Canada, with 68 per cent going to the United States.

My question dealt with the problem of the 68 per cent for the United States and whether the controls would, in effect, restrict that. It appears from their best analysis of the potential future market that this wouldn't restrict development at that time.

MR. SPEAKER:

The hon. Member for Spirit River-Fairview with a supplementary, followed by the hon. Member for Calgary McCall. Then perhaps we might go on to another topic.

MR. NOTLEY:

Mr. Speaker, a supplementary question to the hon. minister. Do I take it from his remarks that the government, then, is in favour or in accord with the controls announced yesterday? If not, what would be the official position of the Alberta government with respect to the controls announced?

MR. DICKIE:

Mr. Speaker, I would suggest that the official position of the controls was unnecessary. This is the same position we took last January when they imposed the controls on crude oil. In my view, the question of the controls on the propane, butane and residual fuels wasn't as serious as the crude oil controls implemented last January.

MR. HO LEM:

Mr. Speaker, a supplementary to the hon. minister. In view of his explanation, you can see that there is a possible detrimental effect because of the controls.

MR. DICKIE:

Mr. Speaker, might I answer that in this way and say we're not always able to forecast all the problems that might arise as to the implementation of the controls because, depending on how they are carried out, they could have consequences on Alberta. We assure the members of the House that we will watch with interest and make sure that if situations develop which would have an adverse effect on Alberta, we would immediately make representations to the federal government.

MR. NOTLEY:

Supplementary question, Mr. Speaker, if ...

MR. SPEAKER:

Perhaps we could revert to this topic if there is time.

The hon. Member for Drumheller followed by the hon. Member for Calgary Millican.

Weather Modification Program

MR. TAYLOR:

Thank you Mr. Speaker. My question is to the hon. Deputy Premier, the Minister of Agriculture. Has the first year of the government weather modification program proved worth while?

DR. HORNER:

Mr. Speaker, I would say initially yes, but we haven't yet completed our evaluation of that particular program. We'll be doing that and I hope we can table our report from the board just as soon as it is available. As the hon. member is aware, we are hopefully past the hail season now and the evaluation can take place.

MR. TAYLOR:

One supplementary which the minister may wish to answer. Did the work this summer bring any further advance in the science and research of cloud seeding and hail suppression?

DR. HORNER:

Mr. Speaker, anybody who is aware of the continuing controversy with regard to hail suppression will appreciate the hon. member's question.

There continues to be some conflict within the scientific community as opposed to the practical application of hail suppression. I might say I think the weather board modification is trying mightily to get both sides to work together, as is the government, and we would hope that our evaluation will be able to do that.

MR. CLARK:

Mr. Speaker, a supplementary to the minister. Mr. Speaker, does the minister plan to continue with the program for the next four years in his announced five-year program?

DR. HORNER:

Mr. Speaker, it is generally accepted that we will be continuing the program and modifications may be made depending upon our evaluation which we hope we would get from both sides of the conference.

MR. SPEAKER:

The hon. Member for Calgary Millican followed by the hon. Member for Hanna-Oyen.

Natural Gas Supplies

MR. DIXON:

Mr. Speaker, my question relates to natural gas. Can the hon. Minister of Mines and Minerals inform the House of the position of the supply of natural gas in Alberta in the coming winter months? Also, if we have a surplus, are negotiations being carried out at the present time, or is the government going to do anything at all to help British Columbia which will be facing a 10 per cent shortage in the peak winter months?

MR. DICKIE:

Mr. Speaker, the preliminary information I have would indicate that there is no shortage in Alberta, but I think for the information of the member I would like to take that question as notice and get some actual figures on it. I am sure those figures would be more accurate and I could give him a more detailed answer at a later date.

MR. SPEAKER:

The hon. Member for Hanna-Oyen followed by the hon. Member for Macleod.

Recreational Facilities

MR. FRENCH:

Mr. Speaker, my question is for the Minister of Culture, Youth and Recreation. What government grants are now available for capital construction of recreational facilities to replace the program which expired on March 31, 1973?

MR. SCHMID:

Mr. Speaker, as is presently known, they are under consideration. The studies of the federal and provincial governments regarding the ability of facilities has just been concluded. We hope to have a program soon.

MR. FRENCH:

Mr. Speaker, a supplementary question. Will the government give consideration to making it retroactive to March 31, 1973 if a new program is introduced?

MR. SCHMID:

That, Mr. Speaker, could be considered. However, because of the change in the programming availability, it may not be likely.

MR. SPEAKER:

The hon. Member for Macleod followed by the hon. Member for Camrose.

Rapeseed Plant - Lloydminster

MR. BUCKWELL:

A question, Mr. Speaker, to the Minister of Agriculture. With the announcement of the new rapeseed crushing plant in Lloydminster, could the hon. minister advise the Assembly at what stage are the plans for the proposed crushing plant for the Peace River area?

DR. HORNER:

Mr. Speaker, the latest word I have from the developers is that they hope to be able to finalize their plans by the end of this month, at which time we should have additional information.

MR. SPEAKER:

The hon. Member for Camrose followed by the hon. Member for Sedgewick-Coronation.

Propane Price Increases

MR. STROMBERG:

Mr. Speaker, my question is directed to the Minister of Telephones and Utilities. Due to considerable dissatisfaction voiced by constituents concerning the increase in propane prices, what action is contemplated by your department in regard to these increases?

MR. FARRAN:

Mr. Speaker, the Public Utilities Board has been requested to inquire into all aspects of production, transportation, marketing and pricing of propane in Alberta and the effects on the Alberta market of propane export. The board is presently conducting the inquiry and has held a number of public hearings. It is hoped that it will be able to deliver a final report by the end of November.

Its terms of reference request the board to determine if propane should be regulated as a utility service in the public interest. I think any further comment at this time would, therefore, be inappropriate.

MR. WILSON:

Supplementary, Mr. Speaker. Is the minister confirming, then, that the prices of butane and propane have been rising excessively quickly in Alberta?

MR. FARRAN:

They have been rising but whether excessively or not is for the Public Utilities Board to determine.

MR. WILSON:

Supplementary, Mr. Speaker. Can the minister indicate whether the proposed pipeline from Edmonton to the mid-western United States that will carry propane and butane will be affected by yesterday's announcement?

MR. FARRAN:

I think I should refer that question to my colleague, the Minister of Mines and Minerals, but I believe it is true to say that of Alberta's production of propane, as he explained, two-thirds go for export, one-third goes to Canada's domestic needs, and of that one-third we use about a third. So far as I know, it is not in short supply.

MR. DICKIE:

Mr. Speaker, I should also advise the members of the House that that application is presently before the Energy Resources Conservation Board and from there it comes before the Executive Council. A decision will be made at that time after having the recommendations of the Energy Resources Conservation Board.

I might also add at the present time that is the procedure to be followed for, say, propane going out of the province by way of pipeline. However, there are no restrictions on it going out by way of tank car or train.

MR. NOTLEY:

Mr. Speaker, a supplementary question, if I may?

MR. SPEAKER:

The hon. Member for Spirit River-Fairview with a supplementary, followed by the hon. Leader of the Opposition, then the hon. Member for Drumheller. Then perhaps we might go to another topic.

MR. NOTLEY:

A supplementary question to the hon. Minister of Telephones and Utilities. In view of the sharp discrepancies or differences in propane prices in the province, Mr. Speaker, is that one of the specific items that the Public Utilities Board would be considering?

MR. FARRAN:

Yes, I said it will be considering every aspect of propane.

MR. CLARK:

My supplementary question is to the Minister of Mines and Minerals. Now that the consultative process is working I would like to ask the minister, did the discussions with the federal government deal with voluntary price controls on propane and butane?

MR. DICKIE:

Mr. Speaker, there was no discussion on the question of voluntary price controls for propane, butane, or residual fuels.

MR. TAYLOR:

Mr. Speaker, to the hon. Minister of Telephones and Utilities.

I was rather delighted with the list setting out the wide scope of the study on propane. But I'm wondering if the hon. minister would consider having the pros and cons of the use of propane as a fuel in the automotive industry considered.

I think there are certainly a lot of pros and a lot of cons, but I also think it would be a worthwhile study if the hon. minister would have that included in the list.

MR. FARRAN:

I believe the hon. minister, Mr. Yurko, would perhaps have some comment in that regard, and I refer that to him.

Consultation

MR. LOUGHEED:

Mr. Speaker, I just wanted to clarify the last question of the hon. Leader of the Opposition to the Minister of Mines and Minerals. He used the words "consultative process". What really happened with regard to the propane controls was that we were informed in advance. I think there is a very important distinction.

MR. CLARK:

We're taking the ministers' word.

Propane Vehicles

MR. YURKO:

Mr. Speaker, the matter of using propane in buses and other types of vehicles has been brought to the Department of the Environment for consideration on a number of occasions by various groups.

We are examining the possibility at this time of offering incentives in regard to using natural gas or propane in municipal buses.

MR. SPEAKER:

The hon. Member for Sedgewick-Coronation followed by the hon. Member for Calgary Buffalo.

Disabled Persons

MR. SORENSON:

Mr. Speaker, my question is for the Minister of Health and Social Development. Does your department have a program to assist in the placement of disabled persons?

MR. CRAWFORD:

Mr. Speaker, I have asked the Director of Services for the Handicapped to do everything within his and his department's power at all times to assist people in being placed in employment if they are handicapped, including placements in government.

The extent of success of placements in government is of particular interest and concern to the department, but I do not have information at my fingertips to offer to the hon. gentleman today. I'm always glad to be reminded of the importance of that program and to look into it again.

MR. SORENSON:

A supplementary to the Minister of Manpower and Labour. Is there any set policy in the public service for the hiring of handicapped employees?

DR. HOHOL:

Well, Mr. Speaker, the term "set policy" would have to be answered by saying, no - not in the sense of quotas, and I don't want to read anything into the question. There are models of set schemes in some of the states of the United States. But we have an attitude and a policy of hiring people over age 45, of people who are handicapped, and to assist private industry in doing this kind of thing.

You will recall, Mr. Speaker, the conference on the over-45s that the hon. Premier convened last year. We have various efforts, one by the hon. Solicitor General who in her past and present capacity has done extensive work in trying to place handicapped people. There is extensive work in the Department of Health and Social Development and in ours. That policy is reflected by an attitude and a very real effort to place handicapped people. In that context, I would answer yes.

MR. SORENSON:

One final supplementary, Mr. Speaker, to the Minister of Health and Social Development. Are the kindergarten programs of the province set up to include handicapped children? For instance, do they contain provisions for the use of wheelchairs, grab bars and other locomotive devices?

MR. HYNDMAN:

I believe I could make some comments in regard to that question. First, the programs are not kindergarten and are very different than the traditional North American kindergarten program and they are being expanded in their dimensions. They are Early Childhood Services Programs.

Second, one of the two stated priorities of that program is for handicapped children first, and for disadvantaged children. In that sense typical children are a third priority. That's why the program is, and will be for some time in the future, selective and not universal.

Bearing that in mind, I think I can say that the new emphasis placed over the past six months in the area of assistance for handicapped children, particularly those in the age group of four and a half to five and a half, would include the concerns about which the hon. member has spoken.

DR. BUCK:

A supplementary to the hon. Minister of Manpower and Labour. Is it government policy to pay the handicapped people just the minimum wage in government service?

DR. HOHOL:

No, indeed, Mr. Speaker. The rate we would pay to anybody is that which the job classification or the job specification requires.

MR. SPEAKER:

The hon. Member for Calgary Buffalo followed by the hon. Member for Medicine Hat-Recliff.

Exploratory Drilling Incentive System

MR. GHITTER:

Mr. Speaker, my question is to the hon. Minister of Mines and Minerals. In view of the announcement by the hon. Premier on October 4, 1973, regarding the plan to expand the Alberta exploratory drilling incentive system, is the minister considering the incorporation in the plan of a retroactive factor to ensure that drilling will not be curtailed in this province pending the final announcement of the forthcoming legislation?

MR. DICKIE:

Mr. Speaker, as the hon. member mentioned, the Premier did announce on October 4 that our drilling incentive system was working very effectively. By that we mean the period from August 1 to July 31. That was the first year of operation.

