

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Tuesday, May 5, 1987 2:30 p.m.**

Date: 87/05/05

[The House met at 2:30 p.m.]

[Mr. Speaker in the Chair]

PRAYERS

MR. SPEAKER: Let us pray.

O Lord, we give thanks for the bounty of our province: our land, our resources, and our people.

We pledge ourselves to act as good stewards on behalf of all Albertans.

Amen.

head: INTRODUCTION OF VISITORS

MR. GETTY: Mr. Speaker, today marks the first day of the multiple sclerosis carnation campaign to raise funds to combat this disease. As part of the kick-off ceremony today it was a real pleasure for me to meet Linda Cohen, who has been named the multiple sclerosis person of the year. I had a chance to congratulate her personally for her remarkable achievement, that of a 3,000 kilometre journey throughout Alberta in her own wheelchair marathon. for multiple sclerosis.

I have an added pleasure today, Mr. Speaker, in that I may introduce Linda to you and through you to members of the Assembly. She's in your gallery and is accompanied by Tammy Gartner. I ask that the House join me in welcoming them.

head: INTRODUCTION OF BILLS**Bill 271****Disabled Parking Act**

MS MJOLSNESS: Mr. Speaker, I beg leave to introduce Bill 271, Disabled Parking Act.

This Bill would require the owners and operators of parking lots with more than 25 stalls to set aside at least 2 percent of the stalls in their lots as designated parking spaces for disabled persons. As well, employers who provide parking facilities for their employees would have to provide stalls for their disabled employees. Persons other than disabled persons parking in such designated stalls would be liable to fines between \$50 and \$200 and would have demerit points placed against their driving records.

[Leave granted; Bill 271 read a first time]

head: TABLING RETURNS AND REPORTS

MR. KOWALSKI: Mr. Speaker, it's my pleasure today to table a two-part report entitled Recycling of Waste in Alberta, as written by the Environment Council of Alberta.

MRS. CRIPPS: Mr. Speaker, it's my pleasure today to table the

report of the Alberta review panel on the Canada/Alberta crop insurance program.

head: INTRODUCTION OF SPECIAL GUESTS

MR. KOWALSKI: Mr. Speaker, it's my pleasure today to introduce to you and welcome to the Legislative Assembly five distinguished gentlemen who have spent a great deal of time in the last several years putting together the report I tabled just a few seconds ago. These gentlemen are members of the Environment Council of Alberta, a panel committee that wrote the report entitled Recycling of Waste in Alberta.

These distinguished gentlemen are in your gallery, Mr. Speaker, and I would now like to introduce them: Mr. Merrill Morstad, chairman; Mr. Alistair Crerar, vice-chairman and chief executive officer of the Environment Council of Alberta; Mr. David Chan, Mr. Robert Jones, and Mr. Gordon Osgoode. I would welcome the response of the Assembly.

MR. SPEAKER: St. Albert.

MR. STRONG: Thank you, Mr. Speaker. It is indeed a pleasure for me today to introduce to you and through you to members of the Assembly, 55 grade 6 students from Robert Rundle school, located in the constituency of St. Albert. It's a double pleasure for me today to introduce them because both my son and daughter attended that school for all the time that they went there, and I'm sure that many of the students know both my daughter Jill and my son Dean. They are accompanied today by two teachers, Mr. Tony Sware and Mrs. Joan Pomfrey. They're seated in the public gallery, and I'd ask that they rise and receive the traditional warm welcome of the Assembly.

MRS. OSTERMAN: Mr. Speaker, it's indeed a privilege for me today to be able to introduce a class of 30 students in grade 7 from Prairie junior high school in the Three Hills constituency. There are two teachers with them today, Mr. John Paetkau and Mr. John Tromsness, along with other helpers Mrs. Paetkau, Mrs. Bender, Jerrold Paetkau, and Jean Gourlay.

Mr. Speaker, I had the opportunity to spend a few moments with the class and got their perceptions of our Provincial Museum. I also understand that this afternoon they will be visiting a well-known attraction in Edmonton, where I understand Canada's navy is housed. Would they like to rise and receive the warm welcome of the House. I believe they're in both the public and members' galleries.

MR. CRAWFORD: Mr. Speaker, as part of our good neighbour policy, I would like to introduce a visitor from the state of Montana. He is Greg Groepper, head of assessment for the state of Montana. He is in the members' gallery along with Rene Gagne from the Department of Municipal Affairs, and I would ask them both to stand.

MR. JONSON: Mr. Speaker, today I am pleased to be able to introduce to you and through you to members of the Assembly, 52 grade 6 students from Rimbey elementary school located in the fine town of Rimbey. They are accompanied by teachers Mr. Moore and Mr. Stemo, and parents Mrs. Godlonton, Mrs. Varty, Mrs. Heerema, Mrs. Hills, Mrs. Jennings, and Mrs. Poulson. They are seated in the members' gallery. I now ask that they stand and receive the warm welcome of the Assembly.

head: ORAL QUESTION PERIOD

Job Creation for Social Assistance Recipients

MR. MARTIN: Mr. Speaker, I'd like to direct my questions to the minister for career development and follow up from my colleagues' questions yesterday on his soon-to-be, we think, work for welfare project. My first question to the minister is simply this: will he advise now, while the Assembly is on, the total projected cost of this program? What does he estimate, and why wasn't this in his department's estimates?

MR. ORMAN: Well, Mr. Speaker, I'd be pleased to send the hon. leader a copy of *Hansard*, complimentary, from yesterday, so that he can see the comments I made during question period then. At that time I did indicate that we have not finalized the levels of funding, and I do not care to reveal them at this particular time. I will do that at the appropriate moment.

MR. MARTIN: Well, a supplementary question, Mr. Speaker. I thought this was the Legislature, and we are charged with the purse strings of the province. I guess it's a new brand of democracy here in Alberta. But my question to the minister: if he won't even do this much, will he now confirm that he's chopped several job-training programs and axed the PEP and STEP budgets to get money for this new scheme?

MR. ORMAN: Mr. Speaker, the opposition is going to get a sore back from flipping around on this issue. One day they say we don't do enough for social assistance recipients; the next day they're saying we're doing too much. I can assure the hon. leader and all my colleagues that we have a legitimate concern for these individuals who are categorized as employables on social assistance. We don't look at it as putting a price on their head or a dollar amount. We're interested in getting them into the labour force and making them productive, Mr. Speaker. In my view it's not an issue of money; it's an issue of dealing with people who are disadvantaged, and we want to deal with it in the most appropriate way.

MR. MARTIN: Mr. Speaker, that's very debatable. But the point that we're trying to find out is what they are attempting to do with this program. We're not getting the information from this government.

My question to the minister: is this not just a cynical attempt to take people from social assistance, put them on long enough so they can collect UIC and try to get it from the federal government? Isn't this what this program is all about?

MR. ORMAN: Well, I find the hon. leader's comments offensive, Mr. Speaker. This is a program that deals with a group of individuals who do not have a record of recent work experience and who have been unemployed for a protracted period of time. We will bring this program forward at the appropriate time, when we have tied all the loose ends up, when we feel confident that it's a program that's going to be acceptable by the employables, and when it's going to be acceptable by employers, who without their support of this program it simply won't work, Mr. Speaker. They will get valuable on-the-job experience, and it will be in the private sector, where the long-term jobs are available.

MR. MARTIN: A supplementary question, Mr. Speaker.

We're trying to nail this down. Whether the minister finds this offensive or not, people in Alberta want to know. My question is: is there any guarantee that these will in fact be long-term jobs, or are they there just long enough so that we can get them off welfare and on UIC, and then they'll be back on welfare again? Will the minister answer that question specifically?

MR. ORMAN: Mr. Speaker, there are no guarantees in life, and there certainly are no guarantees in this program. One thing I can guarantee the hon. member is that this program will deal with the legitimate concern for employables in the employable category on social assistance. We will be providing them with valuable on-the-job work experience. We'll be getting them back into the labour force, and we will be dealing with the disadvantaged nature that their state of mind is in right now, in the category on social assistance. It comes from a legitimate concern, and I'm not going to be rushed into announcing a program to satisfy the opposition. I will bring forward a program when I've reviewed it with my colleagues and we're satisfied it will address the need that is there today.

MR. SPEAKER: Supplementary information, Minister of Social Services, then Westlock-Sturgeon.

MRS. OSTERMAN: Mr. Speaker, just to put the conversation and the questions and answers in context, I think it is well known that for some time those in social services have expressed great concern about the growing category of single employables and particularly the young people that were coming onto the caseload. This is a phenomenon that we see right across the country, and assuredly, I am most grateful to my colleague for working diligently at bringing forward a program to address this pressing need.

MR. TAYLOR: Mr. Speaker, a supplementary to the minister. I'm most afraid that with three-quarters of the salary being paid, it sounds like a gigantic boondoggle to get very cheap labour to some selected employers. Now, who is going to decide who will get these cheap employees? Who is going to decide which employers are going to get the cheap employees?

MR. ORMAN: Well, Mr. Speaker, this is déjà vu. I got the same question from the leader of the Liberal Party yesterday, and I believe I answered it yesterday.

As this program unfolds, Mr. Speaker, it will become very clear that one of the most difficult issues dealing with pulling this program together is dealing in an appropriate way with the front-line social service workers so that they can identify the employables category and refer them to my department so that we can then get them into meaningful work experience programs. The decisions will be made in concert with the Department of Social Services and the counselors in Career Development and Employment.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the Minister of Social Services, who would initiate the transfer of persons into this proposed program. Could the minister indicate whether in the proposals you're looking at voluntary transition from the unemployed employable category to useful work or will there be some nudge mechanism implemented in the program that will move people into this other work program that's being proposed?

MRS. OSTERMAN: Mr. Speaker, the program will certainly be voluntary, and I don't believe a nudge will be required because the highest percentage of the people that I speak to who are single unemployables would very much like some type of work experience if they're not able to obtain the traditional employment at this point in time.

MR. OLDRING: A supplementary, Mr. Speaker, to the minister of career development. Could he please indicate to this Assembly how many single employables he hopes to be able to take off the welfare rolls and put back into society in a meaningful way and assist with meaningful employment?

MR. ORMAN: Well, Mr. Speaker, in our calculations, along with my honourable colleague the Minister of Social Services, we determined that the level of employables on social assistance has grown by some 20 percent in the last year. That is in the area of 28,000 to 30,000 individuals. In my view any percentage of that group that we move from social assistance into the labour force -- and I would like to underline the comment that the leader of the Representative Party pointed out; that is, that this program is voluntary.

As a department we will be dealing with the individuals who have an inclination to work. And I can assure you, Mr. Speaker, and this House that if the number is small or if the number is large, it will be a worthwhile program because we will not only have dealt with the fiscal matter but we will have dealt with a matter that is very important to the people collecting social assistance, and that is that they are a productive part of society.

MR. SPEAKER: Second main question, Leader of the Opposition.

MR. MARTIN: Yes, Mr. Speaker. I'd like to designate my second question to the Member for Edmonton Highlands.

MS BARRETT: Mr. Speaker, I too would like to ask a question of the Minister of Career Development and Employment. He's just pointed out that his new program, which he won't elaborate on in this Assembly, is going to be voluntary. I might note that the Minister of Social Services has ensured that they will be so poor that they will have no choice but to participate in this kind of program.

Mr. Speaker, the minister's estimates were debated in this Assembly just a few weeks ago, and the minister is avoiding the essence of the issue today. He chopped one industrial training program by \$21 million. Will he now present the evidence to this Assembly and to Albertans which will demonstrate categorically that he isn't taking from Peter to pay Paul?

MR. ORMAN: Well, no, Mr. Speaker, because Peter is no longer interested in training programs, and Paul is interested in employment programs. That's why we've moved money from training into job creation. That's the essence of the labour market strategy, and it's the essence of my estimates. The demand is down in the area of training. The demand is up in the area of job creation and recent work experience.

It seems to make sense to me to move funds from the training area into the job-creation area. That's what we've done, because we're sensitive to the demand. I don't know what's wrong with the opposition, Mr. Speaker, why they would not support a program that is so important to these individuals. Along with that I do not understand why they find work offen-

sive. They seem to think that there is something offensive about working. I don't believe that, and I know that the employables on social assistance don't find it offensive either.

MS BARRETT: Considering the minister just put a question, perhaps I'll answer it. What is offensive is that we haven't got the details, and the minister won't defend them in the Assembly.

Now, the minister has said, Mr. Speaker, that he wants to transfer the funds into job creation. That's a laudable goal. Will the minister now explain why it is that he won't make those funds available to nonprofit ventures that are extremely important, like helping fix the infrastructure in most municipalities in this province?

MR. ORMAN: Mr. Speaker, as the hon. member knows, we have a number of programs that deal with nonprofit organizations. We have the priority employment program. That is a winter employment program. We have the summer temporary employment program, which is a summer job-creation program. The organizations that the member is talking about can access these programs, and government departments and nonprofit organizations do. As a matter of fact, the take-up is very significant.

The employment alternatives program is a program targeted at a specific problem that we've identified. It does not mean to say that all of the other programs are going to sleep in the department, Mr. Speaker. They are ongoing. The take-up is very good in those programs. It's making some significant inroads in dealing with the issues that we have to deal with with the unemployed. So there are programs: the food banks, as the member brought up yesterday, or municipalities. Nonprofit organizations can access a number of existing programs within the department, Mr. Speaker.

