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of Ontario**

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**Official Report
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(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 15 December 1999

Mercredi 15 décembre 1999

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Wednesday 15 December 1999

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mercredi 15 décembre 1999

The House met at 1845.

ORDERS OF THE DAY

FEWER MUNICIPAL
POLITICIANS ACT, 1999

LOI DE 1999 RÉDUISANT LE NOMBRE
DE CONSEILLERS MUNICIPAUX

Resuming the debate adjourned on December 14, 1999, on the motion for second reading of Bill 25, An Act to provide for the restructuring of four regional municipalities and to amend the Municipal Act and various other Acts in connection with municipal restructuring and with municipal electricity services / Projet de loi 25, Loi prévoyant la restructuration de quatre municipalités régionales et modifiant la Loi sur les municipalités et diverses autres lois en ce qui a trait aux restructurations municipales et aux services municipaux d'électricité.

The Deputy Speaker (Mr Bert Johnson): Further debate?

Mr Richard Patten (Ottawa Centre): I only have four minutes and 13 seconds left to speak on this so I will be motoring through very quickly.

I did leave off yesterday talking about the importance of transitional funding for Ottawa-Carleton. I'll confine my remarks only to the Ottawa-Carleton area in this huge, massive bill, which is putting all of the regions together in one bill to make it impossible to vote for it.

The next issue I want to deal with is the issue of bilingualism in the new city. It seems to me that the commissioner, Mr Shortliffe, was quite astute when his report recommended, "One of the most important issues raised during the consultation process The national capital must be reflective of the character of the country as a whole and must recognize the presence in its population of a significant minority of francophones." Then he goes on to specifically recommend, "The city of Ottawa will be legislatively designated a bilingual city with services to be provided in both official languages where warranted."

Ignoring that kind of comment essentially says to the people of Ottawa, "For the next year you're going to be in one hell of a hornet's nest," because you know the position of many people. You'll have APEC out, the

organization for the preservation of English will be coming from Brockville and all over eastern Ontario, and they'll be raising bloody hell.

This could all have been avoided. Even the Sun, which is often the chronicle for the government side, did a poll that said the majority of people in fact support the fact that the city should be a bilingual city. All I'm saying is, in my opinion it's irresponsible for the government not to have done that. We have a recommendation, an amendment on this side put forward by Dalton McGuinty, and I hope we have the occasion in which to examine amendments for this.

The next issue is the issue of the sledgehammer clause, which of course provides for amendments in the legislation, and this is what the amendment says, "providing for ... amendments ... that are necessary for the effective implementation of this act." What this does is effectively give the government an open door behind closed doors to make any changes they want to this particular legislation, so I have trouble with that.

Of course I've mentioned the omnibus legislation, that putting everything together makes it very difficult, but it's convenient at this time of the year of course to try and ram through all of this stuff. They do that, so that we have to kind of respond accordingly.

My position essentially is this, that the city of Ottawa, according to the CFO, is saying that the taxes will increase, given the tax differentiations that are being proposed by this particular bill. I'll read from a motion of the city, Mr Speaker, very quickly—I can't read the whole thing because I'm running out of time—where it says, "Whereas the city of Ottawa's existing debt is incurred to provide the following municipal assets which will be available to all ratepayers." The city of Ottawa, the triple-A baseball stadium, Lansdowne Park, the Walkley Arena, Sandy Hill arena, Greenboro, all of those facilities become divided up and split but not their debt, and their debt is based upon having built some of those facilities.

Interjection.

Mr Patten: It is so, Mr Baird, and you know damned well it's true.

Finally, I'm just going to say this: There's no way I can support this. I did start out supporting this bill. There are all kinds of undemocratic elements, such as 75 people—presumably 75 Tories—in any particular municipality, who can just yell and scream and say, "We want commissioners," and the cabinet may respond. Why

would you even put that in? It's totally undemocratic. It's unbelievable.

Anyway, I say to the people of Ottawa, beware, your taxes will go up and they'll steal by virtue of this legislation your resources and spread them out and still make you pay for the debt, and your property taxes will be increased—you mark my words—unless there are amendments to this bill.

The Deputy Speaker: I just want to alert you all that inflammatory language will do nothing to help the order of the House and so I'd ask you to refrain from it. Comments and questions?

Ms Shelley Martel (Nickel Belt): With respect to the comments made by the member from Ottawa Centre, let me focus on two things: (1) the transition costs, and (2) the provision of French-language services.

The issue of transition costs is singularly important. The government has spent much time trying to convince people that with respect to the amalgamation there are going to be tax savings. The first thing we see in the bill is that the regional municipality of Sudbury will have the pleasure of paying for all the costs of the transition team, a team which, I remind you, will have no input whatsoever in choosing, no input whatsoever in terms of their actions, their organization, the guidelines they create, the work they do etc. But the first download we will have will be the cost of that transition team itself, which we will pay in the 2000 budget and the budget in 2001, depending on how long they are in place.

Secondly, there is the cost of the \$12-million transition in Sudbury, for example, which is a cost that the minister, when he was speaking to the local media two weeks ago, said the province hasn't dealt with yet. I guess not, because some of the supporters of the very government who were pushing amalgamation in Sudbury wouldn't be so happy to be pushing this any more if they discovered that now the regional municipality of Sudbury is going to be dealing with those \$12 million of transition costs as well. Whatever savings there may be, certainly in the first couple of years they're going to be eaten up just paying for the costs that come by this government forcing amalgamation in my community.

With respect to French-language services, I can't tell the government how important this issue is. I can't stress enough how important this issue is. In our community, there were bylaws in place in four communities which provided French-language services to those whose first language was French and who wanted that at the counter when they came for service. The bill says that bylaws that were in effect will continue, but if you look at our area, you will see that the new wards are completely different from the old regional wards. You have wards that are now joined, where there is an anglophone population with a francophone population. How are you going to provide French-language services in those areas when the ward system—

The Deputy Speaker: The member's time has expired. Comments or questions?

Mr John Gerretsen (Kingston and the Islands): I would like to congratulate the member for Ottawa Centre and the member for Hamilton Mountain, who have spoken on this issue during the last little while.

I would just like to remind the people of Ontario that yesterday we received a letter that was addressed to the Minister of Municipal Affairs and Housing—who is in the House today, and I'm very pleased to see him here—from the Association of Municipal Clerks and Treasurers. They made it quite clear in their letter that this piece of legislation is not going to do at all what the government's aims and objectives are, that is, to make the process more accountable and to in effect make the situation a lot better for these citizens.

I quoted extensively from that letter yesterday, and I hope the government has learned from the experience they went through on the taxation bills, when again they didn't listen to the Association of Municipal Clerks and Treasurers and in effect seven different tax bills had to be passed before they got it right—if they were right. We'll probably see another tax bill fairly soon.

On the transition costs, let there be no mistake about it that in the Kingston area, for example, independent calculations have clearly shown that as a result of the amalgamation or annexation or restructuring that took place over the last couple of years, the city is still short anywhere between \$4 million and \$10 million. Representations have been made to the ministry, to the government in general, without any success whatsoever. So this notion that the government will cover the transition costs is absolutely bogus. They didn't do it in the Kingston area, where a bill wasn't necessary for this process, and they didn't do it in many other areas as well.

The final point I want to make is that municipalities should be formed as a result of communities of interest. Putting vast rural areas with urban areas and calling it a new municipality just isn't right. It's not in the tradition of Ontario municipal government.

The Deputy Speaker: The member's time has expired.

Mr Doug Galt (Northumberland): The presentation the member for Ottawa Centre made was interesting, but I'm sure the Liberals in the House this evening would be interested in knowing that the last phone call that I just took was from a senior citizen, a retired teacher who wants a copy of the Millennium Memento journal. She's quite enthused about it and wants to read literally every story that's in there. I'm sure the members of the opposition would appreciate knowing that's my mother. She is really quite interested in that book.

Getting back to the Fewer Municipal Politicians Act that is being addressed here, I have to go back to what was being said in this House and the kinds of questions, the lack of quality of questions from the leader of the official opposition, Dalton—I don't know who he is, because I haven't seen him in a long time.

His first statement was—

Mr Gerretsen: On a point of order, Mr Speaker: It has been well recognized in this House that we do not

comment on the absence of a member. I think what the member just said is totally out of order.

The Deputy Speaker: That is a point of order.

Mr Galt: I have to apologize to the honourable member for Kingston and the Islands. I had heard it being thrown to us so often from the other side of the House that I thought it was in order, so it just slipped out. My apologies for that.

Coming back, the leader of the official opposition—who I'm surprised isn't the leader of the third party; by luck he's still leader of the official opposition—was talking about splitting the bill into five. He was talking about things like 75 people being able to call a commissioner, knowing right well that the minister would have his rights and it would be the minister's decision. That was the kind of poor quality of question we were getting from the leader of the official opposition.

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Mr James J. Bradley (St Catharines): A question I would have for both members who spoke, latterly the member for Ottawa Centre, is whether they share my concern about some very undemocratic provisions within the bill which affect all of Ontario.