In accordance with the statement of the hon. Premier, we have asked representatives of IPAC, CPA and the drilling association for their comments on the drilling incentive system with a view to enlarging the qualification wells. There has been no suggestion to make it retroactive. I think it is an excellent suggestion. I wouldn't want to prejudge what the committee looking into that would say, but I personally would look with favour on it because of the fact that it could encourage drilling during the winter months.

MR. GHITTER:

A supplementary, Mr. Speaker, if I may. Would the minister then undertake, at the earliest possible date, to make his views known, because I fear that the industry may well be holding back programs they would otherwise go ahead with.

MR. DICKIE:

Mr. Speaker, perhaps my undertaking could be a suggestion to the committee as well as to the representatives of the industry who are looking at it. They could give us an answer very quickly on that suggestion and, if it were favourable along the line, we could then make that recommendation to the Executive Council.

MR. CHAMBERS:

Since it is recognized that the drilling industry is so labour intensive and such a major contributor to winter works project, I wonder if the minister would also consider giving consideration to expanding the drilling incentive plan to include, perhaps, infill development programs, marginal development situations and deep drilling prospects such as deep foothills gas?

MR. DICKIE:

Yes, Mr. Speaker, I think those, again, are excellent suggestions that we can consider, particularly the deeper wells. I think we will pass those recommendations to the committee.

MR. WILSON:

A supplementary, Mr. Speaker. Has the hon. minister considered the theory of leasing known producing well sites by zones?

MR. DICKIE:

Yes, Mr. Speaker. That was discussed extensively last year. As a result of the discussion a further ramification arose, which deals with the whole question of acreage turn over. It is presently under review. The government has received a report on that and will be discussing various aspects of it with industry, which will include the point the hon. member raised.

MR. WILSON:

A supplementary, Mr. Speaker. Does the minister regard this as a system which would encourage further participation and more participation by local Alberta companies?

MR. DICKIE:

Mr. Speaker, I think I would have to say yes, I consider that would be one of the attractive features of that proposal.

MR. SPEAKER:

The hon. Member for Medicine Hat-Redcliff followed by the hon. Member for Spirit River-Fairview.

Suffield Block

MR. WYSE:

Mr. Speaker, I would like to direct my question to the hon. Minister of the Environment. I understand the hon. minister visited the Suffield Block this past summer. Is it still the government's opinion that the British army is doing extensive damage in the block and will eventually turn the block into a dust bowl as the minister stated earlier this spring?

MR. YURKO:

Mr. Speaker, I think the hon. gentleman is not exactly correct in what I said. I didn't say the army would turn the area into a dust bowl.

I did indicate that, on examination with a number of ministers, we found that the army was capable of doing considerable damage and was, in fact, doing considerable damage in some areas, both with respect to burning and with respect to disturbing the surface of the area.

However, I also indicated that it became apparent that the regenerative capacity of the soil was very substantial so that areas burnt as early as June of this year were quite well revegetated.

Nevertheless, I did indicate that the government was concerned with much more productive uses of the land, particularly in terms of relating the use of the land to food growing and the regeneration of other resources in the area. As a consequence, the government would hope, with the Government of Canada, to do an overall study in terms of the capability of the land for all uses rather than just for military use.

MR. WYSE:

One supplementary question, Mr. Speaker. Does the government still feel that full development of the gas field and the army manoeuvres are incompatible?

MR. YURKO:

Eventually, it is suspected that total development of the area may be incompatible with military operations.

DR. BUCK:

A supplementary to the hon. minister. Has your department looked at this as an irrigation area?

MR. YURKO:

Yes, Mr. Speaker, a major study was done on the potential of irrigation in terms of food growing in the Suffield Block and this information is available to government.

I might say that the number of areas available for irrigation or that can be irrigated is quite small indeed. The majority of the area would have to be used as pasture land for cattle raising.

MR. WYSE:

A supplementary question, Mr. Speaker, to the hon. Minister of Federal and Intergovernmental Affairs. What progress has the provincial government made with Ottawa at this point to return the surface rights of the Suffield Block to the province of Alberta?

MR. GETTY:

Mr. Speaker, I think the hon. member will recall that during the last session of the House we mentioned that our initial efforts were to get, as quickly as possible, the rights to move on to the Suffield Block and do our exploratory drilling program. I'm pleased to say that is moving very well and probably 77 wells will be drilled before this year is over.

But at this stage we have not made any additional effort to obtain full rights to return the block to the government or to the people of Alberta, although we have served notice to the federal government that it is one of our intentions to discuss that matter more fully with them. We will do so at what we consider the appropriate time.

MR. WYSE:

One supplementary question then ...

MR. SPEAKER:

Might this be the final supplementary on the Suffield Block.

MR. WYSE:

Has the provincial government received any indication whatsoever from the federal government that they will even consider giving the surface rights back to Alberta - which, of course, would be a big mistake on their part.

AN HON. MEMBER:

Who are you for?

MR. GETTY:

I think I missed the argument part of the question, Mr. Speaker. However, I must say that the federal government, through their Minister of Defence, the hon. minister, Mr. Richardson, has said, if a case can be made which makes it obvious that this property should no longer be used in the manner it is and should be returned to the Province of Alberta, then they will certainly consider the merits of that case and be prepared to work with us to see if that is what should happen.

MR. SPEAKER:

The hon. Member for Spirit River-Fairview followed by the hon. Member for Ponoka.

Family Allowance Increase

MR. NOTLEY:

Mr. Speaker, I'd like to direct a question to the Minister of Health and Social Development. With regard to the welfare ministers' conference yesterday, can the minister advise whether or not the family allowance increase will be passed on to recipients of social allowance in total?

MR. CRAWFORD:

Mr. Speaker, that is not a matter to be determined by the conference although it is one of the matters that was discussed.

The question relates to an area of exclusively provincial jurisdiction and each of the provinces will be handling it in its own way.

The decision by the Alberta cabinet on how that matter will be treated has not been made. I expect that during the fall, prior to the program taking effect on January 1, 1974 - it will be made in good time.

Work Incentive Program

MR. NOTLEY:

A supplementary question to the hon. minister, Mr. Speaker. Has the government considered taking steps to monitor Manitoba's new work incentive program whereby social allowance recipients can keep up to 30 per cent of the income they earn?

MR. CRAWFORD:

Mr. Speaker, we are developing our own incentive programs in the area. Of course, in respect to the Manitoba program and other provinces' programs, our consultation with them is sufficient to be fully informed on them at all times.

MR. SPEAKER:

The hon. Member for Ponoka followed by the hon. Member for Calgary Bow.

Freight Rates

DR. McCRIMMON:

Mr. Speaker, my question is to the Minister of Industry and Commerce. At the Western Economic Opportunities Conference in July, the Hon. Jean Marchand undertook, I believe, to review freight rates on certain commodities. Can the minister advise the House if the federal government has reported on this review as yet?

MR. PEACOCK:

Mr. Speaker, at the conclusion of the WEOC meeting Mr. Marchand and the four western ministers met and struck an officials' committee and a technical committee. The ministers agreed to meet on October 1. In between time the officials' committee identified all issues discussed at WEOC in relation to transportation, set up the terms of reference with their technical division, and reported on October 1. Amongst the issues were the 22 investigations into those freight rates that were for CTC. It was agreed at that time that the four western ministers and Mr. Marchand would meet December 13, at which time the conclusions to the review and CTC would be made and revealed.

MR. SPEAKER:

The hon. Member for Calgary Bow followed by the hon. Member for Clover Bar.

Senior Citizens Housing Projects

MR. WILSON:

Mr. Speaker, I'd like to direct a question to the hon. Minister of Municipal Affairs. Have any proposed senior citizens housing projects in Calgary received provincial government financing approval this year?

MR. RUSSELL:

I am going by memory, Mr. Speaker. I believe some applications that had been pending under the old program have in fact received approval, the Western Baptist one I think went ahead. If the hon. member would like a detailed list, I can get that for him.

MR. WILSON:

A supplementary, Mr. Speaker. Could the hon. minister advise the House if, in light of the recent changes regarding the development of senior citizens' projects, the Metropolitan Calgary Foundation recommendations are still to be considered?

MR. RUSSELL:

Of course the recommendation and desire of any foundation in any municipal district would be considered, Mr. Speaker, but the terms of the new act permit any agency other than a foundation that might be formed to support a lodge. So

it is not as imperative that foundation support be determined as was previously. But, of course, we would always take that view into consideration.

MR. WILSON:

A supplementary, Mr. Speaker. Could the minister confirm as to whether or not there is still financing available for commitment of an additional senior citizens' housing project in Calgary this year?

MR. RUSSELL:

Yes, Mr. Speaker. As a matter of fact, the Alberta Housing Corporation has something like 53 pending applications before it from various parts of the province that have been submitted as a result of the introduction of the new act this spring. We have been carrying on discussions with the groups involved. Some of them are located in Calgary and I would suspect that approval will be given to many of those prior to the end of this calendar year.

MR. SPEAKER:

The hon. Member for Clover Bar followed by the hon. Member for Little Bow.

DR. BUCK:

First a short supplementary, Mr. Speaker. How much consultation has there been between the senior citizens' groups and your department as to the preference of the senior citizens to lodge accommodation as to the home type of accommodation or the low cost as opposed to lodge accommodation? Has there been much consultation?

MR. RUSSELL:

There is presently before the government, Mr. Speaker, a very substantial waiting list covering all parts of the province with respect to the lodge program.

I think all hon. members are aware that eight new lodges were approved for construction this year and it's anticipated that the program will be continued into other years.

Insofar as the other part of the program, the self-contained units sponsored by non-profit organizations, again that's a matter of requests coming from the local jurisdiction. I mentioned the consultation that's going on with 53 individual groups at the present time.

DR. BUCK:

Mr. Speaker, I would like to ask a question of the hon. Minister of Highways, just in case he thinks he is being ignored ...

MR. SPEAKER:

Is this a supplementary?

Saskatchewan-Peace River Highway

DR. BUCK:

It's my question, I believe, Mr. Speaker.

In light of the fact that he has all the road allowances looked after, I thought he might be ignored.

Mr. Minister, has your department received any request from the group formed in the North to promote a highway from the Saskatchewan border across the Peace River border in the Cold Lake-Athabasca area?

MR. COPITHORNE:

Yes, Mr. Speaker, I've had some representation made to me on that proposed route.

DR. BUCK:

A question to the Minister responsible for Tourism, has this group asked for any assistance from your department to further this study and to promote it?

MR. DOWLING:

Mr. Speaker, I'm not aware of that proposal. However, several representations regarding northern routes have been made to me in my office. That specific one I can't recall. However, there are some others to which we have given some considerable consideration.

DR. BUCK:

My final supplementary. Has this group been in consultation with the Minister responsible for Northern Affairs?

MR. ADAIR:

Mr. Speaker, yes they have.

MR. SPEAKER:

The hon. Member for Little Bow followed by the hon. Member for Lethbridge East.

Health Care Questionnaire

MR. R. SPEAKER:

Mr. Speaker, my question is to the Solicitor General, the Minister responsible for the Alberta Health Care Commission. Is your department, through the Socio-Systems Limited of Calgary, distributing a questionnaire to Albertans on health care attitudes?

MISS HUNLEY:

No, it is not, Mr. Speaker.

MR. SPEAKER:

The hon. Member for Lethbridge East followed by the hon. Member for Calgary Mountain View.

Feedlots Code

MR. ANDERSON:

Mr. Speaker, my question is directed to the Minister of the Environment. Has the Department of the Environment finalized its study on the new code of practice for feedlots, and if not, when can we expect it to be tabled?

MR. YURKO:

Mr. Speaker, this code has been finalized and it will be tabled in the House within the next day or two, perhaps early next week.

MR. SPEAKER:

The hon. Member for Calgary Mountain View followed by the hon. Member for Highwood.

Road Allowances

MR. LUDWIG:

Mr. Speaker, my question is with relation to a signed confession I received during the summer from a minister who admits that he has 52.3 acres of road allowance. I want to ask him a question with relation to this statement. Are these 52.3 acres of road allowance on his specific land open to the use of the public?