MS BARRETT: A supplementary question, Mr. Speaker. I take it then, or will the minister confirm, that in fact his department is prepared to go along with a cosponsored program between the federal government, the provincial government, and cities in order to fix the infrastructural problems that exist under this very ground. Is he prepared to do that?

MR. ORMAN: Well, I didn't know there was a problem with the infrastructure under this ground, Mr. Speaker.

But I can tell you that as far as the employment alternatives program goes, it will be a co-operative venture between the federal government, because the department of health and welfare has recognized the need for a program that will make employables on social assistance productive members of the work force. It's a variation of all of the other programs we have in the department. For the life of me, Mr. Speaker, I don't know why it startles the opposition so.

MS BARRETT: A final supplementary question, Mr. Speaker. I assure the members that I think the minister was more startled yesterday than anybody when the question first arose.

My final supplementary question though is: will the minister now commit himself to enhancing similar programs within his department, particularly programs like STEP, so that we're not in fact forcing the people who don't come with a 75 percent subsidy attached to their labour into direct competition against those who do, so that we can actually solve the unemployment problem? Would he do that?

MR. ORMAN: Mr. Speaker, I can assure the hon. member that the matter is under consideration at this very moment.

DR. WEST: To the minister. Could you tell us if this program of work for welfare would be actuarially sound in this context, that the funds that the taxpayers are paying for social assistance now would be used only as an incentive to create a meaningful job for these individuals?

MR. ORMAN: Mr. Speaker, one of the reasons this program is targeted at the private sector and not at the public sector and at nonprofit organizations is because we cannot be guaranteed, nor can nonprofit organizations or other like organizations guarantee, long-term, meaningful employment. Traditionally, nonprofit organizations and public organizations have offered short-term job creation.

Mr. Speaker, we believe that the route to go is in the private sector, because that's where the money is best spent from our point of view. It provides the longer term opportunity, and in fact the experience that individuals will be getting on the job will certainly bode well for them in the future in their working life.

MR. SPEAKER: Edmonton Gold Bar, a supplementary question.

MRS. HEWES: Thank you, Mr. Speaker. This is all very mysterious, you know. We don't know who's going to do it or what on earth it's going to cost . . . You just took my breath away, Mr. Speaker.

To the minister. Will the workers in this program end up getting more or less income support than they're getting on social assistance, now below the poverty line?

MR. ORMAN: Mr. Speaker, the program, as I've indicated and has been well-documented in this Legislature and in the media, will more than likely unfold June 1. I would just ask that the opposition hold onto their chairs for that particular moment, and all of the details will be made available in and around that date.

Constitutional Talks

MR. TAYLOR: Mr. Speaker, my main question today is to the Premier. Yesterday in response to the Member for Edmonton Gold Bar on last week's agreement on federal spending power, the Premier referred to "tyranny of the majority." Now, I would remind the Premier that it was his government which allowed extra billing on hospital user fees while the so-called tyranny of the majority banned these practices in order to protect the principles of medicare.

To the Premier. Would he indicate to the House whether he considers present proposals for day care to be tyrannical programs, which are for opting out?

MR. GETTY: I'm afraid, Mr. Speaker, that the hon. Member for Westlock-Sturgeon misses the point completely. The point is that the federal government has had an opportunity over past years, until the Alberta government and other governments have been able to stop it most recently, to be able to move despite our Constitution into areas that are totally within the jurisdiction of the provinces and, using their taxing power, have been able to make an end run around the Constitution, create the demand, put a program in place, penalize provinces who don't completely go

along with their views, and then at times even pull out and leave the provinces carrying the dollars for the program. That is over.

MR. TAYLOR: Mr. Speaker, I think he should be well aware that medicare would not be in nor would old age pensions if there hadn't been a national government trying to get the provinces in line on it. But would the Premier then elaborate on -- he mentioned that he had an understanding on compatible provincial programs. Could he elaborate a little more as to what he is considering as compatible provincial programs?

MR. GETTY: I find, Mr. Speaker, the whole tenor of that question completely offensive. Here is somebody who is elected by the people of Alberta to represent them, and he is prepared to throw that away to someone in Ottawa who'll dictate to him how to be brought into line. That's the kind of thinking that has led to the mess in Ottawa from the previous Liberal government supported by the NDP.

MR. TAYLOR: I think, Mr. Speaker, if there's anybody to be offended in Alberta, it's those who have to pay extra care, those that have to dig in their pockets to support some of the right-wing philosophy that is exhibited on the other side of the fence here.

Could the Premier then elaborate a little further? There was another thing he mentioned. If the provinces were going to go on their own, Mr. Speaker, they would get reasonable compensation. What does he consider reasonable compensation? After all, don't forget we sold the elected Senate down the drain for this reasonable compensation.

MR. GETTY: Speaking of reasonable compensation, Mr. Speaker, there'd be a great deal more have to come back from central Canada to the province of Alberta, since supported by the Liberals and the socialist NDP, they managed to rip off some \$50 billion to \$60 billion from this province. We'd like to get reasonable compensation for that. But I would expect that any member would have to make a judgment on his own. When a program is going to be put in place in Canada, a province wants to control that program themselves outside of the federal program, that there would be some type of an agreement worked out as to what reasonable compensation would be. Then the moneys would flow in a block form to the province, and they'd be able to administer the program within their needs and the circumstances within their province.

MR. TAYLOR: Mr. Speaker, unfortunately the provincial Liberal Party didn't get a chance to drink champagne there with you. I hope he works harder to define these difficult terms than the way he worked to define aboriginal rights.

To the Premier. Will you then pledge that you will not enter into any agreement that is as ill-defined as those previous concepts that we just mentioned of -- I'm sorry; I have to back up here a bit -- reasonable compensation and compatible provincial programs? Will you agree that you will not sign an agreement that says those very words?

MR. GETTY: Mr. Speaker, what I may do is have to provide more research dollars so that the hon. leader will get the questions right.

MR. MARTIN: To follow up with the Premier and try to nail this down a little more: reasonable compensation, but it has to

be compatible, as I understand it, with a national program.

Could the Premier indicate specifically -- I expect the next major one talked about would be the day care system -- how that would work that Alberta would get their compensation if they didn't want to opt in. What's the Premier's understanding of that?

MR. SPEAKER: That's a hypothetical question, a "what if."

MR. GETTY: Well, Mr. Speaker, there isn't a proposal for a national day care program, so it's pretty difficult to deal with a hypothetical matter.

MR. R. SPEAKER: Mr. Speaker, my question is to the Premier, and it's about the Meech Lake conference as well. I'd like the Premier to comment with regards to the interpretation of section (1)(b) of the Meech agreement, which -- I could quote -- says: "The recognition that Quebec constitutes within Canada a distinct society." I was wondering if the Premier could indicate what that specifically means and possibly relate that to the comment in the Legislature yesterday of the Premier indicating that all provinces are equal.

MR. SPEAKER: [inaudible] some difficulty framing the response, hon. Premier, because of a legal interpretation, but please carry on with some care to that.

MR. GETTY: Mr. Speaker, the hon. leader of the Representative Party -- maybe other members aren't familiar with . . . What he is referring to is part of the communiqué yesterday. He was referring to part (b) of section (1). Section (1), which is made up of (a) and (b), defines the way Canada is today. That's what it does. There's no threat in there; it is a description of the way Canada is today.

MR. R. SPEAKER: Supplementary question. Gil Rémillard, the Quebec minister of intergovernmental affairs, has made a comment indicating that Quebec is entitled to special powers not available to other powers, and he is saying that to the people of Quebec. Could the Premier indicate what type of special powers, or is this just posturing by the Quebec minister in his own province?

MR. GETTY: Mr. Speaker, during our question period I can hardly be responsible for another minister of another government in another province.

MR. R. SPEAKER: Mr. Speaker, supplementary question to this question. Then could the Premier indicate, in his mind and in his interpretation as the leader of the government of Alberta, whether there are any special differences that have been accorded Quebec in terms of that agreement?

MR. GETTY: Mr. Speaker, the part we are looking at, section (1), describes Canada as it is today and then says that we have a responsibility to keep Canada as it is today. It's in relation to the fine country that we believe we have. I think that's a reasonable position to take, certainly one that I support.

MR. R. SPEAKER: Mr. Speaker, supplementary question to the Premier. In the remarks of the minister from Quebec he indicates that on the basis of maintaining Quebec as a distinct society and maintaining its distinct character, other sections of the

Charter of Rights and Freedoms could be challenged. Would the Premier indicate whether that is a matter being investigated by his research people and is a matter of concern of the government after examining the decision and the agreements that were made at Meech Lake?

MR. GETTY: Mr. Speaker, the section we are discussing right now in no way establishes any special provinces, and that was one of the principles under which Alberta went to the conference, that there were equal provinces within Canada. To be able to describe Canada as it has in this part of the communiqué I think is reasonable and then goes on to say:

- (2) Parliament and the provincial legislatures, in the exercise of their respective powers, are committed to preserving the fundamental characteristic of Canada referred to in paragraph (1)(a).

I think that's reasonable. It has no special status involved there.

MR. TAYLOR: Mr. Speaker, supplementary to the Premier. With regard to the agreement that he signed, our interpretation, widely held, is that an elected Triple E Senate will have to be approved by every province in Canada, if it indeed gets that far. Could the Premier tell if there is any possibility of getting the Triple E Senate considered the same way an amendment to the Constitution would be -- seven out of 10 provinces with 50 per cent of the population -- which would make it much easier to achieve?

MR. GETTY: Mr. Speaker, there's been a certain amount of discussion on this issue. Members would have to remember that the federal government had a veto over Senate reform previously and as a matter of fact had absolutely no obligation to in any way discuss it.

What we have been able to do for the first time in 120 years is to get Senate reform entrenched in the Constitution. It would have been totally unrealistic for any government to say that we could somehow jam Senate reform down the throats of a large part of our nation. I think that is exactly the wrong way to build a strong country. Some kind of a jiggering around with percentages or half of the population is exactly the wrong way to build this nation. We believe that if we have such a strong position as the Triple E Senate, it stands on its feet and that we can sell the people of Canada, the leaders in Canada, that this is an important change and a needed change in our country to have a stronger country for the future. I think it can be done.

My belief, after talking with the other first ministers, is that we're already over the hump of an effective Senate. I think we are very close to being in agreement that there should be an elected Senate. The debate then becomes whether we have an equal -- or equitable, I think, would then become the debate. I think we've already established, first of all, that we are equal. All provinces are equal based on this accord. That's established. We've put in place the First Ministers' Conference in the Constitution where we are equal sitting around the table. We are establishing the position. I think it is then to carry that position into the Senate reform where we're elected, effective, and equal.

That will be the job for all members of this Assembly, the job for Albertans and many other Canadians that we'll be working at in the coming years. I would hate to see members of this Assembly start to say that it's impossible, because that's the perfect way to make sure it doesn't happen, to start to take that kind of a defeatist attitude.

MR. SPEAKER: Member for Innisfail, followed by Edmonton Avonmore.

Crop Insurance

MR. PENGELLY: Thank you, Mr. Speaker. My question is to the Associate Minister of Agriculture. Would the minister please explain to the Assembly what recommendations that were made by the hail and crop review panel will be instituted in this crop year?

MRS. CRIPPS: Mr. Speaker, a number of recommendations have been implemented for the 1987-88 crop year. Loss adjustments for separate crops will be adjusted separately in the 1987-88 crop year, thus insuring that a crop loss in one crop will not affect other crops that the farmer also has. The interest has been set back from September 1 to October 1 to give farmers a chance to take the crop off. The differential between stubble and fallow has been reassessed and will continue to be reassessed. The corporation is going to attempt to ensure that abuse does not occur, because that was one of the major concerns raised at the hearings.

Beekeepers are allowed to participate at a lower level of the number of hives of bees that they own. There's a commitment to improve the promptness of adjustment, and we've added in lentils, field peas, and faba beans for the 1987-88 crop years. Other adjustments, which are minimal, have also been made and will continue to be made during this crop year.

MR. PENGELLY: Supplementary, Mr. Speaker. Would the minister also explain to the Assembly what recommendations are being negotiated with the federal government?

MRS. CRIPPS: Mr. Speaker, all negotiations with the federal government are very preliminary at this point in time because the recommendations that I take forward would have to be approved first by caucus and cabinet, because they certainly would incur some major budget commitments by the government. Individual coverage is one of the areas we are talking on a current basis, as it's already an acceptable process in other provinces.

The other areas we want to look at are, as I indicated the other day in answer to a question, the prairie grain revenue insurance program and the disaster insurance program. I might add, Mr. Speaker, though, that we have had talks with the federal government on the disaster insurance program, and they consider crop insurance to be disaster insurance. We have concern about that because it certainly doesn't meet the needs of all the variances we have in this province in agriculture.

MR. TAYLOR: This is to the Associate Minister of Agriculture, Mr. Speaker. Could the minister inform the House whether or not it's possible to achieve the target of 60 to 65 percent of the farmers signed up for crop insurance, which would be a tremendous leap over the only about 50 percent other years?

MRS. CRIPPS: Mr. Speaker, I think the Member for Westlock-Sturgeon has his figures incorrect. Last year, 1986-87, there were 24,000 producers in this province insured under the crop insurance program, for over 11 million acres of crop. If my memory serves me correctly, the actual acres of crop insured are in the range of about 70 percent, and 65 percent of the farmers, who make their living primarily or for a major portion of their income grain is a major component of the farm-

ing operation, are actually insured.