One provision gives the power to the cabinet to change any and every law necessary to accommodate restructuring without coming to the Legislature. The government, because it has a majority and is elected as the government, certainly is entitled to pass whatever legislation it sees fit. As you would know—I think all government members know this—contained within this legislation is that provision which doesn't allow any of you who aren't in the cabinet to have a say in the changing of any of these laws, which is extremely frightening legislation. I hope there will be members in the government caucus who will lobby to have that provision removed from the bill, because you will pass the bill, because you have the majority.

Second is a provision which gives any 75 people who sign a petition the right to overturn perhaps all the work that has been done by local people in trying to come up with a restructuring plan—because on an ongoing basis we've seen restructuring in many areas. What you could have is, in our area I would say 75 members of the Reform Party will get together and write a letter to the minister. They will say, "We want one big region, one big everything," because that's what they want: fewer politicians and all that nonsense. If the government wants to do that as a government, that's one thing. The government can propose that. Some may agree; some may disagree. But giving 75 people that right, to have a commissioner come in and throw out any other restructuring plan, is surely highly undemocratic.

The Deputy Speaker: The member for Ottawa Centre has two minutes to respond.

Mr Patten: I want to thank the members for their comments. I know they won't mind if I take a couple of minutes to say that there was a city council motion, part of which I read before, but I want to read it again,

especially for the member from Nepean and the member from Lanark-Carleton. It says:

"Be it resolved that the city of Ottawa reiterate our position that all assets and liabilities should be pooled, and if the legislation is not changed," then perhaps they would consider the following: "That in the alternative the city of Ottawa requests that the minister take into account the positive fiscal situation in Ottawa when preparing a regulation under section 14 of the act."

It goes on to make two suggestions: "That the new city should be required to apply any proceeds from the sale or lease of assets which were debenture financed to reduce the debt burden included in the calculation of any special tax rates for debt and that the new city should be required to include the value of assets brought to amalgamation."

Anybody who knows anything about accounting—and I don't profess to know all that much about it, but I do know how to read a balance sheet. You have assets and liabilities. I say to you that it's totally unfair to place the kind of burden that this legislation would impose upon the city of Ottawa, the residents and taxpayers of Ottawa, and increase their property taxes, when this was not their particular understanding; it certainly was not mine, when I stood for it, believed in it, promoted it and represented that to the commissioner.

The commissioner came through and made that recommendation. All of a sudden this government chose to ignore that particular recommendation by the commissioner. I find that totally disheartening, and I think at the end of the day the government will pay a price for this. It may look good for the member for Nepean, who proposed three different cities, but it's not allowing for fairness at the same time—and also for Norm Sterling, of course, who has the opt-out clause for Carleton West, but not any of the other townships. It's not fair at all.

The Deputy Speaker: Further debate?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): I'm pleased to have the opportunity to enter into the debate on Bill 25. People in Nepean-Carleton, the riding which I'm privileged to represent, are tremendously concerned about the reform of regional and local governments in our community. It is my responsibility and it's my great privilege to be their representative in this assembly.

I'm not Toronto's messenger to Nepean-Carleton. Rather, I'm an advocate for the hard-working taxpayers of my riding.

Throughout these discussions and indeed throughout my entire time at Queen's Park, I have always done my very best to forcefully and passionately represent my constituents' concerns and interests. When I first ran for election to this assembly, I made a number of paramount promises and commitments: that I would work very hard for taxpayers in my community; that I would above all try to make a difference; that I would do as much as one person could do. For the last four years, I have certainly done my very best to live up to those commitments. I can

think of no other issue where this is more the case than on the important issue of regional reform.

There has been a substantial amount of debate in our region, going back 30 years, on the structure of our local government. In 1976, the Mayo commission reported. In 1987, the Bartlett commission reported. In 1990, the Graham report was issued. In 1992, the Kirby report was issued. In 1994, the then provincial government of the day introduced and passed legislation. In 1997, there was a citizens' panel on local governance.

To a great extent, the first shoe dropped on this round of regional reform back in 1994, when the former government introduced the direct election of regional councillors, regionalized policing and a number of other services. There was substantial pressure brought about by those changes in 1996 and 1997 for the province to act. There was a substantial amount of pressure in 1998 for the province to act when my colleague the then member for Ottawa-Rideau introduced a private member's bill that subsequently died on the order paper. I would certainly invite my colleagues to check the record on exactly what I said during that debate.

All 12 municipalities in Ottawa-Carleton, including Osgoode, Rideau, Goulbourn and Nepean, the four municipalities which I'm pleased and privileged to represent, passed resolutions calling on the province to step in and take action. They said they couldn't solve the problem. They said they needed and they asked for the province to bring closure to this debate. I disagreed. We had two more years of local debate after those bylaws were passed. There is a growing consensus that the province had to act, that the debate and the relations between the upper and the lower tiers had deteriorated to such an extent since the last municipal election that I suspect in Ottawa-Carleton I was probably the last person to reluctantly—and I underline "reluctantly"—come to that conclusion, that the province had to act.

On behalf of my constituents, I fought very hard for a good process. The 90-day process to review the monstrous number of reports that had been issued and proposals that had been put forward by various municipalities and groups was the end of that process. One individual named Henry Mayo, who wrote the Mayo report, said, on the province's restructuring plan for Ottawa, in the *Ottawa Citizen* on August 23, 1999: "Ninety days? That's ridiculous. They should do it now." I disagree.

My mayor in the city of Nepean, Mary Pitt, in response to a statement by the Leader of the Opposition, said: "The mayors have talked. We talked and we talked and we talked. I know that a facilitator can't do any more."

So this government acted. We appointed a local person, someone with impeccable credibility, who I think got universal support, someone who, importantly—I was very strong on this—had never taken a position on the issue and could approach the issue fairly, a sharp man. I think everyone would agree that Glen Shortliffe doesn't suffer fools gladly. Over 90 days he met with all 12

councils, and spent more than an hour with each council reviewing the reports that some municipalities had spent even years preparing. He had two full days of public hearings, as well, in the rural part of the region. I believe he heard from every single person who wanted to personally present before him. He received more than 1,000 submissions. He received two proposals that I think had a lot of merit. The tri-city model was put forward by the city of Nepean. I have a synopsis, an overview here. That proposal was very well represented by the city of Nepean's mayor, Mary Pitt, by councillor Rick Chiarelli and by Bob Letourneau, the chief administrative officer.

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I think Nepean has done an outstanding job over the last 25 years. When other governments are struggling to come to terms with deficits and the effects of years and years of waste and wild spending, they are a municipality that is debt-free. They have the second-highest reserve per capita in the province. Many years ago Mayor Ben Franklin adopted a pay-as-you-go policy. That's something that people in our community, the Nepean part of our riding, are tremendously proud of. A good number of my constituents, and their member, liked this proposal.

With respect to the rural part of the riding, the four rural municipalities in Ottawa-Carleton, three of which I'm privileged to represent—Osgoode, Rideau and Goulbourn townships—came forward with the rural alliance proposal. It's a very well-put-together proposal. I've had a tremendous amount of dealings with Mayor Janet Stavinga and councillor Steven Lewis from Goulbourn. Mayor Glenn Brooks and councillors Don Stevenson and Rob Fraser from Rideau township, among others, did a lot of work. Mayor Doug Thompson and councillors Carol Parker and Dwayne Acres put in a lot of time and effort, among a large number of others.

I think it's a good proposal. Probably more than any proposal, the rural alliance proposal is costed out. Again, I have to say that certainly support for the rural alliance was not unanimous in the rural area but there was a substantial amount of support for it. I think it's a good document. I like the direction that it advocated.

A lot of people had a lot of strong feelings on this and perhaps no one more in Ottawa-Carleton than I. A lot of people whom I am privileged to represent in this assembly, and their member, were disappointed with the recommended direction outlined in Mr Shortliffe's report. I personally share that disappointment. The report, to be clear and candid, was not my first choice, nor was it my second choice. Some in my riding strongly supported its direction and I would be remiss if I didn't say that. Others, though, did not.

I would have preferred the direction of a three-city model advanced by the city of Nepean. I would have preferred the direction of the rural alliance proposal advocated by the townships of Osgoode, Rideau and Goulbourn. I want to be clear. People in Nepean-Carleton found the report of the special adviser, as he presented it, to be unacceptable. John Baird found it unacceptable.

I've talked with and heard from hundreds of constituents in Nepean, Metcalfe, Vernon, Richmond, Manotick, North Gower, Stittsville and Ashton. As I drove around the riding in my own car, because I don't have a limousine—

Interjection: Nor a driver.

Hon Mr Baird: Nor a driver—I met with the mayors of the four municipalities in Nepean-Carleton the day after the Shortliffe report was released. I took the concerns about the direction back to my caucus colleagues, back to my cabinet colleagues. Significant changes were made in attempting to address their concerns.

Mr Shortliffe recommended the pooling of debt, something with which I fundamentally disagree. People in responsible municipalities who have collectively taken pride in a pay-as-you-go policy shouldn't have to pay for the free-spending ways and big-spending politicians in the city of Ottawa. The city of Ottawa has the highest debt per capita of any municipality in Canada. It has not been a well-run municipality over the last 20 years.

I'd be remiss if I didn't say that the current mayor, Jim Watson, and deputy mayor, Allan Higdon, have really turned things around. For the first time, in the last two years the debt has started to go down. But nonetheless, that huge debt is there.