MR. COPITHORNE:

Well, Mr. Speaker, it's hard to get some of these points through to the hon. member. But I have explained to him in committee and I have explained to him in this House that the municipality of Rocky View has walking privileges on all road allowances whether they are leased or whether they are not.

MR. LUDWIG:

Mr. Speaker, a supplementary. Is there any posting or any other designation of these road allowances in the hon. minister's township? Can pedestrians identify whether they are on the road allowance leased to the hon. minister or whether they are in jeopardy of trespass by getting off the road allowance? Can a pedestrian tell when he is on one of Copithorne's road allowances?

MR. SPEAKER:

Order, please. We are getting into a field to which we have strayed previously.

As the hon. member knows, the question period is for matters of public interest and there is some doubt whether they should be zeroing in on the private affairs of a minister.

MR. LUDWIG:

Mr. Speaker, with all due respect to the Chair, my question may not be of technical interest but I can assure you, Mr. Speaker, that this is public interest.

[Interjections]

A supplementary to the hon. minister. Is he admitting in the House that I or anyone else is free to wander over his leased Crown road allowance?

MR. SPEAKER:

Order please. The hon. member is rephrasing his previous question.

MR. LUDWIG:

Mr. Speaker, in light of the fact that I can't get an answer, could we expect a further confession from the minister as to conflict of interest?

MR. SPEAKER:

Order, please. The hon. Member for Highwood followed by the hon. Member for Taber-Warner.

Adopted Children - Registration

MR. BENOIT:

Mr. Speaker, my question is addressed to the hon. Minister of Health and Social Development. In light of the newly-proposed Vital Statistics Amendment Act, it makes it possible for those who have changed their sex and subsequently their names, easily and legally to get an altered birth certificate. Is the minister giving consideration to the possibility of putting another section in the Act which will make it easy for people in Alberta, who adopt children from out of Alberta, to get a birth certificate also for their children?

MR. CRAWFORD:

Mr. Speaker, the hon. member and I had some correspondence a few months ago in regard to documentation of children adopted by persons within Alberta who originated outside the jurisdiction. I would have to refresh my memory on the context to say whether or not the province has a legislative capacity to remedy the difficulties he described to me at that time. A question was involved, as I recall, of some federal regulations in regard to immigration.

MR. SPEAKER:

The hon. Member for Taber-Warner.

Liquor Outlets

MR. D. MILLER:

Thank you, Mr. Speaker. I thought I was going to miss my turn today.

My question is to the hon. Solicitor General. Has the hon. minister compared the increases in automobile accidents with the increase in liquor outlets and liquor sales in the province?

MISS HUNLEY:

No, I haven't specifically done that, Mr. Speaker.

MR. D. MILLER:

Supplementary question, Mr. Speaker. Would the minister consider reducing the hours for the sale of liquor, in private as well as in government outlets, as a means of reducing automobile accidents on our highways?

MISS HUNLEY:

Very reasonable, Mr. Speaker. I'll consider almost anything. I wouldn't like that to be misconstrued.

[Laughter]

MR. TAYLOR:

Supplementary to the hon. minister. I wonder while she's considering the point raised by the hon. Member for Taber-Warner, if she would also consider the number of accidents caused because people have to drive a considerable number of miles on a highway to get to a liquor store?

MR. SPEAKER:

The time for the question period has expired.

ORDERS OF THE DAY

MINISTERIAL ANNOUNCEMENTS

Department of Agriculture

DR. HORNER:

Mr. Speaker, on Orders of the Day, I'd like to report briefly to the House with regard to some very important discussions I held this morning with the Hon. Otto Lang, minister in charge of the Wheat Board.

These related to the situation in regard to feed grains in western Canada and more particularly to the question of feed grain and the livestock industry in Alberta. In our discussions with him we stressed the importance of an immediate setting of a third set of prices which is necessary to implement the feed grain policy and that is the off-board price f.o.b. Thunder Bay.

In addition to that he reconfirmed the commitment we got from Ottawa a couple of weeks ago that our feeders would have access to feed grains at that price f.o.b. Thunder Bay backed up into Alberta. We are facing an additional problem that at the moment in trying to encourage our livestock feeding industry to continue the role it has had in the past, and that is accessibility. This was of prime importance in our discussions. We have that commitment reconfirmed and, in addition to that, Mr. Lang has agreed to take up with the Canadian Wheat Board the removal of the 500 bushel per day limit.

In essence Mr. Speaker, this means that the price our feeders pay for feed grain will be determined by that off-board price that is set f.o.b. Thunder Bay. It is extremely important that that price be set in the very, very near future.

Insofar as the price that Alberta feeders will have to pay, he has agreed to open negotiations with the Canadian Wheat Board with regard to handling charges, in particular dockage and storage charges that the Canadian Wheat Board had put on.

In addition to that major breakthrough, Mr. Speaker, Mr. Lang has agreed to allow the Alberta Grain Commission to become an agent of the Canadian Wheat Board to run elevators which elevator companies have announced they wish to close. These would be operated as storage houses for feed grains available to the Alberta livestock industry.

But probably the most important consideration which came from our meeting this morning, Mr. Speaker, was that Mr. Lang agreed to consider immediately a freight equalization set-up in western Canada with red meats vis-a-vis the feed grain subsidy.

I remind the honourable gentlemen that at the moment the feed freight assistance paid by the federal government amounts to some \$25 million. In addition to that, of course, is the inequity of feed grain going into eastern Canada goes at the special rate which was originally set as an export rate, the Crowsnest Pass rate. The actual amount of money involved in this lower freight rate to eastern feeders is a bit difficult to estimate, but the total package might be in the neighbourhood of \$100 million.

He has agreed to place before his colleagues in the federal cabinet in the immediate future the question of this equalization of freight rates on our processed meat or meat products to restore the natural competitive advantage of our livestock industry in Alberta.

These major components I have outlined, Mr. Speaker, are in our view the basis of a successful feed grain policy and are in general agreement with the principles Mr. Lang has announced for 1974 and beyond.

Our immediate concern, of course, was that unless we have some action in relation to the immediate year, we could seriously damage our livestock industry. So in general I can say to the livestock industry of Alberta today that we have the assurance of the federal government that it will take the necessary steps to assure our comparative position in the production of livestock. I hope that with this assurance our feeders and farmers can go ahead with some confidence and replenish the feedlots in Alberta.

MR. CLARK:

Mr. Speaker, might I say to the minister that we welcome his announcement today. Certainly this announcement should go some distance toward giving assurance to the operators of the cow-calf operation in Alberta, and also should go some distance towards filling the feedlots in this province which at this particular time, in a number of cases, are in fact, empty.

Might I simply say to the minister, Mr. Speaker, that we have heard these kinds of commitments and positions from the federal government previously. In this situation, the interests of the cattle business, also the consumers of this province - actions speak louder than words as far as the federal government is concerned.

Department of Health and Social Development

MR. CRAWFORD:

Mr. Speaker, I also have a short announcement I would like to make to the House to acquaint hon. members with developments in regard to the negotiations of the provisions of the Canada Pension Plan that have taken place within the last few days at the federal-provincial meeting of welfare ministers in Ottawa.

The Government of Canada and the provinces have agreed that pensions payable under both the Canada Pension Plan and the Quebec Pension Plan should be fully escalated in response to the cost-of-living increases starting in 1974. Throughout the occasions when this has been a subject of discussion at those meetings the Province of Alberta has supported the abolition of the 2 per cent per year pension index.

That limitation on pension increases has meant that the pensions have not risen as fast as the cost of living. Substitution of the other index for the old one will permit a more realistic annual adjustment of pension benefits and is a very important change in the arrangements.

The governments also agreed that the level of earnings upon which benefits and contributions to the plan are based should be increased. Under both the Canada Pension Plan and the Quebec Pension Plan those have been made identical.

The conference succeeded therefore in improving the benefits of the two plans and in restoring parallelism between the two most important elements of the plan.

For the people of Canada, this means specifically that pensions under the Canada and Quebec pension plans will no longer be eroded by increases in the cost of living. It means also that their pensions and contributions will be based upon a larger proportion of their earnings.

In 1974 the amount of earnings upon which a person may make contributions will be increased to \$6,600 compared with \$5,600 this year, and that figure of \$6,600 will be increased at 12.5 per cent per year until it reaches the average

of the earnings of Canadian workers as represented by the industrial composite of weekly wages and salaries as published by Statistics Canada.

It is estimated that by 1980 the yearly maximum pensionable earnings will have risen from the present figure of \$5,600 to about \$13,000. During the same period, maximum retirement benefits will rise from \$1,089 to over \$3,000 over and above the old age security pension.

Mr. Speaker, I think as important as anything that I've said in the course of acquainting the House with the results of the recent meeting is some reference to the earnings test which has existed in the past in regard to the Canada Pension Plan. The earnings test is used to reduce the benefit level of contributors from ages 65 to 70 who continue to work.

I must say Mr. Speaker, at these conferences which have taken place over the past several months there was one point that Alberta stressed, and I personally stressed, as much as if not more than any other. It was our support of the abolition of that test which is punitive and self-defeating to those who want and need work.

It has therefore been agreed that effective in 1974, retirement pensions will become payable at age 65 to any person who has ceased to contribute to the plan regardless of his or her earnings. Thus, the earnings test which has been applied previously to people between the ages of 65 and 69 will be eliminated. And that, Mr. Speaker, is an extremely important step. It is going to benefit people in that age bracket who had been caught between the previous plans that related to those over 70 but seemed to discriminate against those between age 65 and age 69.

In conclusion, Mr. Speaker, the changes in the plan that have been agreed to will be the subject of legislation in the course of the next few months. It's recognized that there is an urgent need for immediate action if changes are to come into effect in January, 1974. There are proposals to escalate benefits according to the full increase of the consumer price index and the raising of the ceiling for 1974 to \$6,600 which I referred to. I understand parliament intends to legislate these two changes as soon as possible, with the understanding that the remaining amendments will be legislated, now that they've been agreed upon by the provinces, as soon thereafter as possible.

GOVERNMENT MOTIONS

3. Mr. Hyndman proposed, seconded by Mr. Dowling:

That, in order to remove any uncertainty as to the privileges of Members of the Assembly, the following rule be added to the rules of the Alberta Assembly:

"Unless otherwise directed by the Assembly, it shall not be a breach of privilege for a member of a committee to discuss with one or more other members, on a confidential basis, matters that are under consideration by the committee."

MR. HYNDMAN:

I think, Mr. Speaker, that this motion is essentially self-explanatory and needs little elaboration. Its purpose is to clear up any possible uncertainty as to the privileges that members have and the way in which they can act and share information which comes to their knowledge from their service on various committees. The references in Beauchesne are somewhat mixed. I am sure hon. members having read them would agree with that conclusion.

The motion, as proposed, would apply of course, to Standing Committees, Select Committees and Special Committees.

Perhaps the most current example of the need for clarification in this area is the Select Legislative Committee on Rules which was established in the spring and which, during the summer, met and discussed a number of proposed changes to the rules. It was felt by the committee that these changes should be dealt with generally and reviewed by the caucuses of the government and the opposition. The committee felt, I think properly, that unless its report in some reasonable way reflected what the House might agree to, the exercise would be a futile one and the whole work of the committee would be out of the ballpark.

Accordingly, this motion today, in a sense validates what has already happened insofar as both the government caucus and that of the opposition, I understand, have discussed - the basic elements of the deliberations of the rules committee. However, I think the motion essentially is right in principle and should apply to all committees.

It should be noted that there are two situations, and these situations would continue, wherein there would be no discussion by members of a committee of the business of that committee.

The first would be, if this Assembly, in setting up the committee said to that committee and circumscribed as one of its terms of reference the fact that the committee must sit in secret or in private. I think that has very rarely, if ever, happened in this Assembly. It happened in the British House of Commons during the war when matters of the Second World War were discussed.

The second occasion on which there could be no discussion in a committee would be if the committee members themselves, perhaps at the point where the final deliberation on a report is being worked on, decided by motion that the public and the media should be excluded.

It seems to me, Mr. Speaker, that it is only common sense that MLAs in this Assembly should be allowed to discuss with any other MLAs they wish, or as a group, being their caucuses, what comes to their attention as members of this Assembly and servants of the public generally.