MR. FOX: Supplementary to the minister, Mr. Speaker. In terms of coverage for people who lost yield due to pesticide spraying, has the minister recommended any changes to the program this year so that we can avoid a situation where last year the minister was recommending to producers that they hide the fact that the yield lost was due to pesticide spraying, in order to receive fair coverage?

MRS. CRIPPS: Mr. Speaker, I think the member is in error. In talking to honey producers from southern Alberta, there were a number of reasons for lower honey yields, and the only advice I gave to the honey producers was to ensure that in fact they looked at all areas of loss in their honey production.

I might say that I also encouraged the Beekeepers' Association to work far more closely with the farmers on whose farms they have their bees, to try to minimize the risk involved in spraying in their operations.

MR. SPEAKER: Member for Edmonton Avonmore, followed by Edmonton Meadowlark.

Suicide Prevention

MS LAING: Thank you, Mr. Speaker. Yesterday the Minister of Community and Occupational Health spoke about a pilot study being recommended to the Edmonton public and the Calgary separate school boards which would provide -- and I quote -- "suicide information, awareness, and prevention material."

To the Minister of Education. Is this program separate from the proposed career and life management curriculum or the new grade 9 health curriculum, and will her department or any other department be providing funding for implementation of these programs in every school in the province?

MRS. BETKOWSKI: Mr. Speaker, I think that anything we as a province can do to address the very serious nature of teenage suicides in our province is an important initiative.

Within the curriculum development of the health and personal life skills program for grades 7 to 9 the matter of suicide prevention is being addressed in the whole development of that program and really follows upon a resolution which was passed in this Assembly last summer, brought forward by the Member for Olds-Didsbury. I don't think that curriculum development precludes other important initiatives taking place throughout the community, and I applaud the Minister of Community and Occupational Health for continuing to address a difficult situation.

MS LAING: Mr. Speaker, suicide prevention requires much more than the stated printed material. What direct funding will be forthcoming to school boards so that teachers may receive training to detect suicidal ideation and impulses and to be sensitive and to develop strategies to intervene effectively?

MRS. BETKOWSKI: Mr. Speaker, we do not initiate or bring into place, into schools, curriculum without ensuring that there is appropriate training of teachers or in-servicing, as the term is implied. Certainly that has taken place in the past and will continue to take place in the future.

MS LAING: Mr. Speaker, the minister has cut funding in the

areas of counseling and teacher in-service training, areas most necessary for the implementation of any meaningful strategy for reducing adolescent suicide or any introduction of new curriculum. Will the minister be allocating any new funds so that school boards can provide adequate counseling services for troubled and suicidal children?

MRS. BETKOWSKI: Mr. Speaker, the changes that are effected in curriculum in the schools for September 1987 will include the implementation of the health and personal life skills curriculum, which is the health curriculum for grades 7 to 9. As I've indicated, there will be appropriate training of teachers, and certainly the in-servicing of teachers is not solely attributable to the province's resources, because there are initiatives that are taking place with the school boards. But as I have said, and as is the bottom line with respect to the question, appropriate in-servicing of teachers will take place within the curriculum.

MS LAING: Mr. Speaker, many child suicides are caused by a history of disrupted foster home placements and reappraisals or to abuse in their families of origin and thus fall under the jurisdiction of the director of child welfare.

To the Minister of Social Services. What changes in the provision of care to children under the Child Welfare Act is she willing to make to address this issue, other than closing treatment centres like Mapleridge?

MRS. OSTERMAN: Mr. Speaker, I believe I went into some detail to discuss that very sensitive subject in the estimates of the Department of Social Services. Certainly there are far more outreach programs now that deal with the children directly in relationship to their family as opposed to taking them away from the family and putting them in institutional care.

MR. SPEAKER: Edmonton Meadowlark, supplementary or main question?

MR. MITCHELL: Main question.

MR. SPEAKER: Main question, followed by the Member for Wainwright.

Economic Diversification

MR. MITCHELL: Thank you, Mr. Speaker. One of the often-stated priorities of this government is to diversify Alberta's economic base. At the same time, when we look at this budget, it's very difficult to find that priority emphasized in this government's financial initiatives.

To the Premier. Could he please explain how his government expects to effectively diversify this economy when only 1 percent of the government's entire budget has anything to do with initiatives that can be construed as economic diversification initiatives?

MR. GETTY: Mr. Speaker, the government's commitment to diversification is very deep, and we will do it in every way we possibly can. Some ways it will be done by investments which would not be carried in the budget, such as an investment that we have in the pulp mill at Whitecourt. It could be investment in other opportunities. There's no question that in the competition for diversification, all provinces are competing. It is in fact a real fistfight for diversification. We are committed to getting

our share or greater of diversification, and we're going to do it.

MR. MITCHELL: Could the Premier please indicate what sort of commitment, therefore, he demonstrated in his pursuit of the CF-18 contract, which should have been the west's fair share at least of economic diversification initiatives and which instead went to Quebec, when clearly they should have gone to Manitoba, and we would have had spin-off benefits.

MR. GETTY: Mr. Speaker, the hon. Minister of Economic Development and Trade has dealt with that many times in the Legislature. If the Member for Edmonton Meadowlark would like him to repeat his answer, I'm sure he'd be pleased to, but it's been dealt with.

MR. MITCHELL: To the Minister of Economic Development and Trade. Speaking of priorities, even internally in a department, could the minister please indicate how it is that his department has cut every single program delivery division but has increased most of his administrative program divisions? And how is it that fully one-third of the staff in his department is related to or involved in administrative activities rather than program delivery activities? Is this department becoming too top heavy in administration?

MR. SHABEN: Mr. Speaker, I believe the department of economic development is an effective department. It is not a large manpower department, fewer than 300 individuals involved, and there are a variety of reasons for reductions in the specific programs.

One of them was with respect to reduction in the hourly individuals, which caused a reduction throughout a number of program areas. This was as a result of some programs that have been just outstanding programs. The small business equity corporation program, providing equity funds for small business to encourage economic investment and growth in our province -- the requirement for manpower has declined. As well, the small business term assistance program: the program has been implemented, launched, and there is a reduced requirement for manpower.

There are a variety of activities that are represented in the budget and in the estimates of the department. There have been some reductions, Mr. Speaker, as a result of onetime capital contributions to various projects that were in last year's budget that are not included in this year's budget.

As well, there are some changes in terms of the votes, Mr. Speaker, where we've established the office of the commissioner for trade and tourism, which impacts on the vote for international trade by shifting some of the responsibility to another vote. As well, we have established a new vote 6, which provides an opportunity for economic diversification initiatives, many of which had previously been developed by way of special warrants.

So there are a variety of initiatives contained in the budget, and had the hon. member listened to my comments yesterday, he might be more familiar with them. As well, had he referred to the document that I filed yesterday, he would also have a better knowledge.

MR. MITCHELL: A 12 percent increase in the minister's department, increases in both - count them, not one but two - deputy ministers' divisions, almost 100 . . .

MR. SPEAKER: Order, hon. member. Let us have the supplementary question please, and this is not estimates.

MR. MITCHELL: All this emphasis on administration. Can the minister please inform the House how it is that he justifies that emphasis against, for example, the 53 percent cut in export assistance to small business and industry in this province? Isn't that not achieving the kind of priorities in economic diversification and economic development that this government should be achieving and pursuing at times like this?

MR. SHABEN: Mr. Speaker, I don't know whether the hon. member does this intentionally or whether he just unknowingly misrepresents what's happening in our budget. The initiatives to expand trade -- I described a change in initiative. One particular program, which was a three-year program that had a cap on the dollars, is winding down. And on two occasions in this Assembly the hon. member has referred to a program that has a sunset period in it. Now, after the program terminates sometime this year, we'll review the success of the program. Incidentally, that program has allowed some 40 companies to develop bids on export contracts that have thus far resulted in \$50 million worth of business for Alberta companies. A very successful program, but it was designed to sunset at the end of three years. We will review it, and should it be determined by the government that the program needs to be reinstituted or expanded, it will be done.

There are a number of other areas, and I would again refer the hon. member to the initiatives that have been taken and outlined in the document that was tabled yesterday and to enhance his knowledge of what has been happening in Alberta, instead of constantly being a boo-bird.

MR. MITCHELL: One point six million dollars. . .

MR. SPEAKER: Hon. member, order. The time for question period has expired. Might we have unanimous consent to complete this series of questions?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Any other supplementaries?

MR. PIQUETTE: What continued or expanded role does the minister foresee for a regional economic development council in Alberta, in view of the fact that many of them were very successful in harnessing and promoting economic diversification in rural Alberta?

MR. SHABEN: Mr. Speaker, a very important element of our diversification initiatives has been to continue our very aggressive support to communities outside the major centres, and this is achieved in a variety of ways through our regional offices through consultative services that are available to businesses throughout Alberta.

The regional economic development project, which the hon. member had referred to in an earlier question period, only provides support to eight communities in this entire province. In addition to those eight projects, the small business and industrial economic sectors of our department work very closely with all communities in the province who request our assistance and with business and industry and will continue to do so.

MR. HYLAND: A supplementary question, Mr. Speaker, to the minister. Does the minister in his review expect to find any more assistance to those many, many towns, with the exception of the eight, that would like economic expansion and economic development in their area?

MR. SHABEN: Mr. Speaker, members of the Assembly are aware that we recently announced a new initiative that is a very important initiative for Alberta, the business incubator support program, which is accessible to all parts of Alberta and is now available in terms of communities accessing that program. And we'll continue to provide support to all parts of Alberta through our consultative services in our offices throughout Alberta.

ORDERS OF THE DAY

MR. CRAWFORD: Mr. Speaker, I move that the question and motions for returns on the Order Paper stand.

[Motion carried]

head: MOTIONS OTHER THAN GOVERNMENT MOTIONS

212. Moved by Mr. Oldring:

Be it resolved that the Legislative Assembly urge the government to introduce legislation to provide for a judge to have the power to order the impoundment or immobilization of a vehicle driven by a person convicted of an impaired driving offence or of driving while disqualified from doing so, if that person has been convicted of either offence at any time before, anywhere in Canada.

MR. OLDRING: Thank you, Mr. Speaker. I rise today to introduce Motion 212 and to ask my colleagues in this Assembly for their support. Motion 212 asks the Assembly to urge the government to look at impounding or immobilizing vehicles of repeat impaired drivers.

[Mr. Deputy Speaker in the Chair]

First, Mr. Speaker, let me say this: the issue addressed in Motion 212 is a nonpartisan one. I'm sure it is safe to say that everyone in this House has been or knows someone who has been personally affected by the all-too-often tragic results of impaired driving. I cannot say that it is my pleasure to introduce this motion, because it focuses on a pernicious social problem. It's not a pleasure to talk about the horrible consequences which often arise from this dangerous and thoughtless act. However, I may derive some satisfaction from the hope that just by discussing this subject today and by focusing attention on the problem, perhaps one would-be impaired driver might call a cab or ask a sober friend for a ride instead of getting behind the wheel and maybe, just maybe, one life may be saved because of it.

Mr. Speaker, there is always a tendency whenever we debate an issue in this Assembly to focus on statistics to build our case or make our point, and when we talk about impaired driving, there are certainly many statistics available to allow us to do just that. I will probably even get into some of them a little later in my discussions. But when we cite statistics, we're dealing with anonymous numbers only -- anonymous numbers -- and we're not dealing with the individual human lives they represent. To say there were X number of traffic fatalities in a given year at-

tributable to impaired driving doesn't begin to address the real impact of impaired driving on the lives of the victims and their families. It doesn't begin to describe the loss, the grief, and the devastation which are often the legacy of the drunk driver.

Mr. Speaker, I'd like to take a moment to talk about some of these individuals. Let's think about how the lives of their families have been irrevocably changed. Let's imagine how each of us would feel if these people had been our child or our spouse or parent.

On December 13, 1981, 21-year-old Alvina Mechalchuk, a recent graduate of Grant MacEwan College who had just gotten her first job, just moved into her own apartment, was returning home from her office Christmas party. She never arrived. A drunk driving on the wrong side of a divided highway hit the car she was traveling in head-on, killing Alvina and her companion. Their friends, traveling in a car ahead of them, managed to avoid the oncoming car and then watched horrified as the car plowed into the car in which Alvina was riding. The driver, Peter Hnatiuk, was charged with two counts of criminal negligence causing death. Because of his injuries, he was not able to provide a breath sample. The charges were plea-bargained down to dangerous driving, for which he was sentenced to six months in jail. In court for a subsequent criminal charge, it was revealed that Hnatiuk had a serious alcohol problem.

At 5 o'clock in the morning on May 18, 1980, 24-year-old Len Sager was driving north on Highway 2 to his job as an engineering technologist in Swan Hills; 44-year-old Bill Chimko was traveling south on the same highway. As he approached Len's truck, he crossed the centre line of the highway. Len pulled off onto the shoulder to avoid the oncoming vehicle, but Chimko hit him anyway, killing Len instantly. Chimko was not injured. His blood alcohol level was .143, nearly twice the legal limit. Chimko was charged with criminal negligence and blowing over .08. Both charges were later plea-bargained down to dangerous driving. Two months after killing Len Sager, Chimko was again arrested for impaired driving. For the second charge . . .

MR. DEPUTY SPEAKER: Order please. I wonder if the hon. member could be helpful to the Chair. The Chair would assume that none of these matters are currently before the courts of Alberta. Is that accurate?