Mr Shortliffe recommended the pooling of reserves. Again, this was a real concern to constituents in all four of the municipalities that I represent, because in one of them they have the second-highest reserve per capita in the province and they didn't want to see that intelligent financial management be discriminated against.

Mr Patten: How much is it? Peanuts.

Hon Mr Baird: It may be peanuts to the Liberal member from Ottawa. We take great pride in the fact that we've been financially responsible in Nepean-Carleton.

The special adviser left the issue of area rating for taxes and even contemplated having a consistent tax rate across the region. In three of the municipalities in my constituency they don't even get public transportation services, and they shouldn't have to pay for them. Changes were made on that.

Another major change made was with respect to rural representation. We saw a substantial reduction in politicians right across the region, which I think is probably a good thing. But in the rural area, with its large geography, it was probably more acute. The region of Ottawa-Carleton is quite big. In fact, there are towns and villages in my riding which are closer to Brockville than they are to Ottawa. There is a ward, mostly in my riding, which is twice the size, geographically, of the city of Toronto. I fought very hard in caucus to get more representation for those rural areas, and there was a substantial departure from the Shortliffe report in that area.

I should say, going back to the whole issue of segregating reserves and debt, that that's not something new. I looked through information on various restructurings locally in the province of Ontario. In the city of Quinte west, in the county of Prince Edward, there were

specific provisions in subsections 12(4) and 12(5) stating that taxpayers should not avail themselves of the reserves of another municipality, so this is not something revolutionary or new.

I do want to thank my friend and colleague the Honourable Tony Clement, someone whom I have known for more than 15 years, for listening and for agreeing to major departures from the Shortliffe report. This bill is not perfect—as I've said, it's not my first choice—but Bill 25 is a major improvement from the report of the special adviser.

The issue of official bilingualism is one which has got a lot of attention in this place and in Ottawa-Carleton over the last number of days. Bill 25 contains a provision that maintains the existing French-language services offered not just in Ottawa-Carleton but in the lower-tier municipalities with significant francophone populations, and it maintains those policies in those geographic areas until a new city council makes changes, if changes are made at all. The status quo is maintained.

I hope and I believe that good-quality French-language services will continue to be offered. I think people in my constituency strongly support that.

Interjection.

Hon Mr Baird: The Liberal member from Ottawa says, "Yeah, right." The attempt of the official opposition to paint this in that sort of fashion doesn't give a lot of credit to the people of my constituency, and I resent that. I strongly resent that. I can say that people in Nepean-Carleton strongly support the provision of French-language services that are in place to serve our francophone population in Ottawa-Carleton, and for him to suggest otherwise suggests a very shallow and narrow-minded interpretation. He should be ashamed of himself.

Our belief is that the local municipality should make the decision. In 133 years, this assembly, the government of Ontario, has never mandated bilingualism. It has always been a local decision. The French Language Services Act, passed in 1986 in this assembly unanimously, with the support of the Conservative opposition and the New Democratic Party opposition of the Liberal government of the day, excluded municipalities for this very reason.

Je pense que la provision des services en français, la provision de bons services en français, est quelque chose qui était vraiment important pour notre ville, et je suis en accord avec M. Don Boudria, le chef parlementaire du Parti libéral à la Colline parlementaire, quand il a dit qu'il était sûr que le nouveau conseil continuera d'offrir des bons services en français.

The one issue which the overwhelming number of taxpayers came to agree on was that two-tier government had not worked in Ottawa-Carleton. Throughout these long and arduous discussions on regional reform, I've always worked very hard to forcefully and passionately represent my constituents, to tell the story of how in one municipality, the city of Nepean, a pay-as-you-go policy has worked and has benefited taxpayers, how this year they cut taxes in Nepean and last year they cut taxes in Nepean.

1920

We had a Liberal councillor from Nepean actually come forward and say: "Take the OMERS pension surplus and give it back. The government doesn't need it." It's so financially responsible that even the Liberals are fiscally responsible, a rather impressive area. It's a debt-free community and the citizens of Nepean take a tremendous amount of pride in that, and they should.

Our three rural townships, which I'm privileged to represent, have a tremendous community spirit. They have volunteer firefighters, people who make a contribution to their community. They have a tremendous fabric of community identity, whether it's the Lions Club or the Kiwanis Club, the volunteer firefighters or the historical societies and service clubs that really make those communities better places.

I've certainly done my very best to tell those stories and explain the strong positions and the strong feelings that people in my constituency have on this issue. I've worked hard into the last moment of this debate on this important decision. While this bill is not the direction I would have made my first choice, it is a better bill than the Shortliffe report envisaged. As I said, I've worked hard and I've done my best.

We've got major improvements on issues allowing the city council and then the province to look after segregating debt, segregating reserves, more rural representation and rural tax area ratings, something incredibly important for people in my constituency.

The momentum on this issue was incredible. I received a letter the other day, and I want to share a part of it:

"Dear Mr Baird,

"The one-city juggernaut now has a lot of momentum and probably couldn't be stopped by your government, even if you wanted it to be stopped."

Who said that? I got this letter from a regional councillor in my constituency, the regional councillor for Knoxdale-Merivale, Gord Hunter, the Liberal candidate who ran against me in the 1999 election, and I agree with him on this issue.

The rest of the letter says: "We should fight to segregate debt. We should fight to protect our reserve fund"—the exact thing the Liberal Party is fighting here today.

Regrettably, he's right, but we've got major improvements, major amendments to the Shortliffe report to make this report work better for the hard-working taxpayers in Nepean, Osgoode, Rideau and Goulbourn townships, and that I think is a good thing.

The Deputy Speaker: Comments and questions?

Mr Patten: I want to say to the member for Nepean that his fingerprints are all over this bill and it's quite obvious. He continues to miss the point. Nobody suggests that a municipality should be penalized for having been frugal in the past. The point is that the major assets are in Ottawa, with the size of their city hall, with Ottawa Hydro. None of those things will go to defray the taxpayers who have paid for these assets in the past.

Don't you get it? There are assets and liabilities. Do that calculation of their assets, subtract that from their debt and then spread it around and see the difference. It would be a heck of a big difference. That's all we're saying.

You're robbing all the assets and you're saying, "You've still got to pay for the mortgage, even though we've taken your city hall and sold it off and spread it around to everybody else." That's what I'm trying to say. If you were so committed to the rural areas, why didn't you let the rural areas opt out? I recommended to Mr Shortliffe to give the rural areas an opportunity to opt out and choose whether they wanted to buy services from the new municipality. But no. Norm Sterling was able to do that with West Carleton—only one out of the five. Isn't that interesting? So I see where his fingerprints are on that piece of legislation for Ottawa-Carleton as well. It's absolutely amazing.

I'm asking you: Are you prepared to allow us to see some amendments come forward that deal with a fair arrangement so that the people of Ottawa aren't going to give away all their capital assets and still be sitting there with a mortgage, even though they paid for all those assets? I would like to know if you will stand in your place and make sure that you respond to that question when you have a chance to respond.

Last year we could have had this passed with the bill from the member from Ottawa West, Mr Guzzo.

Interjection.

Mr Patten: The member says it died on the order paper. Sure it died on the order paper because your government didn't have the guts to pull it up. All they had to do was call it forward. The bill was there.

Ms Martel: I listened with interest to the comments made by the member and maybe I'll respond in this way: I heard him say that he thought the 90-day process was a good one. I guess I have a different view. In my community many people felt like they had a gun to their head and that there was no choice, that the government left them with no choice about what was going to happen.

There was a reason the city of Sudbury and the region had not gone to a single tier before, and that is that many people, particularly those who live in the outlying areas, don't want to be annexed, don't want to be amalgamated, like the communities that have a history of 80, 90 and 100 years and don't wish to become part of a bigger corporation which will now be called the city of Greater Sudbury.

The process for us was anything but satisfactory because your government made it clear that regardless of what the wishes of people in my community have been for many years, you were going to do what you wanted to do anyway. You were going to force those communities to amalgamate whether they wanted to or not. Clearly many haven't because there has been no unanimity with respect to that issue over a number of studies that have been done, because people in the outlying areas want to retain their communities, their history, their distinct cultural and linguistic rights.

Secondly, I can't for the life of me imagine why you wouldn't be opposed to the process that goes from here. You talked about all the work you did with municipal councillors. It's interesting to note that when the transition teams take effect, all those people, duly elected, get completely swept aside. It will be that transition team, accountable to no one, elected by no one in our communities, that will have full say over what goes on for the next year, with no opportunity for public input, with the locally elected people swept aside and with our community having the privilege then to pay for people we didn't even appoint or had no input into appointing in the first place.

Mr Bart Maves (Niagara Falls): It's a pleasure for me to comment on the member for Nepean's remarks tonight. I'm very proud to stand up and speak to those comments by the member because I am quite proud of the member, proud of the fact that the member opposite from the Liberal opposition said, "Your fingerprints are all over this bill." In fact they are, because as the member said in his speech, he worked very hard on this entire issue for the last couple of years. I know his efforts on this issue reached a fever pitch over the past three or four months. He spent a lot of time working with people in his own community, people from Ottawa and people in the government.

A commissioner's report came forward, after years and years of wrangling where nothing could be settled, and called for something which definitely wasn't this member's first choice. He got over that disappointment. He set to work within the government to try to make it a better bill for his community and the greater community of Ottawa, and I think he has succeeded in that.