I think it should be noted really that any legislative committee that sits, while usually only the committee members are there, the entire public is entitled to attend, the media are entitled to attend, and every other member is entitled to attend.

Of course the Clerk of the Assembly posts a notice on the notice board as to when and where each meeting is held. Usually only the members of that committee are in attendance. But essentially all the committees are open to the public and to the press, and so there should be, in my view, no question about what has gone on in the committee being discussed with other MLAs.

In conclusion it would be clear though, Mr. Speaker, that there would still be two situations where a breach of privilege could be raised. That is, if a member of a committee released the final report to other MLAs before it had been tabled in the Assembly. That would clearly be a breach of privilege. The motion contemplates that.

The second case would be if an MLA on a committee talked, not in confidence as proposed by the motion, but to the press or the public about the deliberations of that committee. The motion emphasizes talking on a confidential basis to other MLAs.

In conclusion, Mr. Speaker, I think the motion is reasonable and sensible. I think it removes an unjustified and improper restriction, in the minds of some, on the effective job an MLA must and should do.

MR. HENDERSON:

Mr. Speaker, one additional point which comes to my mind, other than the remarks of the minister, I think was discussed by the Committee on Rules which prompted this particular motion before the House at this time.

The minister did not touch on the question that when a member of a committee does discuss a confidential matter with a member of the House who is not a member of the committee, that member of the Legislature is bound by the rules of confidentiality. That is not made clear in this particular motion. But I think it should be implicit that when a member discusses the deliberations with a number of his colleagues, regardless of on which side of the House he sits, the member who has received that information is bound by the same rules of confidentiality as the member who serves on the committee.

With that qualification, I certainly recommend the motion to the House. I think it's a sound one and clarifies a point which, I think, has confused a number of members in the past.

[The motion was carried.]

GOVERNMENT BILLS AND ORDERS
(Second Reading)

Bill No. 57 The Disaster Services Act

DR. HORNER:

Mr. Speaker, in rising to move second reading of Bill No. 57, The Disaster Services Act, I'd like to comment briefly with regard to the intent of bringing in the act to replace The Civil Defence and Disaster Act, to review briefly some of the problems that we think are there, to suggest to the House generally that we do have some amendments that have arisen from the meetings we've held throughout Alberta. We held some 13 different meetings and also contacted all municipal governments in relation to the contents of the bill and had responses from a great many of them.

The idea of bringing in The Disaster Services Act, essentially, was twofold. It has always been my considered opinion that in the past we haven't been able to react to disasters effectively enough in the sense of how we treat people.

I don't think we have a suitable disaster act, for instance, at the national level either. We would hope that if this legislation passes here the federal government might give some consideration to a national disaster act because I feel very strongly that one is required. They now have a rule of thumb to supply compensation to the provinces after the provinces themselves have spent a certain amount of money. But this is strictly a rule of thumb.

We've had many experiences in Canada of major disasters in which it was strictly 'ad hocery'. Nobody knew for sure how they stood. We've had smaller disasters in Alberta of course, in which, again, there was no real mechanism whereby the individual could be looked after, whereby we could mobilize the resources that we have in government in relation to that individual.

Another major intent in the act is that in this day and age we should be changing our emergency services - people's original intent which grew out of a wartime situation - developing a planning team and a team of coordinators who would act in a disaster, but who would be principally orientated toward civil disasters. A major attempt in the bill is to try to reorientate our thinking away from the question of a nuclear war - although I don't think that we can ever completely put that aside, but rather to gear our organization to be more contemporary and more in tune with the question of the natural disasters that might take place in our province. Those are the two general points I'd like to make initially, Mr. Speaker.

I would like to discuss very briefly the recent exercise - and it was a real one - that we had in the New Norway-Camrose area. It helped us to develop in a very meaningful way some thoughts with regard to The Disaster Services Act. I think it also pointed out that with the kind of petroleum production we have in Alberta this is a major area which requires planning consideration by all of us.

I appreciate, Mr. Speaker, that some of the news reports that came out after it was all over said well, there really wasn't very much alarm, why did everybody get so worked up about it?

Certainly, Mr. Speaker, when you appreciate the very toxic nature of hydrogen sulphide - it was impossible to tell how much was going to be in the air. Any of the hon. members who have any knowledge of hydrogen sulphide will recall that it doesn't take very much to kill you.

As a matter of fact, in my own personal experience, when I was the federal representative for Jasper-Edson three people did die from a minor leak in a sour gas line. Quite frankly, they never knew what hit them because of the toxicity of hydrogen sulphide. In my view newsmen who tried to pooh-pooh what happened in New Norway are either irresponsible or don't understand the situation.

I would like to say initially, Mr. Speaker, about that, and I don't intend to be long, how pleased we were at the kind of reaction, cooperation and coordination that took place in that emergency. And I would like to publicly commend the local radio station in Camrose for doing just an excellent job. CFCW not only stayed on the air all night, but was extremely responsible in regard to notification and did an excellent job for the community.

Coming out of that we will have some recommendations to make to our various communities with respect to this kind of close association of a radio station

with the community. It is one of those things that we have to have in preparedness down the road.

I'd like also, Mr. Speaker, to say how pleased we were with the RCMP coordination of the effort. They also did an excellent job.

Last, and by no means least, the local officers and the people involved in the Emergency Measures Organization in that area responded, as we knew they would, in an excellent way. They have already reassessed their situation, and, having regard to their experience, out of that will come very useful suggestions on how we can look after such a situation in the future.

Again, Mr. Speaker, I think the total picture should be presented. We are extremely pleased by the activities of the members from the Energy Resources Conservation Board and the Department of the Environment. Their ability to get on the scene to do the monitoring and to tie in with a coordinated effort helped the situation to come under control.

One of the lessons we learned from that, Mr. Speaker, is in the new bill. It is that there has to be some clarification as to who, in fact, would authorize the statement of a declaration of emergency or the authorization of a local disaster area. I think that became particularly important and rightfully so after some extreme concern expressed by the mayor and town council of the city of Camrose. In fact there was a point during the night that, having regard to weather factors, the evacuation of the city of Camrose on very short notice might have been necessary.

I draw this to the attention of hon. members because the well that blew in the New Norway area had a maximum concentration of 5 per cent hydrogen sulphide. It is my understanding that the wells in the deep sour gas areas in the foothills and certainly in the Whitecourt-Edson areas can contain up to as much as 40 per cent hydrogen sulphide. I ask you just to imagine the kind of disaster that can happen in this kind of area and to reflect upon it.

Now, Mr. Speaker, to come to the question which I am sure is uppermost in the minds of certain people with regard to civil liberties and the rights of individuals.

We are quite willing, in committee stage, for those who feel that they can improve the wording of particular sections they are concerned about, to look at those kinds of amendments. It isn't our intention to remove the question of with or without remuneration, to have a clause which would authorize compensation by some method or another, because we don't feel that people should lose their property or their material things without compensation by the government, and it wasn't our intention not to do that.

With regard to that section of the act which is causing some concern in regard to the powers of the minister, whoever he may be, I would like to point out that the powers listed in the new Disaster Services Act are, in fact, not very far removed from the powers that were and are existant in the present Civil Defence and Disaster Act. There has been some amplification, some clarification and, indeed, I suggest to my friends from the Civil Liberties Union that in fact the new act more clearly states the powers and more clearly outlines the situation than the Act we are now operating under. So, in fact, instead of an increase in the amount of imposition on anybody's individual rights, this particular act improves the situation.

I'm sure all members are also aware, having had the summer to review the act, that there is not - and I want to underline that - there is no "notwithstanding" clause in regard to The Alberta Bill of Rights.

With regard to forcible evacuation and whether or not governments should have that power, again there are two things I would like to point out. In many natural disasters through the years, because people didn't have the authority to forcibly evacuate an area, lives were lost. Invariably the local people you want to evacuate just don't believe, because of very strong views, it could happen to them and will not leave their place. On certain occasions, in my view, it's absolutely essential that you have that kind of authority to forcibly evacuate an area.

I ask you to consider again a hydrogen sulphide cloud moving over an area. It not only jeopardizes people who will not move, but it jeopardizes the entire number of people who are working, sometimes very long hours, to try to help the situation. If they have to keep going back to try to convince people to move, they not only endanger those people, but they endanger the entire organization.

Again, it's not the intent of the act to give some sort of control or power that isn't there now. I suggest quite frankly, Mr. Speaker, that those who have raised the issue of civil liberties apparently haven't taken the opportunity to look at The Civil Defence and Disaster Act that is presently constituted, because if they did, I think they'd agree with me that this in fact improves the situation.

I did want to comment with regard to the question of evacuation. It's not just the people themselves who, I guess, have the right to allow themselves to be killed but it's the danger and the damage you do to those people who are working very hard to prevent disaster to get the situation under control.

The question of authorization of entry into buildings - surely I think that anyone who has had any experience whatsoever in relation to this kind of disaster will know that the workers and people in that area have to be able to do this, not as an imposition on somebody's civil rights, but rather as the only way by which they might be able to save their lives. Again, if some hon. member has a better way to define that in the act, then I would be quite happy if we had a look at it in committee stage.

There is another thing the act does, of course. In the old Act, Mr. Speaker, there were no terminating facilities. This was stopped, I guess, by Order in Council. This new act sets out very specifically that you can't have a continuing state of emergency unless it is confirmed by the Legislative Assembly. Again, the old Act doesn't have any terminating effect or doesn't have to refer back to the Legislative Assembly the question of termination unless it's been reaffirmed by the Assembly.

And so again, I suggest to those who question the kind of powers that are allocated under the act, if they review the old Act they will find this one is much more contemporary, dealing with the situation as I think it should be dealt with. It allows government to operate and then government must refer the entire matter to the Legislative Assembly if they're to continue with a state of emergency.

The other major area of the act, Mr. Speaker, deals with the setting up of two emergency funds; one by government itself to be able to operate and to pay assistance to people in an immediate way; and secondly an outside of government fund, if you like, to which people could contribute to do other things that sometimes government funds are not able to do. It would be our policy to separate that other fund, so it would be operated by people from outside of government and would be only subject to audit, et cetera, by government. But the fund within government would be available immediately for government officials to use in a meaningful way to help people in communities.

Mr. Speaker, I think that up until the last two or three weeks the very conscientious people working for Emergency Measures Organization were sometimes not given their just reward. Back of it all, I think we have learned and should be aware of the need of preventive planning, the need that is surely before us that we must continue to have this kind of organization. We suggest in the act a new name, mainly to try to reorientate the concentration of our effort toward civilian disaster, but not to do that entirely.

And so, Mr. Speaker, we place Bill No. 57 before the Legislature. They have had the summer to review it in some detail. We have reviewed it in detail with the municipal people involved. We've held public meetings. I think, Mr. Speaker, in general that it is a good bill. We are willing to bring in those amendments that I suggested with regard to compensation and remuneration. We are willing to listen to amendments that might clarify the positions that we've outlined. But it's extremely important for government in this day and age to be able to act, and to act effectively, to help people. That is our major concern.

I therefore move second reading of Bill No. 57, seconded by the hon. Minister of Education.

MR. HINMAN:

Mr. Speaker, I recognize the necessity for this bill, and having had some experience with the preceding Act I think I have a few pertinent remarks to make.

In general, all of us realize that in an emergency situation, the rights of citizens are abrogated to a considerable extent and have to be, partially because citizens panic, partially because sometimes they become totally unreasonable, but largely to take quick effective action.

I think on the first pages of this bill a very excellent job has been done. In fact, I'm not too concerned with the clauses, which I'm going to treat a little bit more specifically, except to point out the difficulties that we must anticipate. If you want to look on page 3, 2(b) near the bottom of the page:

require municipalities within a subdivision to prepare integrated plans, procedures and mutual assistance programs to deal with emergencies and their submission to the Director for review;

Now, under the old Act we trained and retrained and organized and reorganized. But because no disasters ever came, the people moved on, new people were elected to councils and the whole matter was forgotten to such an extent that when emergencies did occur the organization broke down.

"establish procedures required for the prompt and efficient implementation of plans and programs to meet emergencies;" I like the clause except in its implementation - I am not sure how you can enforce it. The word "require" of course means that you just have to perform. But if you can't find the guy responsible, if he is on a holiday, if he runs and hides, you are in trouble.