MR. OLDRING: That's accurate, Mr. Speaker. Thank you.

For the second charge, which came to trial first, he received a six-month licence suspension. For killing Len, he received a one-year licence suspension and a \$1,000 fine. Chimko was not prosecuted as a second offender because he was tried for the second offence before the first offence had been dealt with. As an aside, Mr. Speaker, in February of 1985 Len's mother, Rita Sager, died at age 49 of a rare form of cancer which her doctors claimed was stress related.

On July 18, 1986, near Leduc, Kevin Konkolus drove his pickup through a stop sign, smashing into the van in which Wayne and Debbie Schmitz and their two young daughters were traveling. The couple's six-week-old baby was killed, and her three-year-old sister was severely injured. Konkolus's driving record included four previous convictions for impaired driving, two for driving while suspended, and six for speeding. At the time of the accident, Konkolus's licence was under suspension and he had no insurance.

On November 11, 1985, Mehrdad Hamrazian, 28, and his

wife, Kobra, 30, were killed when their car was struck from behind, forcing it into a head-on collision with another vehicle. The driver, Clifford Cunningham, was driving while suspended and had three and a half times the legal limit of alcohol in his blood. Mr. Speaker, Cunningham had three previous alcohol-related driving convictions.

These are just a few of the people behind the numbers. All over this province every year there are similar stories of human suffering and the loss of human lives. When we cite statistics, Mr. Speaker, let's remind ourselves that they represent real people, they represent real children, women and men who have loved and were loved and whose lives were carelessly and arbitrarily taken by selfish, irresponsible, thoughtless people.

Estimates vary, Mr. Speaker, but it is generally believed that 50 percent of all traffic deaths in North America involve alcohol. That means that in 1986, 261 Albertans died as a result of someone drinking and then driving. That's five people each week -- five people per week, Mr. Speaker. The number of traffic injuries in 1986 is not available yet, but in 1985 another 115 people were injured each week -- 115 people injured each week in our province as a result of alcohol-related driving accidents.

Perhaps not as significant as the immeasurable costs in terms of human suffering, but certainly important enough to cause us to look seriously at the problem of impaired driving, are the costs in terms of medical and hospital care, property damage, and lost working hours. These have been estimated to be in the hundreds of millions in Canada, and one article I read estimated them to be as high as \$1.5 billion.

What is especially troubling about these statistics, Mr. Speaker, is that they recur. They recur year after year after year after year. It is clear that impaired drivers are not responding to the many attempts, both educational and legislative, that have been initiated in the past several years to deter them. In fact, there is evidence to suggest that impaired driving is actually on the rise. At a media conference I recently attended, the acting chief of police for the city of Edmonton noted that Edmonton city police have laid 107 more impaired driving charges this year than for the same period in 1986. That's an increase of 30 percent.

Mr. Speaker, impaired driving has been a serious social problem almost since the invention of the automobile. I'd like to quote from a 1904 issue of the *Quarterly Journal of Inebriety*. These comments were in an editorial in that publication and followed implementation of a rule forbidding railway workers to drink on the job. I quote:

The management of automobile wagons is far more dangerous for men who drink than the driving of locomotives on steel rails. Inebriates and moderate drinkers are the most incapable of all persons to drive motor wagons. The general palsy and diminished power of control of both reason and senses are certain to invite disaster in every attempt to guide such wagons. The precaution of railway companies to have only total abstainers guide their engines will soon extend to the owners and drivers of these . . . motor wagons.

Mr. Speaker, if only it were so. The best we have been able to do is to establish a legal limit law and make breaking it a criminal offence. We haven't actually gotten at the problem itself.

I'd like to give members a quick review of some of the steps that have been taken to address the problem of impaired driving in Canada and in Alberta before I move into my specific arguments in support of Motion 212.

In 1969 Canada enacted the Canadian Criminal Law Amendment Act, commonly known as the breathalyzer legislation. This legislation made it illegal to drive a vehicle with a blood alcohol level of more than .08 percent. Enactment of the breathalyzer legislation was accompanied by an aggressive public awareness campaign and in 1970, the year after its enactment, there was an encouraging drop in fatal accidents. However -- and this is an important point, Mr. Speaker -- there were marked increases in the number of fatal accidents in the two years after that. In both years the number of traffic fatalities actually surpassed pre-legislation levels.

Responding to public pressure and in an attempt to bring the sentences for alcohol-related driving offences into line with the severity of the offences, the federal government amended the Criminal Code in 1985. The minimum fine for driving while impaired or refusing to provide a breath or blood sample was increased from \$50 to \$300. If the Crown proceeds on any of these charges by indictment, a maximum five-year jail sentence is also available. If the charge is handled summarily, the maximum jail sentence that can be handed down is six months. Mandatory jail sentences of 14 days for a second offence and 90 days for subsequent offences were also introduced. However, individual provinces decide whether or not to prosecute the accused as a repeat offender. According to the Attorney General's guidelines, in Alberta the Crown only looks back two years for previous convictions. Two new charges, impaired driving causing bodily harm and impaired driving causing death, were also brought into the legislation. The former allows for a prison sentence of up to 10 years, the latter for up to 14 years. Additionally, the judge may order a licence suspension of up to 10 years.

Mr. Speaker, these get-tough measures reflect the growing social unacceptability of impaired driving. The public is getting fed up with the massacre that occurs on our roads each year, and they are recognizing that impaired driving is a criminal act. You know, Mr. Speaker, the pervasive attitude toward drunk drivers used to be "There but for the grace of God go I." People used to think, "Well, I've done it too from time to time; no big deal." In fact, some impaired drivers used to joke about it. Remember the laughs that one-liner used to get: "I had to drive; I was too drunk to walk"? Mr. Speaker, people aren't laughing any more. People are mad and they're fed up with impaired drivers.

All over this country grass-root organizations are springing up, composed of individuals who have had all they can take. Often these people have experienced firsthand the tragic results of impaired driving. Increasingly, though, people who don't have such a personal interest are getting involved. They're joining with others to get the message out that drinking and driving is no longer to be tolerated. They're educating the public about the problem, and they are lobbying lawmakers for changes.

Red Deer, Alberta, was put on the map in Canada as a result of one organization's efforts in this regard. It was the subject of a nationally broadcast television special, the Red Deer Optimist's DUTI program, standing for Driving Under the Influence. This program was tremendously successful in Red Deer. It heightened awareness about the problem and implemented measures such as the designated driver program, where the driver in a group agrees to drink only nonalcoholic beverages for the evening and act as the group's chauffeur. They also worked with local taxicab companies to provide a discounted cab fare to would-be impaired drivers, and they implemented a safe-grad program where they were able to provide transportation to students on their graduation night. Mr.

Speaker, the DUTI program involved the co-operation of many Red Deer businesses and individuals, and I am proud of the Optimist Club for their hard work and important contributions to Red Deer and to Canada. This became a national program.

Here in Edmonton is a very active group of volunteers called PAID, People Against Impaired Drivers. PAID has become a well recognized, respected group with membership in the hundreds now. PAID has focused the public's attention on the problem and worked with government in an attempt to come up with some solutions. We don't often hand the media a bouquet, but they too have played an important role in reflecting and perhaps even helping to shape public attitudes about impaired driving.

Interestingly, Mr. Speaker, the people I have talked to are certainly pleased with what they see as a partial crackdown on impaired drivers, but all of them -- all of them -- feel we haven't gone far enough. Now, I know that some members are going to argue that impoundment or immobilization is a harsh, even draconian measure, but believe me, it's mild compared with some of the suggestions I have received for what should be done with the impaired drivers, particularly repeat impaired drivers. The repeat offender is a very special type of offender. In the 1950s Canadian researchers studying the impaired driver came up with a very different view of him than had been previously suggested. Their findings revealed that the problem driver was not a moderate drinker but an excessive drinker. I'd like to quote from an article in the January 1987 issue of the *American Association for Automotive Medicine Quarterly*.

Repeat driving while impaired offenders should not be compared to the general driving population, but only to one another. On the whole their personal lives, living habits and social mores differ markedly from that of most drivers. Most of them may be classed as alcoholics or problem drinkers. For these persons, traffic fines or violators' schools have little, if any, positive impact.

Mr. Speaker, problem drinkers make up only a small part the general population, but they account for a very large part of the overall highway safety problem. Every year 17,000 impaired drivers attend the Alberta impaired driving course; 25 percent of them are repeat offenders. In 1975 the Task Force on Highway Accidents found that 11 percent of all drivers responsible for traffic fatalities in Alberta had prior convictions for impaired driving -- 11 percent had prior convictions for impaired driving. Eighty-seven percent of those drivers were again legally impaired at the time of the accident. Mr. Speaker, that's a frightening statistic. While I don't have actual numbers, my research suggests that those numbers have increased since then. It is clear that we are dealing with a particular kind of offender and one for whom ordinary sanctions just don't work. Again, I'd like to quote from a background paper prepared for the federal Justice department, and I think it certainly explains where I'm coming from on this motion.

What do you do with the individual who has not responded to conventional punishments? One approach sees imposing further and greater punishment. Another is to see the fact of recidivism as a symptom of a greater problem, usually alcohol dependency, and therefore you look in the direction of diversion to the medical rehabilitation system. A final approach is to try something different or unusual in the hopes of striking the right note. This is where forfeiture or impoundment usually comes in.

I end my quote there.

Mr. Speaker, I believe that impoundment or immobilization of the vehicle is an appropriate sanction for repeat impaired driving offenders for a number of reasons. First of all, it just makes sense to me to consider the place of the vehicle in the enforcement and sanctioning of impaired driving offences. If the impaired driving is a crime, then the vehicle is the instrument of that crime. If the impaired driver kills, then the vehicle is the murder weapon.

There is considerable historical support for the idea of seizure. Up until the mid-19th century it was a common practice to seize anything which had been used to cause the death of someone, even if that death were accidental. Seizure was seen to have both a deterrent value and a punitive one.

Mr. Speaker, I know that some members will have concerns about the harshness of this measure. Others will reject it on the grounds that it is an unprecedented step. I would like to point out to them that impoundment is not only not new, but as to its harshness, it has been seen as a fitting sanction for a variety of offences in Canada for over 60 years.

In my quick review of provincial legislation, I was able to find six Alberta statutes that provide for an impoundment and, in some cases, ultimate forfeiture of the vehicle. Three of them have to do with motor vehicle offences. One, under the Forests Act, permits impoundment and eventual sale of vehicles that "interfere with the management of use of a forest recreation area or forest recreation trail." The Liquor Control Act allows for seizure and removal of vehicles used in illegal sale of alcohol. The judge may declare the vehicle is forfeited to the Crown "as part of the penalty for the conviction." The Wildlife Act provides for seizure of a vehicle if it may provide evidence of an offence against the Act, and the judge may order the vehicle to be sold.

Now, Mr. Speaker, I'm not arguing that impoundment is an unreasonable sanction for any of these offences, but I do have to question our priorities. Certainly I'm interested in the preservation of our wildlife resource, in maintenance of our forests, and in adherence to provincial liquor laws. But, Mr. Speaker, I ask you and I ask all members of this Assembly to consider: are any of these, any of the above, more important than human lives? Shouldn't the same sanction be available for offences that at least potentially involve personal injury and loss of human life?

Mr. Speaker, I want to look at the current impoundment provisions for motor vehicle offences briefly. The Motor Transport Act and the Highway Traffic Act provide for impoundment for a number of offences. However, it is the Motor Vehicle Administration Act that is most relevant to our discussions today. The MVAA allows peace officers to seize and detain motor vehicles for a variety of charges including driving without a subsisting licence or certificate of registration, displaying unauthorized or defaced plates, leaving the scene of an accident, and refusing to stop when ordered to do so. Yet with all the above in place, interestingly enough, Mr. Speaker -- and I can't imagine why -- impaired driving is not one of the offences included.

Mr. Speaker, as I pointed out above, not only is impoundment available as a sanction against offenders under the Forests Act, the Liquor Control Act, and the Wildlife Act, but there is even provision for forfeiture of the vehicle -- impoundment and forfeiture. In light of the seriousness of the crime and in light of the historical precedent and the appropriateness of including the vehicle in considering sanctions against repeat impaired drivers, I think impoundment or immobilization is most fitting.

Mr. Speaker, when the federal government introduced the Bill to amend the Criminal Code, there was initially provision for the very kind of impoundment Motion 212 is proposing, and I want to quote from some remarks expressed by the hon. Mr. Crosbie at second reading.

It is proposed in the legislation that a judge be empowered -- and this is new -- to order that any vehicle used in the commission of an impaired driving offence be immobilized for up to one year if the accused is the owner, the holder of a long-term lease or the principal driver of the vehicle.

The impoundment/immobilization provisions were not included in the final draft of the Bill which Parliament enacted, but I think it's significant that the government of Canada's original intention was to make this sanction available.

Mr. Speaker, one of the most obvious advantages of impounding or immobilizing a vehicle is that it ensures compliance with the licence suspension. It offers the best form of protection for society. Now, I know some members will counter by saying that if someone wants to drive badly enough, he'll find a way. He'll buy or rent another vehicle or borrow one from a friend or family member. Well, Mr. Speaker, I agree that certainly where there's a will, there's a way, but I also say that it would be very difficult to rent a car without a driver's licence and insurance. It would be very difficult to obtain a certificate of registration and plates for a new vehicle without a driver's licence or insurance. And I doubt that too many people would want to lend their cars to someone who has proven he's a high-risk driver.