I think that says something about this government, that a young minister in this government, in the third-biggest ministry in Ontario, could work within this government, could continue to pursue his convictions, could continue to disagree, in effect, with some of the things put forward in this bill and yet pursue his convictions without any negative ramifications. It speaks volumes about the freedom to express your opinion within this party.

I know of other parties where when someone expresses an opinion counter to that of the leader, they're booted out. Mr Nunziata is a good example. I think he still sits as an Independent who was booted out of the Liberal Party. That doesn't happen on this side of the House, and other members have the same freedom. I'm proud of that.

The Deputy Speaker: The member's time has expired. Comments and questions.

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M^{me} Claudette Boyer (Ottawa-Vanier): Il me fait plaisir de répondre au ministre délégué aux Affaires francophones. Je le félicite pour nous avoir démontré comment il croyait en son comté, comment il voulait aider son comté et qu'il travaillait pour ses commettants. Bravo, je vous en félicite.

Par contre, je ne veux pas vous parler comme députée pour le comté de Nepean. Il est temps que par rapport

aux francophones de l'Ontario, vous mettiez votre chapeau de ministre délégué aux Affaires francophones et répondiez à l'appel de la communauté francophone de l'Ontario.

Malgré qu'on demande le bilinguisme, je suis sûre que vous avez dit que le bilinguisme à Ottawa avait eu beaucoup d'attention. Ça va continuer d'avoir de l'attention. Même si ce projet de loi passe sans qu'on insère le bilinguisme, on va continuer à se débattre et on va pousser pour que, enfin, ce soit inséré. Si vous croyez vraiment aux services en français pour les francophones de la municipalité d'Ottawa, qu'est-ce qui vous fait si peur de vouloir l'insérer dans la loi ? Pourquoi la ville de Cumberland, la ville d'Ottawa, la ville de Vanier et la Commission de la capitale nationale n'ont-elles pas hésité de pousser à ce que Ottawa soit une ville bilingue—non seulement une ville bilingue, mais que ce soit inséré dans le projet de loi ?

Rappelez-vous que la communauté francophone à travers l'Ontario—non seulement à Ottawa—appuie les résidents et les résidentes d'Ottawa et toutes les actions entreprises auprès du gouvernement de Mike Harris et des politiciens locaux afin qu'ils reconnaissent officiellement ce statut, et de ce fait l'existence des deux langues officielles dans la capitale fédérale.

The Deputy Speaker: The member's time has expired.

L'hon M. Baird : Je voudrais remercier mes collègues les députés d'Ottawa-Vanier, de Niagara Falls, de Nickel Belt et d'Ottawa-Centre pour leur commentaires. J'apprécie les commentaires de ma chère collègue la députée d'Ottawa-Vanier. C'est bien sûr mon plaisir de travailler et de continuer de travailler avec elle dans sa responsabilité de porte-parole pour l'opposition officielle.

I say to the member for Ottawa Centre, I don't apologize for fighting for my constituents, for fighting for the hard-working taxpayers of Nepean and Greely, North Gore and Stittsville. The issues to which he takes such great exception are advanced not just by me, but by the two candidates of the Liberal Party in both of the Nepean ridings in and after the most recent provincial election campaign. So his own party in my community disagrees with him.

The city of Ottawa borrowed millions, they engaged in a spending spree, a spree of waste and wild spending, and they have to pay the bill for that, I believe. They should pay the bill for that. The good news is that Nepean comes with a whole host of assets, newer assets, debt-free assets, that have been to the benefit of the entire community, like the Sportsplex, like the Walter Baker Sports Centre, like the new city hall.

The member for Nickel Belt says, "You put a gun to their heads." I can remember being in a meeting where one of the mayors in Ottawa-Carleton said, "Minister, we want a gun to their heads." Who was that? That was the mayor of West Carleton, the Liberal candidate who ran against Mr Sterling, who said, "Minister, we want a gun to our heads." I said to this mayor, "I want amnesty on the murder charges."

The Deputy Speaker: Further debate? The Chair recognizes the member for Windsor-St Clair.

Mr Dwight Duncan (Windsor-St Clair): I believe we have consent for me to share my time with my colleague from Ottawa-Vanier.

I'm pleased to have an opportunity to address this bill. I want to address the points that have been made by the official opposition throughout, and there are 10 of them. I want to go over them. Let me say to the Minister of Community and Social Services, I certainly hope he doesn't get parole as a result of putting that gun to anybody's head. His abrupt about-face on this issue is most instructive in terms of how that government works, and displays the difference in characters of members over there, some of whom have been consistent in their views throughout, not only with respect to certain technical nuances but indeed with respect to the broader question. I applaud those who have not changed their views so rapidly or so dramatically, views that were so eloquently expressed in the past.

The first problem with this bill, from my perspective, is that it has that infamous sledgehammer clause, which effectively will take away the right of this Legislature, take away the right of parliamentarians. That's the clause, you'll recall, that says if it is necessary, in the opinion of cabinet, for effective implementation of this act, you can change a bill without a vote of the Legislature. That is an unprecedented piece of legislation, one that ought to give cause for concern to anybody who believes in and respects this institution and the institution of parliamentary democracy.

One of the concerns I have is the extension of the county commission restructuring process. Members will recall that this was part of the infamous bully bill, the omnibus bill, back in 1996. Like my colleagues, I voted against that bill for a whole variety of reasons, not the least of which was the notion that an unaccountable commissioner could be appointed by a cabinet that truly isn't accountable to go into a community and make recommendations for restructuring without the consent of that community, and indeed over the objections of the host community. I expect they will appoint a commissioner in Windsor-Essex, and I will oppose the appointment of that commissioner, as I opposed Bill 26 and as I oppose the forced amalgamation, the forced restructuring, of any municipality.

The third reason we are particularly offended by this bill is the 75 petitioners clause. That is the clause which will allow any 75 individuals to request the appointment of a commissioner, even if the local or host municipalities don't want it. If it's something the government wants and if there are 75 of the government's supporters out there, it could be imposed. That is another example of an unnecessarily undemocratic, unparliamentary power that's being bestowed without any kind of check or balance.

Another thing that I hope folks at home will note is that there are now restrictions put on municipal referendums. Municipalities have had the traditional right

to decide local issues through referenda. Bill 25, the bill before us today, which will have closure motions tomorrow to cut off debate, will allow the provincial government to restrict the terms and conditions of municipal referenda questions. So, for instance, in my community, if the town of Tecumseh wants to put a referendum question to its electors next year on the municipal ballot with respect to the question of annexation of Windsor, the province can prevent that. The province can say, "No, you can't vote on that." They might be embarrassed, the way they were in the megacity vote here in Toronto, if that were to happen.

Je veux dire quelque chose sur la question bilingue pour Ottawa. Dans le rapport de M. Shortliffe, il dit clairement que la capitale nationale de notre pays doit être bilingue, et pour la première fois ce gouvernement pourrait dire oui. Ce serait la meilleure chose. Ce serait la première chose : pour la première fois, que le gouvernement de l'Ontario recommande qu'une région soit bilingue.

That would have been a giant step forward. It was a missed opportunity. The minister says, "It's already there." That's cowering and hiding. A glorious opportunity was missed.

Let me read to you what Mr Shortliffe said:

"One of the most important issues raised during the public consultation process was the question of bilingualism. As noted earlier, more than 15% of the population of the new city will be francophone. Ottawa is also unique among cities in this province and country in that it is the capital of Canada.

"Our nation has two official languages The national capital must be reflective of the character of the country as a whole and must recognize the presence in its population of a significant minority of francophones."

You missed an opportunity to do something that, the minister is quite correct, hadn't been done before; that is, the recognition by this province that our second-largest city is in fact a bilingual city—une communauté de francophones et d'anglophones, notre capitale. Moi, je suis triste que le gouvernement ne fait pas quelque chose au sujet de la question du bilinguisme.

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The minister said approvingly, and this is our sixth point, that the bill does not include most core implementation recommendations from the restructuring special adviser reports. The bilingual question is but one in Ottawa, but there are others from the other affected municipalities. As my colleagues from Ottawa have noted, there has been a disparity of treatment among those municipalities affected, particularly in the Ottawa region. I know my colleagues on the government side from the Hamilton region have some concerns as well about those issues.

The seventh point we've talked about is the question of transition funding and the question of what is fair and isn't fair. Let me begin by reminding members and the public of what happened in the case of Toronto and Chatham-Kent. The government provided transitional

funding. That's an extremely important process, because if you don't provide for that up front, it could be a cost that will have to be borne by the local taxpayer in tax increases, because there are costs associated with municipal restructuring. The government acknowledged it in Toronto and the government acknowledged it in Chatham-Kent. In fact, if they had done in Ottawa-Carleton what they did for Toronto, Ottawa-Carleton would receive \$75 million; in Hamilton, approximately \$50 million; in Sudbury, \$18 million; and in Haldimand-Norfolk, \$11 million. They've done none of that.

There's the question of downsizing Toronto city council. I'm not a member from Toronto and I don't purport to represent those folks, but what is of concern to me and ought to be of concern to everyone in this province is the fact that the government can unilaterally by regulation in the future reduce yet again the number of those councillors. That ought to trouble anyone who is concerned with the way we conduct public policy in this great province.