Now I am going to make a few constructive comments. Since most of our province is policed by the RCMP, my opinion is that somewhere in this act we might have provided that the RCMP themselves will take the initiative. These men could be adequately trained and in their absence the municipal police would have that responsibility. So you would have a continuing body under somebody's authority to which anyone can apply.

Some people have called my attention to the top of page 4, where we can go on real property, where any condition exists which may create a hazard. They point out such things as ripened fields of wheat which always present a fire hazard. In some instances, when a fire arises in an area because in emergencies somebody might want to burn the wheat, the owner is going to try to defend it.

I am going to touch on that just a little later by pointing out that I am not against that part of the act but I think we need to do something a little better about it.

The chief thing is on page 5 where we have removed the liabilities of those who are given authority under this act. All of us are aware that the people appointed, or who will accept appointment, are sometimes certainly not the most responsible people. Usually those who like policing services, who like authority, are the very kind who might abuse it. I am very concerned that there be some liability. I wrote out a suggestion which was popular with me. It simply says that the officials shall be accountable and liable for gross abuse of the powers provided under this act.

I think we need something in that not necessarily to make it work but to allay the worries of the people out in the field who know the man appointed, who often would not concur in his appointment and who think they certainly need some protection, some way of slowing this fellow up a little bit. So I suggest that in Sections 12 and 13(b) we might think about whether or not we should provide some liability, as I said, for gross abuse.

"Acquire" in Section 16(c): "Acquire or utilize any real or personal property by expropriation, confiscation or any means he considers necessary;" Expropriation is entirely out of the question under the circumstance. You can't go through any expropriating procedure unless you anticipate the disaster long in advance. But to to acquire simply by seizure I think is the authority that the people have to have. As long as people understand that there will be proper remuneration or restoration they can't object to that part of the act.

The authority to enter any building I think is essential. As far as possible those who are responsible ought not just to break in; they ought to take at least three seconds or twenty to tell the owner they are coming in. I don't know whether you can provide such a thing in an act. But I know when people are in emergency circumstances their actions are sometimes pretty thoughtless. There are places where they shouldn't be breaking in, where in preference to breaking in they ought to be seeking and enlisting the help of those who were in charge of the property.

On page 7, Section 16,1(k): "authorize the conscription, with or without remuneration, of persons needed to meet an emergency." I think the minister has indicated that they intend to change that. Here again, conscription is not easy. I have had the experience in firefighting where the police made people get out of bed and hauled them up to fight the fire. They simply said, to hell with the policeman, got under a shady tree and slept. Nobody could make them

work. I think we have to be careful with authority to conscript, because at the very time when you need these peoples' cooperation, you antagonize them and you don't necessarily help the situation. I think maybe we ought to have a little bit of a look at that.

The declaration of the state of emergency under Section 18, I just have a little note here that says that the declaration, making it known, is a difficult thing. I like the part of the act that says wherever it is possible at all, you do communicate to the people the fact that this is an emergency. But to do it is often too late if you follow these sections. Perhaps some wording could be put into it to say that radio would be used, word of mouth, telephones, somebody would be responsible for getting the emergency declaration to the people wherever they happen to be.

Now, with these few words I have to say that I support it. I'm one of those who felt that the people under our old Act gave us good service. We were worried, it was quite possible, and as the minister has pointed out, it's still quite possible that we could be in a conflict where the emergency would be pretty general. Unless you have these key people, you are not going to be able to meet these emergencies.

I summarize by saying I would like to see the police force considered as the permanent heads of these organizations, so that you have a continuing body. The other points I've mentioned I think were clear enough. Mr. Speaker, I'm prepared to support the bill, but I would like some consideration given to these points.

MR. NOTLEY:

Mr. Speaker, this bill is one of those which unfortunately have to be enacted in a democratic society to deal with disasters that occur. From a civil liberties point of view there are many, many features in Bill No. 57 which really are hard to defend. Unfortunately it is even more difficult to defend the loss of life which could occur if government doesn't have the power to act swiftly when an emergency arises. However, that doesn't mean in discussing the bill in principle that a caveat shouldn't be registered in two or three major areas.

But before I do that, Mr. Speaker, let me say that I want to congratulate the government on what I see as a shift in orientation here from one of being preoccupied with the possibility of a nuclear war to a more current, contemporary and logical position that the main thrust of the operation should be to deal with natural disasters as they arise. So I think that change in orientation is long overdue and is one which frankly merits the support of all members of this Legislature.

Now to deal with the bill. Unfortunately to discuss the principle I may have to deal with some of the clauses individually, but I suppose that's necessary in order to be able to fully assess some of the implications as I see them.

May I say at the outset that the definition of an emergency troubles me slightly. I have no difficulty with the definition of a disaster, I think that's straightforward. But the definition of an emergency strikes me as being rather too-broadly drawn. It seems to me that there is a very definite possibility that in the sweep of this particular clause, we could go beyond natural disasters and we could get into even economic conflicts here. Now I realize that from time to time it may be necessary to act even under those circumstances. But I suggest that when we have words or clauses such as "welfare of people" that gives unnecessarily broad power, it seems to me, to that particular definition. I would like to see a little tightening of definition (f) on the first page of the bill.

Secondly, the point of accountability of those in authority in my judgment is a pretty crucial question. No one is going to suggest in the midst of a flood that government should have its hands tied behind its back. Authority has to be there. Those in authority have to be able to act quickly. But, in my judgment, at any rate, they must be accountable for gross abuse of their actions. I am a little troubled that Section 12 of the act removes the legal liability.

Now I understand there is no "notwithstanding" clause in this Act so that if a person were to discriminate on the grounds of either Bills Nos. 1 or 2, presumably they could be fined under Bill No. 2 for example. But that is not likely the kind of gross abuse that could take place in an emergency situation. It seems to me that we would be wise to perhaps follow the recommendation made

by the hon. Member for Cardston, and that is introduce the concept of accountability for gross misconduct. It seems to me that that would not detract from the necessary powers which are needed to deal with an emergency situation, but it would provide some safeguard for the people affected.

The powers given the minister under Section 16 by and large are powers that are necessary in an emergency, or could be necessary, or some of them could be necessary. As I said when I began, from a civil liberties standpoint, you cannot really justify any of them. But from the viewpoint of an emergency situation this is one of the trade-offs you have to make. I recognize the merits of these clauses, but I would point out, Mr. Speaker, that the wording of Section 16 gives the minister a good deal more power than just the designated clauses. "Upon making of the declaration and for the duration of the state of emergency the Minister may do all acts and take all necessary proceedings including the following:" The powers defined are certainly not mutually exclusive, if the minister has the power virtually to do anything.

I would question whether or not we wouldn't be wise to ponder whether that is good or, again, perhaps that is one of the trade-offs we must make if we are going to strengthen the appeal procedures under this act.

The declaration of the emergency - again, a declaration has to be made quickly. You can't expect the government to call the Legislature into session before they declare an emergency. There may be many emergencies of a smaller nature when calling the Legislature into session after the fact would be unnecessary.

I would suggest one change we might make. That is this - but before I say it, Mr. Speaker, the minister said that after the expiry time the Legislature would have to agree to the extension of it. I discussed this with several lawyers and their argument was that after the two weeks elapsed, the minister, under this act, would be quite able to simply proclaim it again if the Legislature wasn't in session at the time. Now if that is not the situation I would be very pleased to hear it because it would clear up one concern I have.

In any event, assuming for the moment, for the sake of argument, that that is the situation, that the Legislature isn't meeting, that a disaster has taken place, that the two weeks have expired and the minister simply carries on by reproclaiming the disaster or the state of emergency, then it seems to me at some point we should make provision for a session of the Legislature. I am not suggesting that one, two or three members should have the right to call the Legislature back in session, but it seems to me that perhaps a figure of 15 members, for example, could petition the Speaker, and an emergency session of the Legislature could be called to deal with the situation.

I suggest to the government that that would not seriously limit the authority that is needed or could be needed under these circumstances. But it would, it seems to me, strengthen the control of the Legislature over the consequences of any decision if that happens during the time that the Legislature is not ordinarily sitting.

If I might just digress to Section 16 for a moment, while the powers are very broad, one thing the legislation doesn't do is describe the purpose for which the minister may exercise these broad powers. For example, is it to save lives, or is it simply to protect property? It seems to me that Section 16 would be somewhat stronger if we inserted in it some definition of what the powers will be used for.

Finally, the question of compensation is an important one. Again, in the sort of situation where the public good is balanced against individual rights, clearly the government has to act quickly. But if someone's home is taken, his farm flooded or his property very seriously damaged or destroyed, then simple compensation by the government in my judgment is not necessarily a guarantee that justice will be done. It occurs to me that we must make provision for appeal to the courts beyond the government.

I'm not suggesting that the government, through this fund, would be deliberately unfair to people, but I'm saying that because they, in most cases, will proclaim the disaster in the first place, it is a little unfair that the compensation should be, in effect, allocated by the people who proclaim the disaster in the beginning. Far better that provision be made that the individual who feels he has lost, has been injured or has been deprived as a result of the emergency being declared has the right to appeal to a court of law.

Now the minister pointed out that there was no "notwithstanding" clause. That's fair enough, but it seems to me that the mere fact that a "notwithstanding" clause hasn't been inserted doesn't really guarantee all the rights that we might like to see protected. That's not going to guarantee the rights of Joe Blow who has his farm flooded. His farm may be worth \$30,000, and all of a sudden the award is \$10,000. He is \$20,000 short. The simple fact that Bills 1 and 2 apply doesn't give him a right to appeal the award of the compensation. It may give him a right to appeal if the minister had discriminated against him because he was a Negro or because he was an Indian, then the minister would be fined under Bill No. 2. But it doesn't necessarily give him the right to fair compensation.

It seems to me, Mr. Speaker, that we must make provision for the right of appeal to the courts if we are going to balance off all the factors, the need to act quickly against the need to preserve the rights of individual Albertans.

Having made those observations, Mr. Speaker, nevertheless I think it is necessary that we pass a bill. I would hope that we could make some changes during committee study of the bill.

But I do want to conclude by saying I am pleased that we are finally beginning to shift our emphasis to developing that kind of program and those measures which are suited to dealing with emergencies caused by natural disasters rather than preoccupying ourselves with many of the cold war fears which, at least if they didn't dominate the basis of the old Act, at least had some bearing on it.

MR. LUDWIG:

Mr. Speaker, I'm pleased to participate in the debate on this bill. When I raised this all-important issue in the spring portion of the session, in perhaps a more dramatic way than was intended, I didn't realize that the consequences would be so swift and so decisive. If anything, I don't wish to take credit for any first because it's the prerogative of people much more important than to try to claim these things. But I do believe that the issue was raised and the minister reacted in an appropriate fashion, although I must say, when I look at his bill, much as I support much of it, that in his usual approach to things that he may have overreacted.

Not too long ago we were in the midst of the debates in parliament about the implementation of the war measures legislation and repercussions were embarrassing and perhaps rather a warning to everybody.

Beware lest the liberties of people be placed on a very low level in comparison to perhaps an imaginary or an overexaggerated emergency. One can imagine if an earthquake should result, then everything possible would have to be done, perhaps involve the military and the federal government. In cases perhaps even countries outside may intervene and help.

But my main concern is that the opposition ought not to be misled by the fact that this is a good sort of peoples' interest bill, ought not to forget the fact that the attitude of the government in dealing with civil liberties has to be assessed and looked at carefully.

We have had some sad experiences in this province in a short time. Ministers will proclaim and plead on behalf of the people that their humanitarian consciences have been disturbed and aroused to where they must do something and emancipate the people. Then we have a bill later on that may have the opposite effect.

I say that the opposition, particularly, has a job to do on this bill because sometimes on the other side, I'm of the opinion, it is hard to overcome the fact that if the minister says something is good it simply has to be good. Sometimes when you deal with 48 people about a single thought you are not going to get much input of problems.

So the dangers of overreaction, the dangers of handling the legislation and regulations have to be raised and be on record. If we vote for the principle of the bill and the government, as often happens, faces an embarrassment they might say, "Well, where were you?"