Mr. Speaker, I would like to ask my colleagues in this House: what do you do with a driver who doesn't honour a court-ordered licence suspension? What do you do with that driver? Just to give members an idea of how many drivers continue to drive while suspended, I would like to give a brief description of a program that is currently being conducted by the Solicitor General's department. In October of 1986, when it came to light that literally hundreds, maybe thousands, of Albertans were flouting their licence suspensions, obtaining duplicate licences, or using aliases to get new driver's licences, the Solicitor General established an interdepartmental committee to look into the problem.

One of its first actions was to set up the suspended drivers apprehension program. Under this program, weekly checks are conducted of the motor vehicle division's computer system against that of the Attorney General's to look for suspended drivers who are being picked up for subsequent driving offences, Mr. Speaker. The program has been averaging 50 drivers per week. Fifty drivers per week are being picked up for speeding or some other demeritable offence, and they don't even have a valid driver's licence at the time. It's been suggested that these 50 drivers a week are only the tip of an iceberg, since it does not include suspended drivers who are being convicted of non-demeritable offences and certainly does not reflect the numbers who continue to drive while suspended and who escape detection.

Mr. Speaker, Motion 212 is aimed at those drivers who show absolutely no respect for the law or for other people. They treat licence suspensions as a joke, flagrantly disobeying orders of the court. Well, I say that we have to protect society from these people, and the only thing short of immobilizing the person is to immobilize his or her vehicle. Now, I know that many members will raise the argument that impounding or immobilizing a vehicle may well penalize innocent people, the other family members who need to use the car or, for example, the rural resident

who doesn't have access to alternate forms of transportation. Before they bring up that argument, Mr. Speaker, I urge them to think about Alvina, to think about Len and Rita, the Schmitz children, Mehrdad and Kobra, and the hundreds of Albertans who are killed and injured each year. What about them, Mr. Speaker? What about their families? What about their innocence?

Thank you.

MR. DEPUTY SPEAKER: Hon. Member for Edmonton Strathcona.

MR. WRIGHT: Mr. Speaker, I have an amendment to move to this motion. I have a number of copies here, along with the original, if I can hand it to the page. Shall I wait until the copies have been distributed, Mr. Speaker?

MR. DEPUTY SPEAKER: Yes, to the Table, the Acting Government House Leader, and the Chair, in addition to all members.

The amendment's in order. The hon. Member for Edmonton Strathcona.

MR. WRIGHT: Thank you, Mr. Speaker. The idea of this motion is a good one, of course. It is altogether too easy a way of cheating the true purpose of suspension of a licence, simply to drive unlicensed. In various debates at the last session and at this, the point has been illustrated, as indeed it has been ably illustrated by the mover of the motion.

One problem with the motion as it stands, Mr. Speaker, addressed by the amendment, is that the definition of what can be impounded or immobilized here is simply a vehicle -- not the driver's vehicle, not the convicted person's vehicle, not even a vehicle in that person's family. And I think that's a good idea because, again, it's all too easy simply not to have something registered in your name but to take someone else's vehicle. Yet that could work a great hardship. It could work a great hardship on innocent people, even if the driver does own the vehicle.

And so the amendment, Mr. Speaker, which simply gives to the judge dealing with the matter the power to add safeguards that might permit the retention of the vehicle by some other person, or in some other manner not under the control of the convicted person, so that that person who depends on that vehicle for his or her livelihood can be protected. For example, the accused person might have driven or might be in the habit, indeed, of driving his or her son's vehicle, perhaps over the strenuous protest of that child, of that son or daughter, and yet would come within the purview of the motion as it stands unamended.

Another thing to consider, Mr. Speaker, is that it might inhibit a judge from making the order of impoundment if this unfairness were pointed out, whereas if the judge had the power to make some reasonable qualification, the idea of removing it from the control of the accused person could be put into effect.

The purpose of the amendment is to make it easier for hon. members to vote for the principle of the thing, Mr. Speaker.

MR. DEPUTY SPEAKER: On the amendment, the hon. Member for Calgary Foothills.

MRS. KOPER: Mr. Speaker, on speaking to the amendment proposed by the hon. Member for Edmonton Strathcona, I feel that perhaps we are defeating the purpose of this main motion. When one considers the statistics the hon. Member for Red Deer

South mentioned, when one considers the facts he gave us in his speech, one of the factors was that this was directed to repeat offenders, and it was found that most of these people indeed had a desperate alcohol problem, that there is a significant pattern to their way of life. So I feel that by introducing this amendment perhaps we are weakening the intent of the whole motion, because we are desperately trying to correct this carnage on our highways. This will not be the first time for many of these people that attention has been called to this problem, and so I feel that the innocent persons who are involved and who do depend on the vehicle for their livelihood have had ample opportunity to alter the condition of the drunken driver.

Therefore, Mr. Speaker, I would very much like to debate the motion as it stands without this amendment.

MR. DEPUTY SPEAKER: Hon. Member for Edmonton Highlands.

MS BARRETT: Thank you, Mr. Speaker. I understand the comments from the last speaker on the amendment. I think this is a serious motion and a serious amendment, and probably would enjoy a fair amount of support in this Assembly when it comes to a vote. I feel quite confident about that. But I think it's really important to recognize the sensitivity of part of the matter.

The motion as proposed by the Member for Red Deer South does allow implicitly for the judicial system to make a judgment value -- that is, to determine whether or not it's appropriate to impound the vehicle -- and it doesn't stipulate for how long the impoundment would occur. However, it's difficult if we pass a motion like this to give that motion, to send that signal, to the judiciary without some kind of guideline. Now, we send out guidelines on all kinds of matters when we develop regulations which accompany the statutes we pass here in the Assembly. The attempt behind the amendment is basically to accommodate that need for sensitivity.

For example, no one -- I don't believe anyone in this Assembly -- contests the real problem associated with drinking and driving. It is absolutely outrageous. It is carnage writ large. I think as responsible leaders of our province we have to make statements and we have to do things that are going to discourage it. But we have to be careful not to tread on the toes of the people who would be, through association, hurt by a decision to impound the car of the impaired driver, perhaps for the entire duration of the licence suspension or whatever kind of sentence would accompany conviction of the drinking and driving charge.

For example, if it happens to be the breadwinner of a family who is so charged and convicted, the spouse of that family may require the use of the vehicle in order just to make day-to-day events occur; that is, perhaps taking the kids to the soccer game or out to the swimming practice. It can involve, in many instances, driving quite long distances to the nearest grocery store of any size. In rural Alberta this may be much more important than in urban Alberta, because at least in the urban centres, if you can afford the high prices, you can at least do most of your shopping at a corner store. Most of us don't like to do that; it's not economically feasible. We try to go to the larger stores so that we can save a few bucks on the weekly grocery bill.

Now, if we impound that vehicle without sensitivity to the spouse or to the children who rely on that vehicle, what we're really asking them to do is somehow or other come up with

enough money to go and buy another vehicle to compensate while the first one is impounded. The reason the Member for Edmonton Strathcona has presented this amendment is so that we can send out the sort of signal, the guideline, to the judiciary that we think some sensitivity ought to be exercised in following this motion should this motion ever become law, which presumably is the intent of most motions: to develop the basis upon which legislation would be drafted.

I do speak in favour of the amendment because I don't think it takes away anything from the intent of the motion as moved by the Member for Red Deer South. I listened to his comments. I may have missed a few words, but not many, and I think he made very good points about how it is that we have to recognize the extent to which drinking and driving takes place, the extent to which this fact causes unnecessary deaths and injuries. I don't think the amendment mitigates that at all, neither does it mitigate the direction the member would like to send to the judicial system, and that is that with our blessing you can take more action than you are already doing; we can make people more responsible for their actions, so to speak.

In the instance of someone who has no dependants, or someone who has no spouse and whose dependants are too young to acquire a driver's licence, I mean it's very possible that no one else in the family could possibly use the car. And that's okay. Ditto for single people. That might make sense. But if we don't send out the signal that some provision for sensitivity is required in the administering of the motion, then we could in fact end up hurting a lot of innocent people, a lot of people who weren't participants in the decision for that driver to get in the car while impaired, people who in no way would condone that kind of activity and people who might not even know about that activity having been conducted.

So recognizing the Member for Calgary Foothill's concern that the motion is somewhat diluted, I think that if we support the amendment, we'll see that we'll end up with a very balanced motion that in fact sends out the signal that is the most responsible and perhaps most accurate for the sentiments I'm sure all members of this Assembly share.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Question.

MR. DEPUTY SPEAKER: Order please. Before proceeding with the debate, may the Assembly revert briefly to Introduction of Special Guests?

HON. MEMBERS: Agreed.

MR. DEPUTY SPEAKER: Hon. Member for Red Deer South.

head: **INTRODUCTION OF SPECIAL GUESTS**
(*reversion*)

MR. OLDRING: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to the members of the Legislative Assembly, three representatives here this afternoon for the debate representing a group called PAID, People Against Impaired Drivers. Just a couple of footnotes. I recently attended a campaign. If You Drink -- Think, that was organized by PAID and REID, and the current Speaker in the Chair was the honorary campaign chairman for Lethbridge, and I compliment him for his efforts down in that city. I would also like to acknowledge the Member for Banff-Cochrane, Mr. Greg Stevens,

who through AADAC was able to assist this group in receiving \$50,000 worth of funding from the Justice department.

With us this afternoon we have Mr. Jack Sager, the treasurer of PAID, Mr. Greg Proudman and Lori Hodgess, both directors, and I would ask that they rise and receive the warm reception of this Assembly.

head: **MOTIONS OTHER THAN
GOVERNMENT MOTIONS**
(*continued*)

MR. DEPUTY SPEAKER: Hon. Member for Edmonton Glengarry.

MR. YOUNIE: Thank you, Mr. Speaker. I would certainly support the sentiments behind the motion. I think anything any Legislature can do to curb drunk driving and the damage in human and economic terms that it causes to society should be supported. I support the amendment, however, because I think the motion got somewhat carried away in that sentiment and allowed for injustice to innocent third parties involved in a situation, and perhaps the wording of the motion needed to be clarified first. When it talks about the "vehicle driven by a person," that does not necessarily mean the vehicle owned by the person. If he'd borrowed it from a friend suddenly, the friend's car is gone, and he may have been totally unaware of the situation. So I think we see avenue for injustice there if in fact a judge is not given by legislation we recommend the leeway to do what is sensible and right to protect innocent third parties.

Also, I see no provision there for cars that are jointly owned, so that in fact we are allowing for someone who is in no way involved to be deprived of his property that he needs to support his livelihood; where the joint ownership of a car is merely implied by marriage, so that one spouse drives the car and has it impounded and another is therefore deprived of his or her ability to drive back and forth to work because of the absence of the vehicle. There could certainly be avenues for injustice, and I think the amendment clears that up and allows a judge the leeway to do what is right.

I would have found it easier to support the impoundment of the driver who is going to drive under those circumstances than the impoundment of a vehicle that may not belong to that person and may be very necessary to the livelihood of another person. What we have to make sure is that any law we pass identifies the truly guilty party and punishes only the guilty party, and not those who are innocently associated with and had no part in what the guilty party did.

So for that reason I would urge members to support this amendment and clarify what is a very important motion but is at this point a lacking motion without that amendment.

MR. M. MOORE: Mr. Speaker, I want to make a brief comment on the amendment that's been proposed by the hon. member, first of all to say, as others have said, that I don't believe the amendment as proposed would take away from the substantive intent of the original motion, which is to ensure that people who are in fact guilty of offences involving impaired driving or driving while disqualified from doing so, in addition to the penalties that are now prevalent in the law, have the additional penalty of having their vehicle impounded. I don't believe it was the intent of the hon. member who proposed the motion to necessarily put in place a law that would have innocent parties involved in losing their vehicle through no fault of their own.

A case in point was made by a couple of different members. One would not necessarily be aware of someone, who may be a relative or a friend from another part of the province or another province, borrowing or using a vehicle and then getting an impaired driving ticket. All they'd have to do is walk away and the actual owner of the vehicle is left without his or her vehicle.

The real protection in the amendment is that there should be safeguards as may be reasonable for the protection of innocent persons, and the judge would have the authority to decide who is innocent and who is not. Very obviously, Mr. Speaker, the impaired driver would not be found innocent, or perhaps an owner of a vehicle who had encouraged an impaired driver or allowed someone to drive his or her car while they were impaired and knowingly did so would not be found to be an innocent person either. So I think the amendment has merit and may facilitate the passage of the entire motion.

MR. DEPUTY SPEAKER: Are you ready for the question? The hon. leader of the Liberal Party.

MR. TAYLOR: Just very short on this. I usually agree with my friends here, but in this particular case I don't. I think that one of the points of the whole motion by the hon. Member for Red Deer South was to take away a weapon, and this is exactly what a vehicle is, driven by a drunk. I don't know if there is such a thing as an innocent person that lets another person take a gun or a knife or take anything else. There are fines, there are penalties in fact, for leaving free the use of a dangerous weapon.