There will be no public hearings yet again—five communities, major changes to the Municipal Act, and no public hearings.

As I indicated earlier—our 10th point—another omnibus bill, another bill that's forcing us to vote the same way, one time, on some very different questions. I regret that this government has chosen to use this instrument more often and on much more important legislation than any previous government. I regret that this government has used closure on more occasions than any previous government. That's truly sad.

This bill is flawed for those 10 reasons.

J'espère que le gouvernement peut comprendre que ces changements, particulièrement la question du bilinguisme pour Ottawa, sont très importants. Je regrette le projet de loi 25.

I hope we'll all learn lessons from this very undemocratic process.

Mrs Boyer: Thank you for the opportunity to talk about Bill 25, the Fewer Municipal Politicians Act.

I am quite disappointed that Bill 25 did not implement the Shortliffe recommendation on the bilingual status for the new city of Ottawa.

Comme l'a dit mon collègue de Windsor-St Clair, M. Shortliffe dans sa recommandation a bien mentionné que la question du bilinguisme a été l'une des plus importantes soulevées dans le cadre des consultations publiques. Il a dit que notre nation compte deux langues officielles, que notre gouvernement national, basé à Ottawa, offre de par la loi des services dans les deux langues officielles. M. Shortliffe a vu tellement une importance qu'il en a fait sa recommandation numéro 4, qui se lit : « Je recommande que le bilinguisme soit rendu et désigne la ville d'Ottawa officiellement bilingue dans les langues française et anglaise. »

Il a aussi recommandé qu'il advenait à la nouvelle ville d'Ottawa de dire comment implanter ces services. Si les territoires municipaux sont fusionnés, avec le résultat que les proportions d'anglophones et de francophones ne sont plus ce qu'elles étaient, les citoyens d'expression

française sont les mêmes qu'avant, avec les mêmes besoins pour les mêmes services. Il devrait donc y avoir les mêmes droits qu'avant et cela devrait être consacré dans la loi effectuant la fusion, plutôt que de laisser ça au gré du nouveau conseil municipal. Tout cela a une signification particulière, une signification nationale lorsqu'il s'agit de la capitale du Canada.

Franco-Ontarians are spread throughout the regional municipality of Ottawa-Carleton and deserve respect for their linguistic and cultural preferences.

As my colleague from Ottawa Centre said earlier, an Ottawa Sun published earlier indicates that 52% of Ottawa residents believe the new city should be bilingual. But it is important for members to realize that being bilingual does not mean, as the mayor of Ottawa has stated, that every employee must speak English and French. It means that services provided by the city are provided in French as well as in English, and only where warranted. In fact, the mayor has said that the city is already bilingual. If it is already bilingual, why don't we want to put it in the law, in this bill?

En effet, pourquoi s'opposer à la désignation de la ville d'Ottawa, du Canada, comme bilingue ? Pourquoi s'opposer à inclure une réflexion de la réalité dans cette loi ? Si la ville d'Ottawa est une région désignée par la Loi 8, pourquoi est-ce que le gouvernement a tellement peur ? S'ils sont tellement certains que la nouvelle ville va nous donner les services, alors, pourquoi encore une fois s'obstiner à ne pas vouloir l'insérer dans ce projet de loi 25 ?

Une des raisons est la désinformation. Les gens pensent que « bilingue » équivaut à une menace à l'anglais, que l'on protège le français au détriment de l'anglais, mais c'est faux. Que la ville d'Ottawa, la capitale de notre pays qui a deux langues officielles puisse offrir des services en français n'est pas une menace pour les anglophones. Ce n'est pas non plus une menace aux emplois, comme l'a bien souligné le maire d'Ottawa. Pourquoi est-ce que la ville de Vanier, la ville de Cumberland, la ville d'Ottawa et la Commission de la capitale nationale se sont tant pressées à se déclarer en faveur d'une ville bilingue, une ville officiellement bilingue avec deux langues officielles, le français et l'anglais ?

Aussi, la réaction du gouvernement de refuser des consultations publiques est aberrante. Refuser de consulter les contribuables, contribuables même qui subiront ces changements de structure ; refuser d'écouter les contribuables qui verront leur taux d'imposition changer sans qu'ils aient la chance de se faire entendre ; éliminer un processus démocratique faute de temps, tout bonnement parce que ce gouvernement tient à passer une loi défectueuse avant Noël, c'est insensé.

It's a slap in the face of everything this Legislature stands for and should stand for.

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This bill has numerous and serious flaws. Whole communities have protested against various aspects of the bill, be it the fact that the province will not cover the

cost of the amalgamation of municipalities, the fact that all assets will be pooled while debt will continue to be borne by the taxpayers of the former debt-ridden municipalities, or the lack of public consultation.

Je ne peux pas appuyer un projet de loi qui se veut tout et qui n'est rien. Ce serait une injustice aux contribuables d'Ottawa-Carleton ainsi que ceux de toutes les villes visées par ce mégaprojet de loi.

La nouvelle ville d'Ottawa se doit d'être déclarée bilingue par ce gouvernement. De quoi ce gouvernement a-t-il peur ?

Entendu que le gouvernement ontarien s'apprête à fusionner les municipalités de la région d'Ottawa-Carleton pour créer une nouvelle grande ville d'Ottawa, et refuse de confirmer son statut de ville bilingue, la communauté franco-ontarienne à travers l'Ontario soutient toutes les actions entreprises auprès du gouvernement de Mike Harris et des politiciens locaux afin qu'ils reconnaissent officiellement ce statut et, de ce fait, l'existence de deux langues officielles dans la capitale fédérale, symbole de notre pays.

M^{me} Martel : Je ne peux pas parler effectivement à propos des sentiments des francophones qui habitent à la ville d'Ottawa ou dans la région d'Ottawa, mais je dois vraiment exprimer quelque part les sentiments des francophones qui habitent tout près de chez moi dans la région de Sudbury.

Les francophones ont peur qu'ils vont voir une réduction, une perte des services qui sont offerts en ce moment dans leur propre communauté. Par exemple, dans la communauté de Rayside-Balfour, dans la communauté de Valley East, dans la communauté de la ville de Sudbury, puis à propos de la corporation régionale, il y a des règlements municipaux qui ont été passés depuis longtemps. Ces règlements municipaux disent que les personnes qui viennent à l'entrée du bureau, qui envoient de la correspondance à la municipalité, qui font des contacts par téléphone etc, peuvent recevoir des services en français, et que dans chaque région on va avoir des personnes en place pour être certain que les francophones peuvent recevoir des services en français.

Avec ce projet de loi il y a une crainte. Les francophones ont peur en ce moment que les règlements municipaux qui étaient en place depuis longtemps vont disparaître. Alors, c'est au gouvernement et au ministre délégué aux Affaires francophones d'assurer les francophones dans ma propre communauté que les règlements municipaux vont rester en place, non seulement pour cette année mais pour les années prochaines.

Avec ce projet de loi, il n'y a pas de mécanismes pour les pertes. J'espère que le gouvernement va tout de suite améliorer la situation.

The Deputy Speaker: The member's time has expired. Comments and questions.

L'hon M. Baird : Je veux féliciter ma chère collègue la députée d'Ottawa-Vanier pour son discours.

Je vais dire comme député de la région, comme ministre délégué aux Affaires francophones, que la provision de bons services en français dans notre ville et dans notre région est bien sûr importante.

Dans le projet de loi—je vais lire la section—c'est à l'annexe I.

« 5(6) Les règlements et les résolutions d'une ancienne municipalité qui sont en vigueur le 31 décembre 2000 sont réputés des règlements et des résolutions du conseil municipal le 1^{er} janvier 2001 et demeurent en vigueur, à l'égard de la partie du secteur municipal à laquelle ils s'appliquaient le 31 décembre 2000, jusqu'à leur expiration ou leur abrogation ou jusqu'à ce qu'ils soient modifiés à l'effet contraire. »

Ça veut dire que les provisions des services en français pour la région d'Ottawa-Carleton, pour la ville d'Ottawa, pour la ville de Cumberland et pour les villes de Gloucester et de Vanier restent en place.

Notre chef régional, Bob Chiarelli, dit qu'on aurait dû commencer au début du processus d'il y a 30 ans dans la région d'Ottawa-Carleton, et ce n'est pas le cas. Il y a une partie très spécifique dans le projet de loi pour protéger les services en français. Si le nouveau conseil ne prend pas de décision, le statu quo reste. Si le nouveau conseil municipal veut faire des changements, le statu quo reste jusqu'à ce point. Il y a beaucoup d'améliorations qui peuvent être introduites avec ce nouveau projet de loi pour assister les francophones dans chaque partie de la région, de la nouvelle ville.

Mr Steve Peters (Elgin-Middlesex-London): I'd like to take this opportunity to commend my colleagues from Windsor-St Clair and Ottawa-Vanier. One of the things they've recognized, that this government has failed to recognize, is the uniqueness of this province. You can't take a cookie-cutter approach to this province and make every place the same. Every place is unique. They have their own unique entities—the bilingualism that exists in Ottawa, the uniqueness that exists in the Windsor-St Clair area.

One of the very scary provisions that's in this piece of legislation is the amendments that are being made to the Municipal Act, and in particular the amendment that's going to take place to subsection 25.3(1) of the Municipal Act.