So I'm going to stand up and hope that my remarks are constructive even though I may not agree with some of the things that are in the bill. I am of the opinion that sometimes it isn't the game you play, but the way you play it. We've seen a minister in this House suspend legislation.

We are now 65 or more years old as a province. Somehow we have had a few disasters, but there was never a shortage of authority and willing people and the means of dealing with them. So lest this bill itself becomes something of a disaster, we should look at it carefully and scrutinize every clause, every word, to see whether we ought to restrict some of the powers that are not needed.

I think one of the glaring things about this bill is not what the minister is now stating, that I am prepared to back off in some of the things. I believe he senses that perhaps he has more than he would really expect to get, but he is defending his position almost before he quite gets to it. He should wait until we get to committee and then we will propose amendments. He anticipates that there will be some and I am sure he'll be reasonable enough to perhaps go along with them graciously.

The one aspect of this bill I really don't like is the effort to take it out of any possible opportunity to bring it to court. Now it's worded carefully so that you can't resort to certiorari, mandamus or prohibition, these are writs that provide ready, quick remedies. But the mere thought of let's get real power here - I mean sometimes great power is all right, there have been benevolent dictators in this world; but there have been some bad ones. So it's up to us, everyone on both sides of the House, to see that we don't have anything there that we really must not have. I am saying there are these things.

I don't believe that we are gaining much time or doing the job right when we debate section by section. There are two more opportunities to do this. Nevertheless it is permitted.

I want to state, Mr. Speaker, that we have to stand on guard for civil liberty because there has been deliberate and flagrant violation of civil liberties in this province without any emergency or disaster pending. If they could take the power they want for nothing, just to satisfy somebody's request, perhaps they might go further if they had the power. We have to guard [against] that.

I'm not saying that the Minister of Agriculture, who presently will be in charge of this act, is a person to use his authority. But there are ministers who have, and who have used it in such a manner that it will probably remain an embarrassment to at least the civil liberties cause. So there is sort of a black mark on The Bill of Rights because our faith in the integrity, the sincerity and the intention of the ministers was shaken. Let's stand up and say what we want to say here because it may be too late after.

I'd like to get back to the debates in Ottawa during the war measures implementation, during the FLQ uprising. Now there was a real urgency and the champions of the cause of liberty, believe it or not, were one John Diefenbaker, who warned them of the things that were going to happen - and they did happen in many instances - Eldon Woolliams and even Stanfield, ruthless Bob, got into the act. But there were repercussions. I'm sure their words were later raised quite wisely. Diefenbaker told them on many occasions, "I told you so." So let's get on record and let's be on guard that nothing unnecessary is in here. I'm not concerned about whether some civil servant feels he ought to have the power to deal in a manner that perhaps he can do without.

One other rather glaring shortcoming - I don't believe this section will pass; I don't believe any Legislature that is half-awake will permit a thing like that to pass - but confiscation, sometimes without remuneration. I'd like to see somebody sometime get away with that in a country where civil liberties have the least bit of meaning. That ought not to be there.

The desire to fix prices - there might be such an overwhelming national disaster or even a continental disaster that there will be no goods so prices won't matter. But this business of fixing prices is hard to imagine. Maybe there might be, but I think a matter of payment for services or payment for goods can wait, can be settled after the emergency at hand is dealt with. I don't think that is necessary.

I just want to state to the hon. Deputy Premier that I appreciate the fact that he reacted to the brief debate we had here and made a good move, but also that we should discharge our responsibilities properly.

I'm a bit in doubt as to what is going to happen to EMO. I once pointed the road to the hills to this organization, but I didn't think the minister would act quickly and sort of legislate them into obscurity. I believe this

organization, to all intents and purposes, is going to be wiped out, as it were, before there is any emergency or disaster.

I'm hoping that the military aspect of this operation will be somehow put into the background. I say that with a personal experience in watching the evacuation of big cities in time of emergencies. I have rather a distasteful view of that kind of operation, particularly with people who have, perhaps, less military knowledge of how these things are done than they tell us they have.

So, with those few remarks, Mr. Speaker, I think the hon. minister, after getting an input from the public, perhaps correspondence, and from the hon. members here, ought to come prepared with amendments in the recommendations we have made. Otherwise we will take a long time to attempt to amend some of the sections that really ought not to be in this bill. Thank you, Mr. Speaker.

MR. TAYLOR:

Mr. Speaker, I would like to say a word or two in connection with the bill. I believe it is proper at this time to pay a tribute to the former leader of EMO, Colonel Arnold Lavoie, and to the new man who is appointed, Mr. Tyler. I have the highest regard for both these men and I certainly commend the minister for appointing a man like Mr. Tyler who is well prepared and who has proven his abilities beyond any doubt.

I also appreciate the fact that Mr. Tyler did send invitations to the MLAs to attend meetings in their areas for the purpose of getting public reaction to this type of bill. I believe that is something that can well be followed in many pieces of legislation. It may delay the enactment of the particular bill for some time but, in my view, it is well worth while. I believe this bill will be better because this practice has been carried out.

In connection with the principle of the bill, I think we have to ask ourselves first of all, do we want a bill that's going to be ineffective, one that is a drug to the senses of reality of the people now so they'll be drugged into thinking everything will be all right if there is an emergency? Or do we want a piece of legislation that can be effective when an emergency strikes? Because these things have the habit of coming upon us suddenly, quickly, without any notice. And that is the time when we want an organization, when we want someone in leadership, when we want to know what to do in order to save human life and so on. I think that the word "effective" has to be the byword that we deal with when we look at the various clauses in this act. Will they be effective when an emergency suddenly comes upon us?

As an illustration, I'd like to say that I have gone through a number of emergencies in the Drumheller valley, some through fire but mostly through flood. One of the most frustrating things is the fact that you can't find anyone who has the authority to give an order. I refer to the 1948 flood which happened the same year as the terrible flood in Manitoba - '48 or '49, I think it was '48 - when we couldn't find anyone to take effective action. We had to start organizing after the water was in the homes of many people. That type of organization is not effective. I think someone has to be in authority to give an order to protect life and liberty when these things suddenly occur.

The question then arises, to whom should you give this authority? I have every confidence in the Royal Canadian Mounted Police and in other police forces in this province. But I do not think that the police are the people to have the authority to make decisions in regard to many of these items, particularly serious items of evacuation, and so on.

In my view the proper person to be responsible for final decisions and directives when an emergency strikes is the minister in charge of this act. That minister is responsible to the Premier of the province. He is responsible to the Legislature, he is responsible to the people of the province. He can be removed. It is difficult to remove a constable or a sergeant of the RCMP or any other police force if you are not happy with the decisions he makes.

While we say there is no accountability in this bill I think there must always be an omnibus of responsibility the minister will have to answer to and for following an emergency. This is part of democracy. Whether the bill states it or not, I think the whole bill is predicated upon the fact that there must be responsibility, and if there isn't responsibility I would think anyone could be called to account for gross misconduct.

There is another point in regard to rights of individuals and evacuations and so on. There are times when decisions have to be made, and again I remember the 1948 flood when many people asked, "Who has the authority to tell me to get

out of my house?" I am thinking of the hamlet of Wayne which was quite a good-sized hamlet in those days and a very important segment of the coal mining industry there. Coal miners are independent; they are even more independent than farmers if that's possible. They don't like to be told what to do.

I remember one miner who refused to leave his house which was floating down the river. The water kept coming up and up and up and finally he got out on the roof. He was a bachelor, no wife to tell him what to do. So he got out on the roof of the house and was floating down the Rosebud River endangering his life. I remember seeing an RCMP constable and one other young man go out in a boat. They risked their lives to finally get that man off the roof and to safety.

This type of thing I think has to be considered. Was it fair to risk the lives of two young men because a man simply wanted to be stubborn? I remember him shouting from the top of the roof, "I am a sailor; I've been a sailor and I am going down with my ship."

AN HON. MEMBER:

Did the ship go down?

MR. TAYLOR:

The ship went down but the man was rescued. I really think that had there been a proper organization at that time with the authority to act, many of the difficulties in that '48 flood would have been avoided.

The bill has to be effective when emergencies suddenly come. Now I want to deal for a moment or so with the various types of emergencies. I believe this bill should be fair to warfare. We are living in a world when you never know when war is suddenly going to break out. Who expected a war would be raging today - just two weeks ago - hundreds of people being killed? I wonder if there are organizations there which are prepared to look after the civilian population, those in hospitals, boys and girls, the elderly people. I think preparations should be made.

The one objection I have had to EMO through the years has been that so many of the preparations seem so impractical. I would hope again that one of the key words in preparing regulations and preparing for this act will not only be effective but will be practical and sensible.

I remember the federal people asking the Department of Highways to prepare the names of the trucks and where the trucks would be when the next emergency struck. Now how can you do that? The trucks may be completely changed one year from now. Their location is never - well, seldom - in one spot. It is impractical and when it is discussed with the people who are supposed to prepare the names, how could they do it? Again I would suggest that practicality and sensibility permeate this particular bill.

I am happy to see two funds set up. I think this is essential. I remember again in '48 people were asked right across Canada to contribute to the welfare of those who suffered that terrible flood in Winnipeg and those who suffered in the Red Deer valley. Hundreds of dollars did come in through the generosity of people who have when these things happened. I would hope that same generosity might be evident in building up this disaster relief fund, not when it suddenly happens, but well ahead of time.

There are many people who want to make donations and I don't know of any more worthy cause than donating to a disaster relief fund when people really need help, when they are really in need of help from outside. I like the particular fund in which people are going to be permitted to - or invited I suppose, rather than permitted - invited to make donations.

The other fund is the Emergency Contingency Fund which will be made up of money belonging to the people of the province and voted by this Legislature. I think this is good and I also think the provision to review that periodically and keep it at a reasonable amount of money is sensible also.

One of the things that does worry me, and I would hope the minister would deal with this when he closes the debate, is the method by which the money will be contributed. I think there has to be some responsibility in connection with compensation. I believe in compensation and I think compensation should be made.

From the newspaper story, and that's all I know about it, I felt quite good when I read that the British Columbia government was going to reimburse other

than the insurance they carried, the people who lost their homes through a fire over which they had no control whatsoever. The British Columbia government was going to compensate 100 per cent, whether 100 per cent compensation is possible or not, I'm not sure. But I felt good about that, I thought these people had nothing to do with this fire. It was completely beyond their control and so they shouldn't be expected to suffer any monetary loss on account of it.

On the other hand, I know people who have consistently and persistently through the years insisted on building their homes in flood areas. It's wonderful, it's nice - their garden, their trees, everything is beautiful when there is no flood. But when a flood comes, they expect the public to bail them out. I think there is some responsibility on the public if they are permitted to build their homes there. But I think also that there is some responsibility on their part to try to avoid this type of thing if possible. In earthquake or a if poisonous gas suddenly comes up, who in the area would have any control or any possible way of dealing with that? Consequently I think such compensation is completely wise and acceptable. But I would hope that to the greatest possible degree there would be some thought of compensating people when there is no responsibility on their part whatsoever for the disaster that has occurred, - whether it is 100 per cent or not.

I remember in the '48 flood, again in Drumheller, when all the money was distributed, all the losses were ascertained by a local committee. I happened to be the chairman of that committee. No one got any money out of that except those who suffered losses. When you considered losses where the basement and the furnace and everything was completely filled with sand so it was almost impossible to dig the sand out, it had been wedged in so solidly. Where you saw grand pianos that were completely ruined - chesterfields, furniture, some people put back 20 years from where they were. And all we were able to pay them was either a good, fair or excellent amount of money consistent with the loss they had. The most anybody got out of that was \$120 and some got \$20. This was hardly compensation. But all the money that came in was redistributed back to those people. It was a help, but it certainly wasn't compensation.

I would hope, in the regulations of the compensation being set up here, that some pretty careful guidelines would be set up which are made public prior to disasters happening. I think in that way you get the public reaction before the emotionalism of a disaster occurs.

One of the other points I'd like to deal with in connection with principle is, under the local authority I notice the Minister of Municipal Affairs is responsible for improvement districts. I think that is proper as long as we have no local government. I would hope, however, that in all improvement districts where there are advisory councils that the minister would use those advisory councils in the same way that a municipal council is used otherwise. I think these advisory councils generally know the feeling of the people of the area and I think their advice would be sound.