I think, Mr. Speaker, one of the main points -- and I certainly agree with the Member for Red Deer South's idea of suspending or impounding the car. I've seen it work in Scandinavia where I did some work some years ago, because certainly there's nothing makes somebody more careful as to who they lend the car to than the fact that they could not see it again for a few years. These drunken drivers very rarely own their own cars. It's quite often in co-operation, because they're usually of the type of character that quite often hasn't built any type of equity and they've either borrowed cars or owned them jointly with somebody. They've put a few dollars down in a second-hand car lot, and even the second-hand car lot, if they knew -- or the finance company knew -- that the car was going to disappear forever or at least for a number of years, would be hesitant about letting the weapon out.

So I think that although it's a well-meaning resolution, I'd rather stick just with the plain resolution as it's already presented, because I think it indeed then is a real deterrent.

MR. DEPUTY SPEAKER: On the amendment, hon. Member for Edmonton Avonmore.

MS LAING: Mr. Speaker, I'd like to speak in support of this amendment and this motion. I certainly could support this motion if it were amended. I believe we must deal very severely with people who drink and drive, but we must not punish innocent members of their families or their friends. We try to safeguard the community, not hold other people accountable. A spouse should not be charged with controlling his or her spouse's behaviour in regard to criminal activity. That is the responsibility of the state. I therefore support this amendment and the motion if amended.

DR. WEST: Mr. Speaker, I would just like to take a minute to talk to the amendment. I don't really think it will change the

intent of this motion; nevertheless, it does abrogate society's responsibility to this very serious problem. Out there right now in the legal world, an amendment such as this would leave a loophole so that society would still be subject to the tragedies we see today. We have to have absolute laws for these individuals so that's it's ended into their minds that they not do this, and also the people -- those innocent people, you say -- associated with them.

So often, as I have seen in the community, a son who has an alcoholic problem takes the car out while he's already had several impaired driving charges. He impales somebody on the side of the road, and the mother will say, "Well, I didn't give him the car." But that person was a member of that family, and that family had a responsibility to make sure that that person never got that car. Even friends may lend a car to somebody who has had an impaired driving charge and hasn't drunk for a long time. That friend goes out, takes the vehicle that day, gets drunk again, and impales somebody with that car again. The responsibility of the person who lent the car to that person must be addressed under this motion today. An amendment to it only allows a legal loophole for many, many of those situations which could have been prevented by a society that addressed it realistically.

So I say, although it won't today change probably the intent of the Member for Red Deer South, indeed, if this were implemented in society itself, it certainly would change the intent in the long run.

MR. DEPUTY SPEAKER: Calgary Mountain View.

MR. HAWKESWORTH: Thank you, Mr. Speaker. Just to make a brief comment in support of the amendment and to clarify for all members, as I understand it, that if a judge does determine in the course of a review of an impaired driving charge that another person did not do all in their power to prevent that person from drinking and driving or in some way acted in such a way that encouraged that person to drink and to drive, they would then share to a certain extent the guilt of that impaired driving charge. In that instance the judge may well, under the discretion provided in such legislation, be able -- and would be quite within the rights of legislation that's proposed here -- to impound a vehicle.

I think the concern is that there are those instances when people are not in a position to prevent a person from drinking and driving, and as a result of that impaired driving, they face a criminal charge. In that instance, a judge may determine that the guilt is not shared by another person, another individual, and that in order to protect those innocent persons, he may in that instance -- and again I emphasize "may" -- have the discretion not to impound the vehicle. So it's not so much a matter of creating a loophole as it is to provide discretion to a judge to ensure that those who do not share the responsibility of the guilt, and who are therefore innocent, do not have to share in the penalty. But those who do share that guilt would then have to share the penalty as well, if they share the guilt.

I recognize this is simply a motion before the Legislature, but it is direction that's being given by the Legislative Assembly to the government to introduce such legislation. I think what the hon. Member for Edmonton Strathcona is doing is saying to the government: should they introduce such legislation, they should ensure that there's a provision for some degree of discretion by the judge to ensure that this principle is upheld.

Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Are you ready for the question?

AN HON. MEMBER: May I close debate on the question?

MR. DEPUTY SPEAKER: I'm sorry, hon. member, under Standing Order 25(2), there's no closure of debate. A member may only speak once to an amendment.

Are you ready for the question on the amendment to Motion 212?

HON. MEMBERS: Question.

MR. DEPUTY SPEAKER: All those in favour of the amendment, please say aye.

SOME HON. MEMBERS: Aye.

MR. DEPUTY SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

MR. DEPUTY SPEAKER: The amendment loses.

SOME HON. MEMBERS: No. [interjections]

MR. DEPUTY SPEAKER: Order please. I'll have to ask the Table officer what happened to the vote I just called.

[Motion on amendment carried]

MRS. KOPER: Mr. Speaker, I am very grateful to the Member for Red Deer South for bringing this motion to the House today. Even as amended, this motion serves a very useful purpose because it addresses itself to repeat offenders and to drivers who continue to try to drive with their licence suspended. Through this motion I believe the member is really attacking the problem rather than the symptoms. Many hours have been spent in this House in addressing the seat belt issue, where if we buckle up we know we can save lives. Many hours we have talked about the reasons for using seat belts; we have talked about why we shouldn't need to legislate seat belts. And the use of seat belts is almost a side effect from the basic causes of the accidents. Now we're talking about prevention today. The prevention of accidents is the paramount purpose for talking about impoundment of vehicles today.

The member has given us some appalling statistics. Alcohol is involved in 50 percent of all fatal accidents, 30 percent of all injuries caused by traffic accidents, and drunk drivers take the lives of some 2,500 Canadians each year. It's incredible. Another statistic we talked about in this House before is that the perceived risk of arrest for impaired driving is approximately one in 12,000. Approximately a quarter of the offenders have previously been convicted of drunken driving offences under the Criminal Code, and depending on the province, 25 to 40 percent of all Criminal Code matters dealt with by the courts are for impaired driving or driving when one is over .08 percent of alcohol in the blood, or refusing to provide a breath sample. Now, these convictions account for 20 to 25 percent of all provincial jail admissions. The problem is very significant to us. The system definitely needs a change.

However, there is a question in my mind, and I think we should consider this: do increased arrests, do harsher penalties solve the drunk driving problem? And I'm worried, Mr.

Speaker. I'm worried that the answer may be "not quite."

However, I do think some of the initiatives that are described are really significant in what has been happening in the province, and I think the key to all of this is a change in attitude. When one considers the present system, the conviction and the penalty happen a long time after the actual incident. The penalties don't really appear to get to the heart of the problem, and I feel this is a really good move in that direction. But I also think we've got to work very strongly on changing attitude, and that is why I think there have been a great many successes by the Alberta Alcohol and Drug Abuse Commission, and of course you yourself are no stranger to the meritorious work done by that group, nor the Member for Banff-Cochrane.

[Mr. Musgreave in the Chair]

So I think the fact that all Alberta drivers convicted of impaired driving must take a one-day AADAC course, the fact that there is an institution called Alsiike, where on April 3, 1987, impaired drivers sentenced to 14 days in jail -- that is, the second-time offenders -- serve their time at this facility and participate in a treatment program offered by AADAC and utilize the resources of Alcoholics Anonymous and PAID . . . Alsiike is a minimum-security institution located near Drayton Valley and houses 16 offenders. And I think that this is a very positive step, where we can see the integration and co-operation of many of the programs started by this government.

So, Mr. Speaker, I feel that the program that is presently given to impaired drivers called IMPACT -- there are approximately 280 to 300 participants monthly, and this figure is expected to rise. But I think this is perhaps news that is not all alarming when one considers that AADAC has had an outstanding amount of success in decreasing the amount of consumption of alcoholic beverages in Alberta. So I feel AADAC intervenes at a very crucial time in a young person's life in their, I guess, striving to demonstrate good modeling and more awareness, a better educated population, as far as the problems of drinking while driving.

Mr. Speaker, there is something else, too, that bothers me about the motion and whether or not it will be effective, because there are many other things that we could do. Maybe we could look at other alternatives. For instance, in the automobile industry there is no reason in this day and age why we need to buckle ourselves up. Automatically, passive safety restraints should be built into every vehicle that comes off the assembly line. We should have vehicles of a heavier gauge metal so that if something does happen, they aren't completely disintegrated, turned into accordions. We should be looking at automobiles that are not built with planned obsolescence in mind. We should be looking at the speed on our highways as another factor in what is happening. Perhaps even the insurance industry, once there has been any infringement of a person's privilege to drive on our highways by having an accident while driving while drunk or being drunk while driving, should place a penalty in their agreements that says that this agreement will be void if you are drunk while you are driving this car. If you are insured under our health care plan, perhaps even Alberta health care, we should have directly billed anyone that has been convicted of drunken driving with any health care expenses related to the accident.

So, Mr. Speaker, I see very many alternatives that we should be talking about and thinking about that perhaps are even more severe and, as the Member for Red Deer South mentioned, a bit

draconian but certainly make sense to any people that have suffered a loss because of this reason.

Mr. Speaker, I'd like to also address the number of people that are caught impaired driving. Many of them are caught in Check Stops, as well. But Check Stops -- it's such a very small percentage, so to me it is very defeating that we are finding such a small percentage of the drunken drivers. I think the Check Stops are a marvelous program, but the reason they work is not because of the number they find that are above the .08 level, but by raising the level of consciousness of each one of us about the effects of alcohol as we're driving. Visually, they are there on the road. We know they're going to be there, and people are becoming far more aware of the price to be paid by anyone that is convicted. I think society is well protected by this kind of venture, this kind of movement, where the consequences that follow the action are clear.

Mr. Speaker, this motion is very important, and I feel it really addresses the problem, as I say, the root causes of one of the very big problems in our society today. And I feel that we must increase the defendants' respect for the law. If this can be done through this member's motion, I believe we should certainly endorse it. Why shouldn't the car be impounded until the drunk is reformed? Why shouldn't the licence be suspended and a jail term? Why shouldn't all of this be in place for repeat offences? Why shouldn't insurance be much higher for those that drink and drive? Why shouldn't there be driver education that really bears in on this issue? Should we raise the age of beginning drivers' licences? Should we make drunken drivers responsible for health care costs under Alberta health care [plan]? Mr. Speaker, these are all questions that I think every Albertan is asking. Anyone that has been close to a family or suffered a tragedy because of a drunken driver is anxious to find a better way to resolve this issue.

This motion, Mr. Speaker, I feel would accomplish a great deal in bringing home the responsibility each one of us bears and the consequences of any negligence, by causing a significant discomfort to anyone who breaks the law to the extent that they would stop. It seems to me public attitude toward drinking and driving has changed radically in the last five or six years, and education is the key. We must get to the point where drinking and driving is simply socially unacceptable. But in the meantime, Mr. Speaker, I strongly endorse this motion and hope that we may go forward with other alternatives, as well, to ensure no one [inaudible].

MR. ACTING DEPUTY SPEAKER: The Member for Calgary McCall.

MR. NELSON: Thank you, Mr. Speaker. The issue of impaired driving is one which today is well known as being critical to our society. Interest groups such as People Against Impaired Drivers and Mothers Against Drunk Drivers are on the increase, and more public awareness and concern on the issue is evident. People are demanding more effective deterrents and penalties for the crime of impaired driving. I say crime, Mr. Speaker, because that is exactly what it is. The car is a weapon. When a driver is impaired through the excessive use of alcohol, he can be extremely dangerous, an extremely dangerous person with that weapon.

At present the laws of the land are very weak on the issue of impaired driving. It is a criminal offence, and therefore is the responsibility of the federal government. However, the federal government has abrogated its responsibility in dealing with this

issue. The result is that we are left without proper measures to combat the problem.

In other countries impaired driving is considered to be, by law, the extremely serious issue that it is. In Sweden, for example, there are two levels of blood-alcohol concentrations at which driving brings two different penalties. The first level starts at 50 milligrams of blood-alcohol concentration, as is the case in Australia, then a 80 milligram level, and brings heavy fines. The second level of impairment in Sweden brings an automatic one month's imprisonment. The trouble is that even this does not deter impaired driving, and the reason for that is that those involved in accidents caused by impaired driving are most often problem drivers who have been drinking as well as driving in their normal improper and aggressive fashion.

Now, Mr. Speaker, I am not saying that it is a good idea for anyone to get behind the wheel of a car after consuming too much alcohol, but statistics show that most impaired driving accidents are not caused by the quiet responsible driver and in many cases by a businessman who might have had one too many drinks on a particular evening before driving home from the office. As I've already indicated, most of these accidents are caused by impaired drivers who have been drinking as well as operating their vehicle in their normal improper and aggressive fashion. This is why deterrents such as fines alone are not working.

I agree with the intent of Motion 212 in that it addresses a crucial part of the problem: it removes the weapon from the criminal. I do, however, have some concern with some of the motion's wording. Although we have passed an amendment to the main motion with regards to the impoundment of vehicles, the concern I have is twofold. One is to identify whether the vehicle that is driven by the person who is driving drunk is in fact their own vehicle. If such be the case, it should be impounded immediately and maybe impounded for the term of the licence suspension should that individual be found guilty of an offence.

The second one, of course, is the impoundment of a vehicle that is owned by another person even though driven by the drunk person. I guess the concern I have there is that the courts would have to identify whether that person was given keys knowingly by another individual of a vehicle owned by a third party, full well cognizant of the fact that the person they were offering that vehicle to was drunk. Then you may consider impounding that vehicle also, but that would have to be proven in a court of law, and I'm sure it would be very difficult to do so. However, I do not believe that where a vehicle is taken from a third party and proof cannot be shown that it was taken knowingly by that third party that the individual was drunk, that that car should be impounded.