Interjection: Want to buy some millennium books?

Mr Peters: No, I don't need any millennium books, thank you kindly. I've sent them back.

One of the very scary provisions that's contained in this legislation is the amendments to the Municipal Act. I represent a county that has a separated city, the city of St Thomas. St Thomas and the county of Elgin developed their own restructuring proposal. They didn't need a restructuring proposal imposed on them by the provincial government. The local politicians got together and developed good local solutions, a made-in-Elgin-St Thomas solution. This is a solution that delegated services that the county would assume and look after on behalf of the city of St Thomas. The city of St Thomas accepted some responsibilities and they would look after those duties on behalf of the county of Elgin. The politicians in Elgin county and St Thomas got together and developed this local solution.

The scary thing about the provision of subsection 25.3(1) in this act is that 75 unelected people in the county of Elgin and the city of St Thomas could petition the Minister of Municipal Affairs and effectively dismantle a local restructuring proposal. That is wrong. The local elected officials are the ones who developed that proposal. Seventy-five individuals, for whatever reason, from whatever political stripe, who don't like the actions of a local council have that opportunity to dismantle it, and that's wrong.

What I think this government fails to recognize is that there are locally made solutions that can be achieved. You now are determined to impose changes and restructuring on municipalities, when municipalities have the capability and the expertise to make their own decisions.

Mr David Ramsay (Timiskaming-Cochrane): Representing a riding, Timiskaming-Cochrane, that has 33 municipalities, many of our municipal officials are just wondering what this government has in store for them.

These restructurings are really based on a false premise: that bigger is better and that having fewer politicians promotes massive savings for the taxpayer. I haven't seen any proof. We've seen the big one the government had first, Toronto. It has become a very expensive proposition. I haven't seen government work any better in Toronto than it had before with the six municipalities that made up Toronto and its regional government of Metro.

In my particular riding, 10 of our rural townships, with great goodwill, three years ago decided, "Let's take a look to see if there would be any efficiencies if we did get together." They put their best people forward, hired outside consultants and worked over about a two-year period of time to see if they could produce significant savings for their taxpayers, and quite frankly they couldn't.

Each of these townships in my area, about 36 miles square, has to have a grader and has to have a snowplow centrally located in those townships. You might be able to save one road superintendent and you might be able to save a few councillors, but all in all, when you look at it, you do not find the savings in those rural amalgamations and annexations.

I would say to the government that they should be careful when they put the gun to the head of municipalities, that this philosophy has not been proven. On the surface it may sound good but in reality it really doesn't work. As we've seen with the mega-boards, the school boards in northeastern Ontario, people are losing touch with their political representatives, and I don't think that's the way Ontario citizens should be living.

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The Acting Speaker (Mr Tony Martin): Response?

M^{me} Boyer : Je veux quand même remercier mes collègues d'Ottawa Centre, de Windsor-St Clair, d'Elgin-Middlesex-London et ma collègue de Nickel Belt pour leur appui et leur croyance à confirmer que la nouvelle ville d'Ottawa se doit d'avoir le statut de ville bilingue ; et non pas seulement d'avoir le statut de ville bilingue,

mais pour comprendre que si c'est important pour le gouvernement, les services en français, c'est important pour la population, même anglophone, qu'on devienne une capitale nationale avec le statut de ville bilingue. Quelle est encore cette peur de ne pas vouloir l'insérer à l'intérieur de ce projet de loi ?

Je veux aussi répondre au député du comté de Nepean, le ministre délégué aux Affaires francophones : si tout ce que j'ai entendu ce soir de sa part, s'il croit vraiment à ce que dans sa recommandation numéro 5 M.Shortliffe a dit, que la ville se devait de mettre des mécanismes en place pour nous assurer qu'on ait les services en français et en anglais dans la nouvelle ville d'Ottawa, si vraiment mon collègue le ministre délégué aux Affaires francophones y croit si ardemment, pourquoi encore ne fait-il pas une recommandation pour que dans ce projet de loi on insère la recommandation numéro 4 de M. Shortliffe ?

I'm really glad to see that my colleagues who have spoken tonight are in favour of bilingual status for the national capital, the city of Ottawa, and I thank them very much. I hope the minister delegated to francophone affairs will think again, and if he really believes in francophone services, he will find a way to put in the law, please.

The Acting Speaker: Further debate?

Ms Martel: It will come as no surprise to members in the House this evening that I will be speaking in opposition to Bill 25. I want to give some general reasons for that this evening and make some specific references to schedule A, which is the section that deals with the new city of Greater Sudbury.

Let me begin by saying that I am very philosophically opposed to processes that lead to forced amalgamations, forced incorporations and forced annexations. That is very much how I view this bill. That is what this bill is all about. That is what it means for many people in my community. That is what it means for the seven communities that exist now and won't a year from now. That is what it means for two unincorporated areas which will now become part of the city as well.

I don't buy the government's philosophy that bigger is better. I listened to the member from Stoney Creek yesterday, who talked about, "What's in it for my community?" He's right. I have to say the same thing: What's in it for my community? I come from a community that is the smallest in terms of the ones that will be amalgamated in the new city of Sudbury. It is a community that has no debt; a community that has reserves; a community that has its own hydro commission; a community that has two arenas brought and paid for by the taxpayers in my community; a community that has two ball fields; tennis courts; two elementary schools, public and separate; an excellent public library; a credit union. It's a community where people have spent many years fundraising to meet the needs we have.

We have one of the lowest tax rates in the area. Certainly our hydro rates are the lowest with respect to the Hydro commission and the work they have done. So what's in it for my community to be swallowed up into a

much larger city? I don't see that there's much of anything in that. I don't believe we're going to get any better service. Our volunteer firefighting group is not going to become a permanent firefighting staff. Our emergency response team is not going to become a permanent emergency response team paid full-time. That's not going to happen. We know that. Those people serve the needs we have now.

So I don't see that incorporating, being annexed, being amalgamated, however you want to describe it, is going to do much. I don't think it's going to mean better service. I certainly don't think it's going to mean reduced taxes, and I'll deal with that later on.

I'm philosophically opposed because I think that people's ability to choose how they be governed is a fundamental right. How they choose to organize themselves, how they choose to be governed is a basic, democratic, fundamental right, and people should have the opportunity to have a say. Through this process, people in our community will not have a say. They have no vote. They have no public hearings with respect to this bill to have input. They have no way to have their voice heard in my community. But what I'm opposed to more in that respect is the fact that two communities will, through this bill, have a right to have their say, and I resent that a special deal has been cut for two communities in two Conservative ridings to allow that to happen.

I don't blame the folks in those municipalities. I'm sure they're very happy that the minister, under clause 36(3)(b) of this legislation, "may require a question to be submitted to the electors of all or any part of the municipal area set out in the regulation," and they may indeed, in West Carleton or in Flamborough, decide whether or not they want to be part of the new city of Ottawa or want to be part of the new city of Hamilton. But why is it that that same right is not afforded to everyone else who is affected under this bill, is not afforded to the 163,000 people who will make up the new city of Greater Sudbury?

I am opposed because this bill doesn't allow people to exercise a democratic right about how they are governed, but worse still, it allows a special deal for two communities in two Conservative ridings that will have that right. I say to the government, despite what you've done in Flamborough, your own member is going to vote against you anyway, so what did you accomplish, except to make the government House leader happy? It's a bad process. It's a bad way to do business.

I'm also opposed philosophically because the process of transition which flows from here is so undemocratic, is so unaccountable. I listened to government members yesterday talk about accountability and how this bill achieves it. I have to ask myself, did any one of those who made such a comment even read the bill with respect to the enormous powers of the transition team, with respect to the enormous powers of the minister, unaccountable in terms of the transition team, unelected in terms of the transition team, and in terms of the minister, the ability to pass laws without ever coming back here so that legislators can have some say?

I think it's worth my reading into the record some of the powers that the transition board and the minister have. Anyone who would listen to this could not possibly say that this had anything to do with accountability. Look at the powers of the transition board.

They will be in place to control the decisions of the old municipalities and the local boards that might have significant financial implications for the new city.

They will be responsible for developing the business plans for the city and the boards.

They will be able to "amend or rescind a contract (other than a collective agreement) ... between an old municipality and a person" who is a manager, "... a contract entered into after October 8, 1999," if the transition board thinks the compensation that was permitted is too high.

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They have the power to "establish key elements of the new city's organizational structure." They have the power to hire municipal officers and other employees of executive rank they consider necessary. They have the power to negotiate the terms of employment with that person, and the city is bound by the employment contract afterwards, even though the councillors who will be elected had no input whatsoever in the choice of those individuals.

The transition team can require old municipalities to submit reports of all assets and liabilities; of the names of all members and employees of the municipalities and boards, of their positions, their terms of employment, their remuneration, their benefits; and in doing so, the board can override all the provisions or any of the provisions of the Freedom of Information and Protection of Privacy Act and the Municipal Freedom of Information and Protection or Privacy Act.

In addition to all those powers, the bill also sets out that the transition board can also deal with any other regulation for the purposes of implementing this act. Anything else that needs to be done by regulation, by the transition board, will be done.