There is one other thing under that same definition. I would like to see Indian reservation in there. I realize that Indian reservations are under the control of the Canadian government and not under the provincial government. But in the case of a poisonous gas, if it did go onto an Indian reservation, then I would think the minister should properly deal with the band council of that reservation; make compensation and not expect the federal government to do it if it were something that arose off the reservation. The same with a flood. I believe there is a place for the province in this Disaster Services Act to apply in the interests of our Native people, especially where they have no responsibility whatsoever for the disaster that has occurred.

In connection with Section 11 of the bill, there is some reaction in the Drumheller area regarding this. This was taken, I think, almost word for word, or at least the same idea, from the other Act - where the province can charge back to municipalities or the local authority for any expenditures made.

Again, I would hope that there might be some guideline set up whereby the basis of asking the municipality to reimburse the provincial government would be made very clear so that this could be debated at this time rather than after a disaster occurs.

I think in some cases it is quite sound for the municipality to repay the province. I think it is a responsibility belonging to the local people. But in other cases I think the province could very well carry that responsibility and not throw it on the shoulders of the local people. I think things should be set out in regulations and made public so that everyone knows the basis upon which those back charges are going to be made, if they are going to be made.

There is just one other point I want to deal with and that is in connection with the rights of individuals. In wartime I believe we expect someone to act quickly in the public interest. I think in a disaster or in times of emergency you have to have the same type of authority with the understanding that that authority has to be used in a responsible way. In my view the province needs a Disaster Services Act. The principles that are contained in the act endeavour to prepare beforehand for any emergency that might occur, whether it be through war or through natural or other causes. I think it is good legislation.

MR. HENDERSON:

I want to make two or three comments about the bill, and say at the outset that I support it in principle. The matter I want to bring to the attention of the minister may be more one of a legal technicality that may need to be looked at. If my interpretation of the matter is correct, it may require a "notwithstanding" clause.

I believe that if the minister would check The Municipal Government Act there are restrictions in the Act regarding calling a special meeting of a municipal government. The way I interpret the bill, there is a question of a council meeting called on very short notice to deal with the question of passing a resolution to declare an emergency. That action could be considered null and void in a legal sense because it hasn't met the requirement in terms of The Municipal Government Act. The restrictions in The Municipal Act, if followed, would prevent the local authority from responding immediately to the need to pass a resolution to deal with an emergency situation.

So I would like to suggest to the minister that he examine the terms of his bill relative to the restrictions in The Municipal Government Act under Section 41. Without some reference to it and a "notwithstanding" clause there could be grounds for challenging the legality of a local emergency order, which could be detrimental to the local authority.

MR. DIXON:

Mr. Speaker, in speaking to the principle of Bill No. 57 on second reading I would like to congratulate the minister for bringing the bill forward. However, at the same time I have a word of warning. It has been pointed out by one or two of the other hon. members that we shouldn't get lulled into sleep by believing there is going to be no wartime disaster. I think the hon. Member for Drumheller pointed out that the situation now in the Middle East could break into a real worldwide conflict when you consider who is supplying arms to the different fighting parties. So I don't think that even as a provincial government we should be lulled into sleep by believing that nothing can happen and we should forget about emergency wartime disasters. Carrying it a step further, we could have a state of insurrection as far as our own country is concerned.

I have worked very closely with civil defence over the last number of years, in particular for over ten years as one of the citizens' representatives on the city Emergency Measures Organization. We sit as an advisory board. I hope the government will encourage elected officials to continue playing a great part in emergency measures organizations, because I feel the greatest thing we need to do today is keep good relations with the public as far as emergencies and disasters are concerned.

The hon. minister pointed out that the bill will contain a lot of the compulsory features of the old Act, but of course I think it is a lot easier to sell the public on compulsory features when a state of war has been declared, or that type of emergency, than it is with a civil disaster of some sort. I can agree with him that it will be tough to satisfy everyone's needs, because we have extremists at both ends. Some care about civil liberties, which concern all of us, and yet at the other end, where does the public good fit into civil liberties? As I mentioned earlier, Mr. Speaker, he has quite a job on his hands.

I was quite amused with the hon. Member for Drumheller. He mentioned the bachelor who went down with his ship. He didn't tell you the other one though about the couple who were about a hundred yards behind a bachelor in their house. The lady and her husband were going down the river in Drumheller and she broke out in hysterical laughter. Her husband was quite perturbed by this. He said, "What are you laughing at, what are you so happy about?" "Well," she said, "I just realized, dear, that this is the first time we've been out together in 40 years." So, you see, you get it at both sides.

Well, Mr. Speaker, in my years on civil defence matters I find that one of the greatest needs we have is the coordination the minister talked about. It can start right at the local level as to how far a fire department from a city can go out to a municipality. What services can be rendered by smaller municipalities? I think this is one of the things that will face us. Who has the actual authority?

I noticed that in our city of Calgary they favour the fire chief having a decision over the district emergency measures coordinator. I think this is one of the things we will have to try to give some direction to as a Legislature. Who can give the authority?

I hope too, while I'm on this subject of authority, the Premier does not change the present minister responsible for civil defense in this Legislature, because I know that even though some of us might admit that the minister has a few faults, one of his faults isn't that he can't make a decision and in most cases a reasonable decision.

[Interjections]

MR. DIXON:

Mr. Minister, I sincerely believe that and I think it has to be a strong minister because at times of emergency you do need someone who can direct and take responsibility and not be afraid to make a decision.

I would like to say that in my constituency there has been some concern. They say there are one or two things wrong with the bill. A lot of people think it either delegates too much power, or is not specific enough as to who should wield the authority or how it should be done. Those are the two things that have been of concern in my constituency from the people who have contacted me on civil defence matters.

But I feel we can, as reasonable men and women, come forward in this Legislature with a good bill, having in mind that there is a complete change in emergency measures where emphasis is going to be greater on civil disasters rather than wartime disasters.

At the same time, Mr. Speaker, a word of warning that we don't get lulled to sleep with the idea that we can get forget about planning at least to some reasonable degree in case of a wartime emergency. I still think we need this.

I agree with the hon. Member for Drumheller. I think the government made a wise choice in Mr. Tyler. I have had the opportunity of different meetings with him and he is a very reasonable person, a person who has an ability to carry out whatever direction is needed I am sure, in times of emergency.

But the one thing I would like to urge to the minister and to the Legislature is that wherever possible we try to involve as many elected officials in disaster services as possible. I feel that an act is only as good as the cooperation you can receive from the people of the province, and in particular those people who are most affected at the time of any particular disaster.

Thank you, Mr. Speaker.

MR. SPEAKER:

The hon. Member for Camrose followed by the hon. Member for Calgary Bow.

MR. STROMBERG:

Mr. Speaker, in the last 15 months we have had two major disasters in my constituency. A year ago last August a tornado went through the Bawlf-Ohaton area. One life was lost, a number of people were injured, and several farms were demolished. The sad part of it is for these farms there was no compensation. Today you can get tornado damage insurance. But the insurance companies base their rates on Oklahoma experience. They have had no experience here in the province. We have, on the average, six tornados a year. So far we have been fortunate in that they have not hit a major urban area.

During the Ohaton tornado there was one instance of a young man who had just started farming, had quite a sizeable loan from the bank for a new hog barn. He not only lost his barn, he lost about one hundred and some odd pigs in that barn. Dr. Horner flew down to the disaster area within hours after it happened, and was able to set up, through the Agricultural Development Corporation, loans

for these people. But that young farmer was going to have to take another loan to build another hog barn. It was like paying for a horse that had died.

Some of the things, Mr. Speaker, that were learned in our recent disaster were that EMO certainly does work. There are a number of questions yet to be answered in deciding who is responsible. Who is going to be responsible for pressing that panic button? The first 15 minutes, I believe, are the 15 minutes that are most critical. If you can get your major decisions made then, what happens after is minor.

I can understand the concern of the town council and the mayor when you have a well loose, you don't know the monitoring of the amount of hydrogen sulphide involved, you can visibly see the cloud rolling across the countryside, visibly watch it approach, drop down the Battle River, lift up through the Battle River and come within feet of Camrose. Are you going to evacuate a city of 9,700 people - we have approximately 187 people in Rose Haven, we have another 200 in Bethany Auxiliary and the nursing hospital, plus St. Mary's Hospital. I don't think consideration was given as to how we move those people out. The original plans were that they were to go to the Alberta Hospital at Ponoka. In order to get around the gas they would have evacuated these patients probably around by Killam or around by Vegreville through Edmonton. It would all have taken time.

I think the RCMP suggestion bears a lot of merit. The RCMP with their experience, know-how and organization are the ones, in my opinion, who should have total control in saying yes, we move out this area or we do this or we do that. The RCMP have said no, they don't want to take that responsibility. They will advise. But they are certainly in a position to advise and also to give orders.

During the evacuation, we probably had in the neighbourhood of 75 to 100 RCMP throughout the area. This is how efficiently they worked; my home town of probably 360 people was evacuated in 10 minutes. A tremendous amount of due has to go to the people in and around Camrose who were evacuated, and to the cooperation and trust these people showed. The only near casualty we had in that area during the evacuation was my wife's cat. It got chased by a big Camrose dog and she didn't find it for two days.

Mr. Speaker, for those who are strong on civil liberties, during a disaster probably the best thing is to throw them out a window. We had three instances where people refused the RCMP to move off their premises. That's a pretty tough decision to have to leave them there. I'd like, Mr. Speaker, to also remind the Assembly, that we are going to have more disasters in the province. We don't know of what nature.

AN HON. MEMBER:

Political.

MR. STROMBERG:

Yes, we could get another member over there elected. That would be quite a disaster.

Calgary has had a flood in the last 100 years. The majority of the city is built on a flood plain. It's been said that every 100 years Calgary will flood. I was in Rapid City last summer and saw the real mess there, and Rapid City was never to be flooded.

On behalf of the people of my constituency I'd like to offer our appreciation to the three ministers, Dr. Horner, Bill Yurko and Bob Dowling, who came down that night to give some sound advice and more or less took control of a very emotional situation. Also to the Department of the Environment which put out a number of trucks monitoring the amount of hydrogen sulphide in the area.

MR. WILSON:

Mr. Speaker, in making my comments I'll try not to be too repetitive regarding those made previously this afternoon. However, I would like to say that the concept of the bill, with the emphasis on preparedness for peacetime emergencies rather than wartime plans is a positive, major, worthwhile change from previous legislation.

I believe there are sociological studies available that would support the contention that if an organization is a salient part of the community in non-

crisis times, it will more likely be turned to in times of real crisis by the citizens.

Mr. Speaker, I'd like to commend the government for introducing this bill in the spring and then holding it over till fall so there would be ample opportunity for public hearings. If public hearings are to be meaningful they must be well advertised and well organized. I had complaints that this was not the case in regard to Bill No. 57.

Mr. Speaker, my constituents have informed me that the Calgary hearing was poorly organized. Although the chairman called for discussion groups there was barely half the necessary time for the subjects and the questions to be considered adequately, therefore many ideas and suggestions that could have been valid and worthwhile were not listed on the summary sheets.

Mr. Speaker, the summary sheets were compiled at a public hearing by the Chairman, Mr. Tyler, but they were not made public in advance of this debate on the bill. Surely, information collected in a public manner should be distributed in a public manner. I'm informed that the chairman indicated this information would be made available to the Conservative caucus, but all others would have to wait and it wouldn't be made available.

If that information is not true I would like the minister who introduced the bill to tell us what the true situation was in that regard. Because I think that publicly-acquired information should be made available to both sides of the House.

The feedback I get, Mr. Speaker, is that in this bill there is some good news and some bad news. The good news perhaps is the emphasis on peacetime disasters and involvement of the community in the organization. The bad news is the extraordinary, extensive and excessive power concentrated in the hands of one minister and his uncontrolled authority to delegate this power in whatever manner he chooses.

MR. SPEAKER:

For the purpose of alternating between the two sides of the House, perhaps we could first hear the hon. Minister Without Portfolio.