The other problem I have with the motion and its wording is the area of the criminal negligence, I guess you could say, where it says: "the impoundment or immobilization of a vehicle driven by a person convicted of an impaired driving offence." Now, we have to be very careful in how we word these particular motions in any legislation that may be approved at some further date regarding this particular motion. I wouldn't like to have my vehicle impounded from me if I had been unfortunate enough to be charged and convicted of a driving offence with a blood alcohol content in excess of 80 milligrams 10 years ago and served my time, so to speak, and then have my vehicle impounded 10 years later. So there are some loosey-goosey statements in there in that motion that would have to be cleaned up.

I believe, Mr. Speaker, that we must catch the repeat of-

fender, and it is very important to nip the problem that we have in the bud, so to speak, and get that first-time offender. Also, there is another problem with the motion -- I'm sorry, I'm repeating myself.

There are also other amendments to the present motor vehicles registration Act that could be considered. At present the minimum licence suspension period for being over the 80 milligram level is six months. I think for a first offence this period should at least be doubled. For a second offence the licence suspension should be for a minimum of three years; for a third offence, a minimum five years with a possible 30 days in jail. A fourth offence should bring a minimum six months in jail and a 10-year suspension. A fifth offence should carry the penalty of life suspension and a minimum one year in jail.

For driving while suspended, Mr. Speaker, the given term should be at least double those minimums that I've previously stated. All the penalties I have mentioned so far are only for offences that are non accident related. Personally, I would like to see minimum incarceration periods for those over the limit who have hit and injured or killed some person. As well, the minimum periods for these cases should not be taken lightly. If a person is killed by an impaired driver, that driver should spend a minimum of 10 years in a jail and lose his or her licence for life.

The effects of hard legislation in the area of impaired driving, including jail terms, licence suspension, and vehicle impoundment, would be wide-ranging. Health costs will be reduced if a deterrent to this kind of crime has increased penalties. As well, court costs would also decrease. Twenty-five to 40 percent of court cases deal with impaired drivers, and 25 percent of those drivers have been previously convicted. Insurance costs could possibly be reduced also.

I would like to add, Mr. Speaker, that boating and hunting should also have the same kinds of penalties and legislation and restrictions attached to them. They are exactly the same kind of weapon as a land vehicle when handled by a person impaired by alcohol.

We must continue working to address this problem and to come up with solid, clear, and logical ways to stop impaired driving. My personal opinion is that removing some of the prohibition attitudes regarding liquor sales would help the situation, because it would make alcohol less an issue and more something to be consumed moderately in the general course of life. I do, however, oppose happy hours and would like to see this province get rid of them completely, by legislation if necessary. There is nothing we should discourage more than the idea of drinking more in a short period of time, and that is exactly what happy hours encourage and foster.

Let's also help our police officers by giving them the tools to clean our roads of drunk drivers. They and other emergency services end up scraping the innocent off those same roads and know of the carnage that is created by drunk drivers.

In closing, Mr. Speaker, I would commend the hon. Member for Red Deer South for bringing Motion 212 before the House today and state that I wholeheartedly support his efforts at finding ways to combat the problem of impaired driving.

Thank you, Mr. Speaker.

MR. ACTING DEPUTY SPEAKER: The hon. Member for Edmonton Mill Woods.

MR. GIBEAULT: Thank you, Mr. Speaker. I'm pleased to speak to the motion before us today because, like many mem-

bers of the Assembly I'm sure, I am getting pressure from constituents who are demanding that we take a tough line on drunken driving. And I think we are all agreed that we do have to treat this as a very serious offence. There are various groups now that are working on this issue: People Against Impaired Drivers, Mothers Against Drunk Drivers, Students Against Drunk Drivers, and many others.

I think one of the reasons the Member for Red Deer South has brought this before us is that current penalties are really not adequate. For example, we take a look at licence suspension. Well, Mr. Speaker, there are unfortunately many people who, by taking away their driver's licence, it doesn't prevent them from getting into the car the next day and carrying on. I realize that if they are pulled over by a peace officer and are discovered to be driving while suspended, that is treated in a very harsh manner. But how many people who are suspended and are continuing to drive do get caught at that? I think a very unacceptably low number. So suspending a licence, I would suggest, is perhaps one of the sentences that can be used, but I don't think, really, that it is having the deterrent effect that it needs to have.

So what are the alternatives? Well, the motion before us suggests that impounding the vehicle perhaps may have some merit. And, Mr. Speaker, I have to say that I think it does in fact have some merit, because if, for example, the person who is charged with drunk driving happens to be an ordinary working person making a fairly modest salary and driving a fairly modest car, a Volkswagen or some smaller car, the impact of that is similar, or perhaps we could say proportionate, to the high roller -- for example, the cabinet minister -- who's got a nice Cadillac. We could say that the impact then is equal on the person's position in society, because if you simply fine people, whether it's \$100 or \$1000, it has a disproportionate effect. A \$1,000 fine for me is much different than a \$1,000 fine for a student or a single mother or an unemployed carpenter or a cabinet minister. They're very, very different impacts. So fines I don't think are really a fair way to deal with this problem. But people generally tend to drive the kind of car that relates to their economic status in society, so if a person of a lower socioeconomic position in society has an older, smaller car and someone else has a brand-new, top-of-the-line car, if both of their vehicles are suspended, the impact is much more equal.

Now, there are those who would say that this kind of an action unfairly punishes family members and others, and I think we have to be conscious of that, Mr. Speaker. But I think the other alternative of putting people in jail for this offence is something that I have some difficulty with, because every time we put someone in jail, we have to realize that it costs the taxpayers thousands and thousands of dollars to maintain them over the course of the year. I think to put people in jail is something that we really ought to resist doing unless there can be a strong case to protect members of society, because when we put people in jail, we are basically punishing the taxpayer. So I have difficulties with that. But the idea of impounding vehicles, as I said, punishes people in accordance with their, I would say, financial ability, and I think there's some merit in that.

Now, to come back to the question of impact on family members, what would happen if we put someone in jail? Not only the impact on the taxpayer, we also have to consider the impact on the family. For example, let us assume that we have someone pulled over for drunk driving and the individual involved is fortunate enough not to be working at the slave-labour minimum wage we have in this province. Let's assume that on average this person earns \$10 an hour, not a very high wage but

perhaps a reasonable one. He works eight hours in a day, so he makes \$80 a day. Now, if we put the man in jail, his family is deprived of \$80 a day of income. If, however, we take his vehicle away, he is able to go to work the next day and continue providing for his family. He may have to make alternative arrangements for transportation. He may have to rent a vehicle perhaps, rented at, say, \$40 a day.

So if we're concerned about the family, Mr. Speaker, it seems to me that that again is a better alternative than incarcerating people, creating an extra burden on the taxpayer, and depriving a family of income. If we instead suspend their access to their vehicle, we are then looking at having a strong message going to the offender and to his family from society. And yet there are other alternatives that still allow the family to have their transportation needs met.

So, Mr. Speaker, I think this motion before us is one that has merit, especially as amended, so that we can allow for such safeguards as may be reasonable for the protection of innocent persons, and I have spoken to some of those in my comments. I think, to summarize, the people in the constituency of Edmonton Mill Woods and, as I said, I'm sure around the province are very concerned that we are not taking a hard enough line on this very serious problem of drunk driving. It is absolutely appalling that drunk drivers can get away with very minimum sentences, cause death and dismemberment and injury, all kinds of tragedy, and we simply cannot tolerate that any longer. So I want to say that I believe Motion 212 before us today is one that has merit and should be given consideration by members of the Assembly.

MR. ACTING DEPUTY SPEAKER: The Member for Lethbridge West.

MR. GOGO: Thank you, Mr. Speaker. I've listened with a great deal of interest to the discussion on Motion 212, and I, too, would like to commend the hon. Member for Red Deer South for bringing this very important topic to the Assembly. I agree with the amendment that was carried by members of the House to Motion 212.

I'd like to make some comments on the motion that I think are pertinent and should be considered before the House deals with Motion 212. I would think the first question we have to ask ourselves is why the laws that we presently have are not working. I would be the first one to concede, and I'm sure there'd be a lot of support for the fact, that if the solution to society's problems were in passing laws, we wouldn't have any problems, because heaven knows we pass more than an adequate number of laws, both in this province and in other parts of Canada.

I sense from the comments I've heard, Mr. Speaker, that there's quite a sense of frustration, with my colleagues in effect saying, "Look, the laws don't work the way they are; let's make them tougher." I don't think, frankly, that's the problem at all. I think we should stop and ask ourselves why the laws we have are not working, and surely it's because of the citizens of Alberta not wanting them to work. We've heard many times of the great advances we've had in technology to make our lives more comfortable, to make things work easier. We talk about putting a man on the moon and bringing him home and being able to communicate with him. At the same time, in the city of Calgary I'm told that four out of 10 people don't know the name of their next-door neighbour. Surely that's symbolic of society. Does society really care?

Why is it that in the state of Washington four of five years

ago they adopted a program, with the governor's recommendation and authority, that where people saw erratic drivers, they would simply report the licence number of that person to the authorities. That person would then, after being checked out by the motor vehicles people, get a phone call, a very pleasant phone call, from law enforcement people saying: "Mr. Smith, your name has been reported to us; at such and such a time, such and such a place, you were driving in an erratic way. Now, we aren't about to press any charges; we simply want to bring it to your attention." I'm told -- and I read a clipping where the driving habits of people in the state of Washington, certainly in Spokane, improved dramatically. And what did that cost? It cost nothing, other than the endorsement of the governor of that state saying it was a good idea, and got the citizens involved.

Now, it's my view, Mr. Speaker, that nobody drives alone after they've been drinking; most people drink with other people. We continue to talk about the serious degree of alcohol-related problems in Alberta. We know there's only 5 percent of those people at risk, yet we seem to always want to adopt programs to affect the other 95. We want to keep driving up the price of beverage alcohol, recognizing of course that most people would seem to endorse that as a sin tax. Yet we concede very readily that if only 5 percent are at risk, why do we punish the other 95 percent?

Mr. Speaker, I feel that we could do much more as a government, much more as members of the Assembly, if we were to impress upon citizens of Alberta their responsibility. Where are the citizens in all of this? I related last year to the Solicitor General an incident where a person in Lethbridge had lost his licence. Recognizing the chances of apprehension to be very remote, he continued to drive. And why shouldn't he? The penalty for driving without insurance was \$400, that we as a government had to impose on the judges; they weren't doing it. They were sentencing you to time in custody, which was three hours, in lieu of a fine. We finally imposed on the judges by statute what they had to fine somebody.

Then why didn't that work? It simply didn't work because other people, other citizens, weren't aware or didn't make it their business to be aware of people who had been convicted of impaired driving or loss of licence for other reason. Hence there were various people in this Assembly that encouraged the media, particularly the press, to publish that in the daily press. That was pretty successful except for a lot of do-gooders who thought, "Oh, how terrible to put in the daily paper someone convicted of a crime." Yet in the community of Lethbridge in the *Lethbridge Herald*, which published it, we had the incident of someone phoning the police and saying, "The next-door neighbour has lost his licence and just drove out of the driveway." Well, within a matter of hours that problem was solved. They didn't have to take the automobile away from other people who had to use it, but they certainly looked after that person.

I guess, Mr. Speaker, what I'm leading up to is the fact that surely when we recognize that in Alberta we have about 1.8 million licensed vehicles on the road, how on earth could we ever expect the police, simply by making stronger laws, to solve the problem? We have to somehow get the public involved. I look at similar programs. We have Block Parent programs around Alberta, very successful in small communities both in terms of those who guard other people's properties while they're away and in looking after youngsters who may be abused by other people. That's very successful. Why don't we try that? I suggest that simply making laws heavier and stronger, with stronger

sanctions and higher fines and putting more people in jail, all we're going to do is increase the cost to the taxpayer, because are you really going to be catching the right people?

Mr. Speaker, I am supportive of People Against Impaired Drivers, students against impaired drivers. These are volunteer groups who are trying to resolve a very serious social problem in our society, and they convinced government to pass laws to assist, but for some reason it's not working effectively. I would simply submit that what we have to do is look for other avenues. I have not heard anyone today suggest that those vehicles driven by people who have been convicted of impaired driving have to have a special licence plate on them. That's been tried in other jurisdictions. You put a red licence plate on a car, which stands for the fact that someone driving that vehicle had been convicted of impaired driving. I'm told it's had remarkable effects where it's been tried. I've never heard it tried here. Isn't that an option that we should be going to instead of apprehending the vehicle and putting the vehicle in jail?

The Member for Red Deer South said the vehicle was the instrument; therefore, the vehicle should be penalized. We heard the hon. Member for Edmonton Strathcona saying, "Hey, be very careful if you're going to remove someone's livelihood." It's fine to say that we have a great public transportation system, but if you work at certain packing houses associated with Edmonton and you're on the shift at 6 in the morning or 12 midnight, you tell me how you're going to get there. It's not going to be done if there's no vehicle.

So, Mr. Speaker, I would think that what we should be looking at is to continue to support the program of AADAC with regard to IMPACT, the second offenders. I'm told the success rate is running very high, about 35 percent of those who must go through that mandatory training course once they've been convicted a second time of impaired driving. But it's only been going two years. Is that long enough? I would suggest that if we look at that evaluation, we'd see how it's working and give it time.