I think that is an extraordinary amount of power to give to people who are not elected by people in our community, who are not accountable to anyone in my community, who will make fundamental decisions about how our new community will be organized without any input from people who live there, who will take their direction from the minister and who will be appointed by the minister. And the local politicians, who have been duly elected through a legitimate election process, can be swept aside.

It's important to note that although the special adviser suggested that six current members of council be appointed to the transition board, there is nothing in the legislation that determines the composition. It will all be done by regulation, all be done by the minister. So there is no guarantee that anyone who has been duly elected will even have an opportunity to participate.

Second, let me look at the powers of the minister with respect to the finances of the new city. The minister can pass a regulation to force the city to raise or decrease its

tax rate on assessments in merged areas. The minister can pass a regulation to override any city bylaw passed and in place under this section. The minister can pass regulations to override any city bylaw passed under an area taxing power.

With respect to the transition board, the minister appoints the board by regulation, he designates the chair of the transition board, he determines the remuneration, the expenses of the board members; he determines their powers, their duties including their duties with respect to him, their duties with respect to the board itself and their duties with respect to the current municipalities and their local boards. The minister can deem the board to be a municipality, including a regional municipality, for the purpose of any act. The minister can authorize the board to issue guidelines. He determines all matters that relate to the procedures and the operation of the board. He in fact can even authorize the transition board to continue past January 31, 2001. Even after officials who have been elected for the new city are in place, that transition team can continue.

With respect to the powers in terms of trying to make sure that regulations that are passed, for example, will deal with any and all the provisions that might come, the minister continues to have very extraordinary powers that are set out, for example, in section 36. He can pass any regulation that will establish the wards. He can pass any regulation dealing with transitional matters that are necessary in his opinion. Finally, cabinet itself can pass any regulation that will provide for consequential amendments to any act that in the opinion of cabinet are necessary.

This government can go behind closed doors, pass regulations that change acts, actual statutes, and this Legislature never has to sit. That is an extraordinary new power that this government has taken in this legislation, and I resent that. It's a wrong thing to do.

Finally, I'm extremely concerned about the process for further restructuring, which I think is undemocratic as well. The mere fact that 75 people in a municipality can force restructuring is completely undemocratic. That gives 75 people the ability to do an end run around a legitimately elected council if they don't like that council's position with respect to restructuring. It seems to me that if they don't like that position, they should run in the next election and do something about it. But this government provides them with a provision now that allows them to do an end run around people who are democratically elected in a legitimate election, to force this government so that they can have their own way. I think, again, that that is the wrong way to be doing business. It certainly is anything but accountable and anything but democratic.

With respect to my specific concerns regarding schedule A, which affects the city of greater Sudbury, let me raise a couple of concerns. The establishment of the greater city, with respect to the municipal area, has two or probably three major problems. Let me deal with the first two in this way: It includes a number of unorganized

areas, communities, townships north of the current regional municipality boundaries, and in doing so, it has now managed to include the Wahnapiatae First Nation, which you should know, has already filed a legal and recognized land claim with the governments of Ontario and Canada.

I just received, and I'm sure the minister has, as well, a letter from the legal counsel from Wahnapiatae First Nation, saying that by being incorporated in this act, the government has probably—I don't want to use the word "defied," but maybe "defied" is the best word—defied constitutional and aboriginal treaty rights and has also certainly broken protocols that had already been signed between the First Nation and this government with respect to notification of very important provincial matters, and this certainly is one.

The law firm now for the First Nation has said that since there was no notification, since there was no discussion and no negotiation, this government had better sit down now and have a serious conversation with the First Nation before they find themselves in court dealing with a constitutional challenge and a challenge with respect to a diminution of aboriginal rights.

Second, the area that has been captured by this bill in the south end of the city causes the following problem: A number of townships have been included in the city, but there are also a number of townships that are side by side that have been excluded. These include the townships of Servos, Secord, Henry, Burwash and Laura. Their sister townships, Dill, Cleland and Dryden, have been included in the new city.

Here is the net effect of the division of the unorganized area: You have 70% now of the permanent residents in the unorganized area and 46% of taxable properties that go into the new city. The rest remain outside of the city boundary. The fire brigade, for example, now finds itself in the position of having most of its townships annexed to the city of Sudbury, but three remain outside; however, the township that has the fire hall remains outside of the boundary of the city of Sudbury. The fire marshal, who owns the equipment, has already said that that equipment will move to the city of Sudbury. So now you've got a fire department that will not have a fire truck and its fire hall is left in an unincorporated area. That's the first problem with that boundary.

The second problem: Because of the division that this government has made, you have one local roads board that has now been split. Three quarters of the Dill-Secord local roads board is now going to be in the new city of Sudbury and a quarter has been left out in the unorganized area. You have high assessment that's moved into the city of Sudbury and virtually no assessment left in the unorganized area. How will that local roads board ever continue to provide service under that scenario?

Third, with respect to the waste disposal site: Because of what was annexed and because of what wasn't, you now have the situation that most people who have been annexed under this law will now have their garbage

collection dealt with by the city of Sudbury, except those who are left behind do not make up enough of a population for the local contractor who now provides the service to want to continue.

Now we'll have the spectre that people who had a service in the unorganized area are going to lose this because most of their sister townships have been incorporated into the city of Sudbury and the local contractor doesn't have enough people left to make a living in providing the service to the people who will be left in the unorganized area.

So there is a serious, serious problem with respect to boundaries, both north of the region and south of the region. Of course, because the government doesn't want any public hearings and didn't leave room for that, we can't even pass an amendment to deal with those kinds of serious problems.

If I look at the question of councillors, the adviser made it clear that he was recommending a full-time mayor, elected at large, and 12 part-time councillors, two per ward in six new wards. It's difficult, as you read the legislation, to determine if the legislation means part-time or full-time. It doesn't say one way or the other. I'm going to assume that part-time continues to apply.

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I don't think that 12 part-time councillors in the new city will be able to effectively or adequately cope with all of the issues that will come with a new city of 163,000 people, a new city, I remind you, that is four times the geographic size of the city of Toronto. I don't think they'll be able to do that. What will happen? What will happen is a number of middle managers or senior bureaucrats will then be making all of the decisions that effect the new city. They will be unaccountable, they are unelected, and yet municipal councillors who are elected will have to take their recommendations and their advice on important matters because the councillors themselves will not have time to deal with the important issues that will come with the creation of the new city.

I think that's undemocratic. That certainly doesn't do anything for accountability. Acting on a part-time basis in a city geographically that large will mean less accountability with respect to decision-making and municipal politicians who will be unable to effectively and adequately do their work, as much as they want to, because they are only able to do it part-time.

Who pays for the cost of this transition? I said earlier that the minister, when he spoke to the Sudbury media, told them: "This wasn't a part of the bill. That's going to be dealt with at a later date." That's a \$12-million problem for our community that should be dealt with now. If the government had the intention of paying the transition costs, as the government did in Toronto, as the government did in Chatham-Kent, then the government should make that clear in this bill. What I'm worried about is that by not making it a part of this bill, surely down the road when this House is not sitting the government will then announce that all of those transition costs are going to be picked up by the four regions that are affected.

I looked to the bill to see if the government would be able to do that, and it seems to me that under section 36(3)(a) it says that a regulation can be passed which will, for example, force the city to undertake long-term borrowing to pay for operational expenditures on transitional costs, as defined in the regulation. So I think the government has put into the legislation the very regulation that they intend to use when this House is not sitting to announce to the municipalities involved that they will now have the pleasure of paying for all of the transition costs that will be involved in this amalgamation which has been forced on them. If the government wants to force amalgamation, then this government should pay for it. That shouldn't be an additional burden that we have to pay for in our communities.

Will this save money? I have heard the government say in my community this will save some \$8.5 million on an annual basis. We already know that the region's going to pick up the cost for the transition team 100%. I fully believe that we will be picking up all of the \$12-million transition costs before this is done, and I know that the government download on to municipalities is not going to end. Three weeks ago another \$56 million was dumped on to municipalities. We know that in the next two years the government plans to cut another \$600 million, and that will surely involve more costs downloaded on to municipal taxpayers.

Before we're finished, we won't see \$8.5 million worth of savings; we will see additional costs in community after community as a result of this download. I don't think we're going to save a cent.

In closing, I say I'm philosophically opposed. People have a right to have a say about how they're organized, and they don't have that right under this bill. I resent that, and I regret it.

Mr Bradley: I noted many of the concerns expressed by the member for Sudbury East, now Nickel Belt, and share those very same concerns. I was glad the member took time to mention the provision for 75 people to sign a petition which can, in effect, overturn any agreements that are reached locally.

I can think in my own area of one defeated politician who is now promoting one big region, and if these people in the local municipality said, "We've got a plan for restructuring we think will be helpful," and brought it forward, that could be thrown out the window if you got 75 signatures on a piece of paper, brought it to Toronto and had the provincial government impose one big region, for instance.

I hope members of the cabinet and members of the government caucus will look at that carefully and try to persuade the minister and the government to remove that particular provision, because I know the bill will pass. I'm not happy about its passing, but I know it'll pass. I hope you will remove that provision.

Second, the member mentioned the provision which allows the cabinet to change any law in the province of Ontario internally in the cabinet without consulting anybody else, behind closed doors and without coming to

this Legislature to make that change. I might disagree with some of those changes proposed, but at least I would like an opportunity to have them examined carefully in this House.