MR. TOPOLNISKY:

Mr. Speaker, I wish to make a few comments in support of The Disaster Services Act. The Disaster Services Act spells out plans and procedures for dealing with peacetime disasters, including arrangements for compensation to victims. Such an act is certainly a very useful one to the province at large, the towns, cities, villages and hamlets, and very important to the farming industry. The Alberta Emergency Measures Organization has on record thousands of disasters and near-disasters over the years and they have classified these as fires, floods, mining disasters, earthquake incidents, explosions, transportation accidents, epidemics, drought, lizards, hailstorms and tornadoes.

My special interest in this, Mr. Speaker, grew out of the fact that I was coordinator for the area of the EMO, and certainly there were many great concerns, fires ... [Inaudible] ... of various types with devastating results. We visited the Plamondon-Lac La Biche area one Sunday afternoon when a tornado ripped through the farming area and the town, and I viewed the pathetic losses to many of the farmers and the town people.

In 1971 a tornado just six miles away from my home town dismantled an elevator and that path just narrowly missed the village. There was another disaster in Viking. A day after the violent hail storm we certainly viewed with alarm the great losses that occurred.

But the one that sticks out, Mr. Speaker, is the Lamont high school bus and train crash where 17 high school students, whom I had known personally, lost their lives.

Those are just a few of the personal incidents. I have here a record compiled by the EMO over the years with thousands of incidents of various types involving many lives and millions of dollars of damages to property. These incidents, Mr. Speaker, and a few that I have mentioned, point out the strong necessity to have a disaster services act in Alberta ready to serve in any kind of peacetime disaster which should prove very beneficial to save lives and to promote the health of the people in the province of Alberta.

MR. D. MILLER:

Mr. Speaker, I appreciate the opportunity of saying a few words on my observations of this bill. I appreciate, too, the Deputy Premier's remarks that he is willing to compromise and make some adjustments in it.

The complaints I have had - I suppose many of you have had the same thing - is with respect to the strong language used in it. If those modifications can be taken care of I am sure the people will be satisfied throughout the province.

There is one thing on which too much stress hasn't been laid and that is laying the responsibility on the local authority. I realize it will be a problem to get them to move in the direction and take the responsibility. Perhaps when EMO have acted as they have in many instances and manned to the fullest of their powers each activity they have undertaken; it is because of lack of interest and lack of organization by the local authority.

I believe that this is something that the Deputy Premier will have to work on to see that the local authorities assume their share of the responsibility and the management. I think if it is done properly it should be pointed out to MDS and counties that they have a responsibility and a service to perform. As someone has mentioned here, there is nothing like having the elected representatives of the people to head such an organization.

But I believe it will move forward and the right people will be chosen because they know who are responsible people. It may wind up, in some instances, that the RCMP will have to give the direction, but it doesn't need to be if it is properly organized.

I believe this will be one of the finest measures that could be instituted in the province if the local authorities are given the responsibility to carry out during any emergencies or any disasters and to overcome them. And rightly so, because the people want to hold the elected representatives responsible, not someone who is sent from Edmonton or Calgary or from any other part of the province. But we should be able to hold our local elected authorities responsible for whatever management is necessary or whatever mistakes are made.

For that reason I feel this measure could be embodied and I see this, as I have mentioned, as one of the major problems in instituting it. I am sure the hon. minister can see it too, to get it moving from the local level, and to have the local authorities assume the responsibility.

As I have mentioned, with the exception of the dangerous clauses that were in it, if they can be eliminated and softened and local authority is held responsible, I am satisfied that it will be accepted over the entire province.

MR. YURKO:

Mr. Speaker, I feel somewhat privileged to have the opportunity to stand and say a few words on this bill. Some of the things that came across to me as I listened were preoccupation with the necessity for caution in certain areas, a preoccupation with preventing haste in action or, in fact, negligence with respect to action.

But as one who has been associated with a number of emergencies, I have found that basically the opposite is correct. There is a great reluctance, an extreme reluctance, to act. There is also a very great reluctance to prepare, and furthermore there is a great reluctance of governments and people to declare a state of emergency. I feel that if there is an enemy at all in terms of acting during a time of emergency, it's this enormous reluctance that exists on the part of the people to do something and do something immediately to prevent the consequences from becoming greater.

In this regard I feel very strongly that no roadblocks should be placed, particularly roadblocks that accomplish little or nothing. No impediments should, in fact, be placed on the action that is needed in an emergency. I, for one, would like to congratulate the minister who put this bill together because I really think that his primary concern was the recognition of this terrible reluctance to act in a proper way in terms of an emergency.

Some of the suggestions that have been made today seem to me not to overcome this reluctance but to add to it very substantially, for example, personal liability of those in charge in regard to no gross misconduct. I think one or two of the members have pointed out that it's the public that will punish the man who acted unwisely. It's the news media that will punish him, and his own

conscience will punish him. I, for one, would worry much more about the fact that this man may not act. Because that is the record before us. I think if you look and examine most of the emergencies that have occurred, that properly timed action could have prevented the major consequences that, in fact, occur.

In addition, one of the members suggested that the principle of compensation should be the making of provision for appeal to the courts. I would find this acceptable if the appeal were not against the people acting, but if it were against the action of the Crown in total in terms of compensation or, in fact, in terms of action taken by the Crown, rather than against any particular person or any particular group of people.

Regarding the RCMP, I think we all recognize what a tremendous group this organization is in our society. But I also recognize that the minister has so structured this bill that he can designate the RCMP at any time to initiate action by virtue of the powers given in the bill. So that I'm not sure that it has to be specified; it's implied, and the fact that he can do this in certain areas of the province. In some areas it may be appropriate to designate some other group to initiate the action.

In terms of preparation, I can understand the great reluctance to prepare. I remember the traumatic experience we went through, both in Canada and the United States in regard to preparation against nuclear war and the establishment of shelters loaded with food and so forth. Then this died down and everybody said it was nonsense and silly. So there is a reluctance to prepare.

But in terms of civil disasters there is a responsibility on government to prepare, particularly in the areas that are prone to disasters. We have areas in the province that in fact are prone to flooding disasters. We have areas that are prone to disasters like the type we had in the Camrose area. We have, as I indicated, sour gas wells that have, in fact, 40 per cent hydrogen sulphide, in some cases there are streams which are even higher.

In Fort Saskatchewan hydrogen sulphide is manufactured. As a matter of fact it could be a considerable disaster if there were a major explosion of a series of vessels. We have in our society now vast tank farms which can be enormous disaster areas in themselves if immediate and quick action were not taken. The government must recognize its responsibility and this government does, in terms of preparation, particularly in areas that are prone to natural as well as man made disasters.

Now, Mr. Speaker, as indicated by the Deputy Premier I am sure alterations will be made to the act, both immediately, and probably with time. I for one, consider the format which has been set out in such a way that a minimum of roadblocks have been placed against action and against proclamation of an emergency by the government, to be a step in the proper direction, and a really, truly remarkable piece of legislation put forth by this government.

MR. DRAIN:

Mr. Speaker, my remarks ...

MR. SPEAKER:

I believe the hon. Member for Stettler was first by a considerable margin.

MR. HARLE:

Mr. Speaker, I speak in favour of the principle set out in Bill 57. It is to challenge the various principles that are contained in the bill, and whether or not there should be some amendments that I wish to address comments this afternoon.

The first principle that concerns me is contained in Section 6(g). This is the section which provides for the Lieutenant Governor in Council to make regulations concerning any other matter or thing necessary for the administration of this act and for which no specific provision is made in this act. I would suggest that particular provision is extremely broad and I would think that it could be removed from the act without causing any great harm.

AN HON. MEMBER:

Agreed.

MR. HARLE:

With regard to the protection given to officials under Sections 12 and 13, we have heard several comments made this afternoon. I would like to suggest that perhaps the words "in good faith" could be added so that no protection would be available in the act to people who did not act in good faith. I think that is all that is needed. People who are acting in good faith in an emergency should receive the protection provided in the act. I think that simple amendment would go sufficiently far to provide the protection required and yet stop the problem of seeing somebody officiously doing something far beyond what was intended in the case of an emergency.

Section 14, which is the section that provides for the fine and imprisonment for violation of the act, causes me some concern because there is no section in the act which creates the offence. We are going to really have to look at the regulations to see what the offences may be. I have rather an aversion to that type of approach. I would rather see offences created by the act, discussed by the Legislature, and become the law of the land. Then people who are charged know they are charged with an offence that is known. The trouble with hiding them in the regulations is that they are not known and it may not be known there is an offence until the emergency is created. A regulation is passed which creates an offence, and how in the devil do you know about it? I would rather see the offence created by the act itself.

I think the comments that we've heard today on the question of Section 16, Clauses (j) and (k), the problem of being able to fix prices and also to authorize conscription are important in a disaster service act.

It's all too easy for unscrupulous people who wish to take advantage of a situation to come along and all of a sudden increase the prices of pails, for example. If pails are needed by the community to dig out basements and they happen to have a stock of pails, all of a sudden they double the price of the pails. I think it is important that the minister should have power to be able to fix prices, or at least control the prices of articles which may all of a sudden become extremely useful in order to deal with an emergency.

The problem of conscription is, of course, a very basic one in Canada. We see it not only from a federal point of view, but also in the area of fighting fires. It's perhaps a necessity, I think most of us are prepared to go along with it.

But we all know that people who are conscripted to do work are perhaps not the most efficient in the world. I think where work is to be done, it's better that it be planned ahead of time, that those who are going to do the work already know that they will be serving in the time of an emergency or disaster. These are the people who really do efficient work. Conscripted people, I submit, don't. But I still say that the provision has to be included in the legislation.

There has been some comment today about the problem of damages and access to the courts. I submit this is entirely possible because the question of damages is going to be determined after the emergency or disaster is finished and time is available. Therefore, there should be really no problem about applying to the courts.

However, I would suggest that perhaps this is an area where the Ombudsman could serve a very useful purpose. Those people who feel they are dissatisfied with the award they get could then appeal to the Ombudsman, who will then look at it. He would make his recommendations to the cabinet.

The problem of who is in control at the time of an emergency is a very real one. I read between the lines from the comments made by the hon. Member for Camrose that there is a very real difficulty in determining who should take responsibility when an emergency arises.

I don't like his suggestion that it should be the RCMP. They have a very useful job to perform and they will do that work. But they are really not the people who should be trying to decide very great issues as far as the civilian population is concerned. I think this control should be in other hands.

However, I would point out to members that Section 16, subsection 1 Clause (a) is the clause that I read as the one that really sets up who is to be in control when an emergency arises, because the emergency plan itself should set out who is in control, and set out the various power structures which come into effect immediately on the declaration of an emergency or a disaster.

I don't think a plan could be complete without that type of provision. Therefore I think the act itself provides for who is in control when a disaster occurs by the preparation of the plans well ahead of time. It's no use trying to decide who is in control after you have declared the emergency. That must be determined ahead of time. When an emergency or disaster is declared the plan goes into effect immediately and everyone knows who is in control.

Mr. Speaker, I beg leave to adjourn the debate.

MR. SPEAKER:

May the hon. member have leave to adjourn the debate?

HON. MEMBERS:

Agreed.

MR. HYNDMAN:

Mr. Speaker, before adjournment, knowing that hon. members will want something to occupy their time, I thought I would outline the business for Monday and Tuesday as tentatively set forth.

On Monday afternoon we would proceed with second reading of The Disaster Services Act and then probably The Coal Conservation Act, The Occupiers' Liability Act and The Uniform Building Standards Act.

AN HON. MEMBER:

The numbers?

MR. HYNDMAN:

The numbers would be continuing, the present Bill No. 57 now under debate, and then 58, 59 and 62.

On Monday evening we would see returning to Government Motion No. 2 on which the Premier began debate last Wednesday. It is contemplated now that that motion will be brought forward to the House on two more occasions. I gather that some members would like to speak to it, so perhaps they would be prepared to introduce an even larger measure of brevity and conciseness to their remarks on the next two occasions on which it is called.

On Tuesday night the government will probably be calling for second reading a number of those bills which were introduced yesterday, beginning with Nos. 64, 65, 66 et cetera on page 2 of today's Order Paper.

MR. SPEAKER:

The House stands adjourned until Monday afternoon at 2:30 o'clock.

[The House rose at 4:02 o'clock.]