I well recognize the sense of frustration by hon. members, including Red Deer South, in saying, "We must do something; we must do it today." Well, I suggest let's do it today, but let's not start by impounding a vehicle. Let's start by educating the public. Let's start by saying -- you know, we're so full of our rights in this country. Don't we have as a government an opportunity to share with people their responsibility? None of us live alone. Very few people drink alone. Then why is it so many people can drive while they're impaired? What are we doing? I haven't even seen an ad in the newspaper by our Solicitor General saying: "Hey, we don't want you to be a snitch on anybody, but do you realize that this many people are driving without a licence or were driving while impaired and lost their licence?" I've never seen those kinds of ads. We do it for health care; why can't we do it for something as important as impaired driving?

I suggest, Mr. Speaker, that there are many ways we could be looking at things, but the last one I would prefer to look at is increasing our laws to the point where we're simply going to have more people in our jail system. We now have in this province the highest number in the western world per capita. Why is it someone can break a law and have the public spend \$26,000 to \$32,000 a year to keep them in jail? Surely, Mr. Speaker, our priorities are not in that direction.

So although I'm supportive of the motion with its intent to get moving on this business of impaired driving, of people who insist on driving after a second offence, surely the answer lies,

Mr. Speaker, in making people more aware of what the problem is, making them more aware of what their responsibility is, so that if we all do our own job in society, we'll end up counting less on government to solve the problem for us.

Thank you very much.

MR. ACTING DEPUTY SPEAKER: Member for Edmonton Glengarry.

MR. YOUNIE: Thank you, Mr. Speaker. I would like to speak in favour of the motion, and certainly after the words of the previous speaker it's with some trepidation that I try to match his style and flair and his content. I think he hit on some very important points about the problem itself. I find it hard to believe that we can blame the vehicle rather than the operator of the vehicle. Nonetheless, I do support the idea that at times, while you're solving the personal problem, it's best to keep that person away from his vehicle. I can support the motion as amended because we now have it set up so that innocent third parties will not be punished along with the person who has perpetrated the crime or the offence.

I think it's very important to look at the educational aspect of this whole problem. Perhaps just passage of such a law and publication of the law would also perform an educational function besides providing another law that we have to enforce and the cost involved.

It's been mentioned that AADAC runs a course for those who have been convicted of a second offence of drunk driving. I think it has been going on longer than two years, because I remember that there was one that was offered through the schools some time back. It was longer than two years ago that I took it with my students. It was a voluntary one.

MR. STEVENS: There are two courses.

MR. YOUNIE: Oh, there are two courses. Thank you.

I would question why it isn't mandatory for anyone who's convicted a first time to take an educational program about the problem and the social cost of his problem. Because it is a social problem; it is everybody's problem. It's the problem of that person, and it's the problem of everyone that he might potentially hurt. I think some of the suggestions of the previous speaker should be looked at as additional or complementary actions that can go along with this and that this should be seen as an emphatic but short-term solution while we look at the long-range goal of educating people. We've gotten to the point where Canadians and Albertans especially now say in their minds that it is wrong to drive while they are impaired. But not enough of them are saying it in their hearts, in their feelings, saying emotionally to themselves, "This is wrong." Until people feel it is wrong, they won't be governed by it.

I think it's also important to point out that we use the term "impaired" correctly. People who have been drinking have impaired judgment. So a person, while sober, may feel it is wrong to drive, but while he's drunk, he won't. And it is important for everyone around him to tap him on the shoulder and say, "Take a cab home; don't drive." I've seen neighbourhood pub programs where they say they will in fact provide some kind of reduced price for those who keep one sober person at the table so that the whole group can get home safely. In fact, I'm a strong supporter of neighbourhood pubs because one can walk to and from them and doesn't have to drive to entertainment that involves liquor. That in itself is a good idea. I think until we start

approaching the whole problem, this motion will only be a short-term help, but as a short-term help to a very large social problem, with it amended as it is, I could very strongly support it.

Thank you.

MR. ACTING DEPUTY SPEAKER: Member for Calgary Buffalo.

MR. CHUMIR: Thank you, Mr. Speaker. [some applause] A single salutation; thank you. Probably a salutation in respect to the anticipated congratulations to the member for raising this very important issue in this House and for reflecting the obvious concern that he has with respect to the very serious problem of impaired driving.

It's also a problem which concerns myself, and I had the opportunity to get involved in some depth in the particular issue as a member of a committee set up by the Canadian Bar Association in late 1985. The committee reported in early 1986. I've had a long-standing interest in the issue, even prior to my membership on that committee, and it has become even more intensified since that time.

The particular motion before this House relates to the issue of impoundment or immobilization, which can take place, of course, in a number of ways: the boot which is fitted onto wheels, as we hear about from time to time in incidents in Montreal; the removal of licence plates; other methods, some of which are in fact authorized in legislation in the province under the Motor Vehicles Administration Act and have been referred to by the hon. mover of this motion, and in other legislation. The problems, of course, have also been canvassed with respect to this form of measure, but I would say that I believe it is a very useful direction of considering approaching this particularly serious issue of impaired driving.

However, my concern is that while we are sitting here discussing this very difficult and complex issue, more obvious and simpler measures are not being implemented by this government. I believe it is very clear that the government could do much more than it is doing at the present time with respect to addressing the problem of impaired driving. If one looks at the government's record, it is impossible to reach any conclusion other than that. It is not in fact addressing the problem with any enthusiasm at all. The prevailing philosophy that seems to be governing is the philosophy that the least government is the best government, and as a result there are many initiatives which could and should be undertaken which are not being done or undertaken.

Now, as a member of that Canadian Bar Association committee, it was very clear to the committee that the front-runner in terms of reducing impaired driving is to increase the apprehended risk of being caught. This is either to increase the risk itself or merely to increase the apprehension of the risk. The methodology by which we can best effect that in this community is through greater utilization of the Check Stop program. Now, we are all aware that during the Christmas period the numbers of impaired drivers caught always goes down as the number of Check Stops are increased, usually doubled. And most importantly, the number of Check Stops is advertised; drivers are aware that the Check Stops are out there.

What we really need in this province are safe roads 52 weeks of the year, not merely two weeks, and this can be done, not by flooding all of the streets with Check Stops, but by increasing the level of Check Stop programs to a degree where the risk of

apprehension is significant, and by advertising that fact. The statistics that we saw as members of that Canadian Bar Association committee was that there was anywhere from a 1 in 1,000 to a 1 in 2,000 chance of getting caught for impaired driving. As a result, drivers are prepared to take the risk, and what we have to do is change that method of thinking and increase the number of Check Stops. This is not happening at the local level other than for two weeks a year, and it has been my suggestion to this government that we need some leadership from the top level down in terms of encouraging Check Stop programs to be beefed up. We have heard from the former Solicitor General that this is a matter for local option and determination. In my view, we're dealing with lives and we're dealing with something that's fundamental. I believe everybody who's spoken in this Assembly this afternoon has supported and expressed their belief in the importance of this issue. If it's an issue that's that important and if the studies and the research show that you should increase your Check Stops, then why is the government not acting?

Now, I'd like to move on and comment on the issue of driving while a licence has been suspended for impaired driving. It's my view that the suspension of the driver's licence is in fact the most important deterrent that we have available to impaired driving. To lose the privilege and the right of driving, if it is in fact lost, is something that would strike terror in the hearts of many in our community in light of the dependence we have on vehicles. The reality is that the chances of getting caught are so slight when one drives while one's licence has been suspended. When you add that to the reality that the penalties for getting caught are so minor -- generally in the range of a \$150 to a \$300 fine -- small wonder we hear anecdotes of drivers going to the courses which are mandatory when licences have been suspended and arriving in vehicles and driving to and from those particular courses.

The reality is that those who are driving while their licences have been suspended are two-time offenders. First of all, they have been offending against the impaired driving laws, and secondly, they are offending against the rule that thou shall not drive while your licence has been suspended. In my view, far more severe penalties are called for. The government of British Columbia some four or five years ago had the right idea when it implemented a seven-day jail term. That particular legislation was overturned by the Supreme Court of Canada on peripheral procedural matters. I have made suggestions in this House before and elsewhere that we need some strong measures to deter drivers from driving while their licences are suspended, and what we should be doing is implementing a prison sentence of seven days. The reality is that that means a weekend in jail from Friday evening through till Monday morning, but I think it would give some indication of the seriousness with which this community views that particular offence.

[Mr. Deputy Speaker in the chair]

I might note for thoroughness that the revision of the Criminal Code that took place in late 1985 provided for a possible jail sentence in the event that an individual were caught driving while their licence was suspended, but it's not a mandatory jail sentence. I think that is what is needed under the circumstances.

Another concern I have with respect to the provincial government's approach to this issue is their laxity in prosecuting second offenders in impaired driving. The Criminal Code pro-

vides for a mandatory 14-day prison sentence for those who are caught driving while impaired for a second time. The reality is that the prosecution makes a determination as to whether or not that second-offence penalty is claimed by notifying the court. The policy of the provincial government up until the end of 1985 was that they would seek a second-offence penalty only if the second offence occurred within one year of the first offence. That was a very rare occurrence indeed. It was extremely bad luck for a poor bloke to get caught the second time within one year. Well, they decided to get tough as a result of the complaints of citizens' groups. They changed their policy in late 1985, and they now prosecute for a second offence if that offence took place within two years from the original offence.

In other provinces, I believe Ontario has five years, British Columbia has no limit, and other provinces have no time limit. I find it totally incomprehensible to understand why, if we are really concerned about this issue, the government insists, as a matter of prosecutorial discretion, in giving these people who are out there killing and maiming people the benefit of the doubt. I think they should cease doing that and show some teeth and responsibility in this issue.

Another concern is with respect to a lack of information, lack of statistical data with respect to what's going on in this issue. As part of our Canadian Bar Association study we discussed the issue with a number of experts from the government and otherwise, and what we heard was that the statistics are incomplete, contradictory, and baffling. It's very hard to understand what impact any particular measure is having on the particular problem.

The government set up a countermeasures committee some few years ago, which was supposed to be taking strong measures with respect to the problem. We're still waiting for its report. The governments of Ontario and Manitoba set up committees which reported three and four years ago. Where is the countermeasures report? What is the government going to do about this issue? Why do we have to sit here and debate it on a private member's motion instead of tackling the issue and saving some of the health care costs that are being incurred because of the accidents that are being caused by impaired driving?

Finally, with respect to the role of the government on this issue, I'd like to point out a very disturbing lack of leadership. I had occasion to inquire around the time of my membership on that Canadian Bar Association committee as to what the government was doing by way of encouraging its own employees and members of its staff to get involved in these designated driver programs that it's pushing on the private sector. These are excellent programs: don't drink while you drive; have a buddy drink juice for the evening. Many parts of the community are doing it. I recommended it to the Canadian Bar as part of the suggestions I had personally with respect to their approach to this issue. I said that if you're concerned, don't merely make a report and tell the government what to do; why don't you adopt a resolution that for your functions you're going to adopt and encourage a designated driver program? They did so immediately for their annual function in the late winter of 1986. I find that there is no program within the government whatsoever to encourage their employees at Christmas parties or whatever other functions there are to adopt these designated driver programs. It's so easy. It's a simple matter of elementary leadership. I've raised it in the House; I raised it at the session last summer -- no action. I find that really totally incomprehensible.

In conclusion, Mr. Speaker, I'd say by all means let us look

for new and creative means of dealing with this problem, but more importantly, let us do the obvious. Why don't we as members get busy and deal with the issue, and why don't members of the government caucus get busy in their caucus and encourage their government to do something?

I move the question.

[Mr. Speaker in the Chair]

MR. SPEAKER: Oh, the question has been moved. Call for the question? No. Member for Lacombe.

MR. R. MOORE: Thanks, Mr. Speaker. I think, when I listened to the debate this afternoon, everybody seems to have lost the point that we're talking about the second time around in offences. You'd think it was the first time out and the guy needs a second chance; everybody should pamper him along because he's just made a little mistake. I feel this threaded through a lot of the debate this afternoon. However, if we look at the motion, it says: "If that person has been convicted of either offence at any time before, anywhere in Canada." That means this is the second time around, and I think it's about time we took a little harder look at these people that are out there looking at our laws and taking advantage of the situation and totally ignoring the consequences of their actions. I feel that what is suggested in this motion is long overdue and probably doesn't go as far as it should go.

I think when we talk about impounding cars, taking that potential weapon, which it is, away from those people who have not the control of their senses when they're driving down there and they're imperiling the lives and endangering the property of others, we should definitely take steps to make sure we remove that weapon from them. There isn't a law in the country -- I don't care what country you go to -- that doesn't take the gun away from an individual if he even points it at somebody. They say that that's a weapon, of potential injury to somebody, so they take the gun away and send the guy to jail, and everybody says, "Throw away the keys." But here we have the same situation -- going down the road, driven by an impaired driver second time around, totally ignoring the law -- and we say: "Maybe we shouldn't impound it. We shouldn't be so hard. We should take a look, as the amendment from the Official Opposition says, to give him a little loophole out, so they can get around it again."

However, I'd like to go on at great length on this and debate it, but because of the time, Mr. Speaker, I beg leave to adjourn debate.

MR. SPEAKER: All those in favour of the motion to adjourn debate please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: The motion carries.

MR. CRAWFORD: Mr. Speaker, the Assembly will be in Committee of Supply at 8 o'clock.

[The House recessed at 5:28 p.m.]