I'm also concerned about what the member has had to say about transition teams. It looks like the staff is going to be dictated strictly from Queen's Park, the favourites of the Ontario Conservative government will get all the good jobs and there'll be very little money in terms of transition costs to be met. So for the municipalities affected, this is not a good deal. I just hope government members will withdraw that one provision.

Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing): I will confine my comments to the first section of that nomenclature and thank the honourable member for Nickel Belt for her comments on this important piece of legislation.

I wanted to assure members of this House and anybody who is watching that indeed there has been a great deal of consultation on this bill. There have been years and years of consultation in each of the municipalities affected by this piece of legislation. There have been public hearings, there have been consultative assemblies, there have been meetings of councils and there have been numerous reports written and received. The great tragedy of it all has been that, after all of that consultation, there had been no way that the municipal politicians were able to see how to get from where they were to a better place for their taxpayers and for their citizenry.

So they came to the government. They said: "Government, we need your help. Mike Harris, we need your help. We need your help to solve these issues because we cannot solve them just by ourselves." That was when we acted on behalf of the taxpayers. So the consultation did take place. I wanted to assure the viewers of that.

Indeed, the transition boards themselves are another protection for the citizenry and for the taxpayers. They are not some overarching group of despots. They are there to protect the taxpayers, they are there to protect the citizenry, to ensure that the assets of the municipalities are not wasted, to ensure that decisions that are made are specifically designed to protect the taxpayer, rather than to be a burden on the future taxpayer in those municipalities. Rather than being concerning items of the bill, these are things that protect the taxpayer and protect the citizen in both of those cases.

Mr Gerretsen: For the Minister of Municipal Affairs to stand in this House and to say in effect that the unelected bureaucrats that he is going to appoint on these transition boards are going to be more responsible and accountable than the duly elected politicians in each one of these municipalities is a real shame, because it shows you the regard in which he holds local government in this province. Apparently, he doesn't hold it in any regard at all.

But let me talk to you about something else, just very quickly. I'm quoting to you from a 1994 speech.

"There is no cost to a municipality to maintain its name and identity. Why destroy our roots and pride? I

disagree with restructuring because it is based on the belief that bigger is not better. Services always cost more in larger municipalities. The issue is to find out how to distribute services fairly and equally without duplicating services."

"Services always cost more in larger municipalities." Who said that? Mike Harris in 1994.

And what did one Jim Wilson say at that time? He said: "Bigger is not better. The government cannot point to an area in this province, including South Simcoe, where amalgamating departments has resulted in savings to the taxpayer. It does not exist. In fact, history shows that smaller units are more efficient. I to this day cannot find anyone in Tottenham, Beeton, Alliston and Tecumseth townships who likes restructuring."

These are two prominent members in the cabinet. As a matter of fact, all of this emanates from the same Mike Harris who made these comments in 1994.

They know it's wrong. I don't know why they're doing it. They can still bow out, if they want to, in a graceful way.

2030

Hon Frank Klees (Minister without Portfolio): I'm pleased to add my comments to this debate. We heard from the minister, who spoke about the extensive research and study and dialogue and discussion that had gone into the restructuring proposal that's before the House. I agree with the minister. I represent a riding in York region where deliberations have been taking place for some time over how we can make government more efficient and how we can streamline and how we can perhaps restructure or reorganize.

I was at a meeting just a couple of weeks ago where we had a panel of five mayors who were asked what their position is on restructuring of the region. What was interesting is that the position of these five mayors hadn't changed in four years. A great deal of study had been undertaken—individual municipalities did their own studies—and not one of them had moved from the position they were in four years ago. What does that show? It shows clearly, and it substantiates the position that the minister just gave, that left to their own devices they will never get on with the job of restructuring.

The process we have followed here may not be perfect—I have some concerns about it as well—but at the end of the day someone had to show leadership. Even the Leader of the Opposition said, I believe in the election campaign, "Elect me and it will be done in 90 days," and now he is flip-flopping again. So what is new with the Liberal Party? At least we're taking the initiative and we're getting the job done. I commend the minister for doing so.

The Acting Speaker: A two-minute response from the member for Nickel Belt.

Ms Martel: I thank those who made comments. I want to address myself specifically to the comments made by the minister.

The minister would have it stand on record that municipal politicians from my area came to the government

and asked Mike Harris to do something. Absolutely wrong. False. The regional municipality of Sudbury never came to this government and said: "Do something with respect to one tier. Force us to have one tier." If the truth were told, the chamber of commerce in the city of Sudbury has been advocating this for a long time and they had the government's ear. It was as a result of their lobbying and a number of other influential Conservative members in the community that this has happened.

It is false to suggest that the regional municipality came to this government and said, "Do something about restructuring now, please." The reason they didn't is because there is a difference of opinion which this government doesn't want to recognize. There are outlying communities that want their history to continue, that want their communities to continue, that have different linguistic backgrounds, different development backgrounds, different cultural backgrounds, that are proud of their communities and are not interested in seeing them disappear under what will become a new city of greater Sudbury. I believe that many of those regional politicians for many years have expressed the views of their citizens in that way. That was why there was no unanimity.

Yes, the government, by the sheer force of its majority, will have its way and we will have no choice but to be amalgamated or annexed into the new city of Sudbury. You will have your way. Do I think it's right? No. Do I think it's going to save any money? No. Do I think the process from here on in is going to be good? No. It's completely undemocratic, especially with respect to the power of the transition boards and the minister.

The Acting Speaker: Further debate?

Mr Brad Clark (Stoney Creek): I'll be sharing my time with the member from Scarborough Southwest.

Interjections.

Mr Clark: Mr Speaker, I would encourage that the opposition members respect my right to be heard in the House without heckling. I have not heckled anyone tonight. This particular issue is very important to my riding, and I expect to be heard.

Interjections.

The Acting Speaker: Order. The member from Windsor-St Clair and the member from Kingston and the Islands will give the member from Stoney Creek respect here tonight and let him speak.

Mr Clark: When I ran in the election I made it very clear that my constituents come first, and I stand by that. I stated very clearly and unequivocally throughout the campaign that I opposed the megacity, and I stand by that.

From July until November, I participated in five months of consultation with my constituents. I had meetings with the mayors. I had meetings with the city councils. I had five public constituent round tables, with hundreds of people participating. I sent mailers to every single household in my riding—every single household. At the end of it, everyone agreed they would like to see Glanbrook and Stoney Creek merged together as a united city. The reason was to prevent being swallowed and

annexed into the megacity. I made it very clear to every constituent I spoke to and every politician that they had to find a viable alternative to the megacity or that amalgamation train was going to hit them. I made it very clear, and I was proud of them: They came up with a solution. Eighty-five per cent of the residents in my riding supported the tri-city agreement; 93% opposed being annexed or amalgamated into Hamilton.

Therefore, when I stand in the House today—and it's not an easy feat to stand and speak against your government, nor is it an easy feat to vote against them—I am opposed to Bill 25 and will vote against it. I have no choice. My constituents come first.

The results of this bill for me in my community quite simply mean less government, more money. That's what it means. It means the loss of Glanbrook, a community which has virtually no debt, which has \$6 million in reserves, a part-time council. It means they're gone; Glanbrook is gone. The city of Stoney Creek: very similar situations, efficiently run. Both of these municipalities should be held up for accolades in Ontario on how to run efficient municipalities, but they weren't heard. The city of Stoney Creek has a historic name to it. It was the battle of Stoney Creek where the British soldiers fought back the Americans. We won that battle, but apparently we've lost this one.

Currently, the issue for us in this debate is representation. This particular proposal, as it is written, inevitably will mean that Glanbrook and Stoney Creek, the agricultural communities, will not have a voice. As it is written currently, these communities quite conceivably will have no vote on that council. I can tell you that I cannot recall the last time a Hamilton councillor spoke about an agricultural issue. So there will be no one representing an agricultural voice. Interestingly enough, we have total unanimity that this has to change. Every single politician in my community and every single MPP, to their credit—the members from Hamilton, Hamilton East, Hamilton Mountain, Wentworth Burlington, the regional chair, all of the mayors, all of the councillors—agrees that there has to be some equality in representation between the agricultural and urban centres, that there has to be some parity.

I urge and I implore, and if it would help I'd get on my knees and beg, the Minister of Municipal Affairs to provide us with better representation to the suburban communities. It has to be there. There needs to be some parity, and I urge him to deal with it. Either deal with it now in an amendment and add more seats for the suburban communities or turn around and redivide the 13 wards in the new city of Hamilton so that there is some parity with the suburban community. Either way, I can accept it; either way, it's vitally important to my community.

2040

We've heard an awful lot about identity and the loss of identity. I have to tell you that my constituents are very concerned about this, and I am too. I don't know what we can do about it. I have a letter here—and the member

from Kingston might be able to confirm this—from a constituent of mine who was travelling through your riding. It's stated in here that the township of Pittsburgh no longer exists in Kingston, and there's no sign. It doesn't say "Community of Pittsburgh, City of Kingston." It now says "Kingston East." Pittsburgh is gone. That was not the intention of the government, but that is exactly what happened.

Can you imagine the fear in Stoney Creek, a historic community? Can you imagine the fact that they fear the loss of the name of Stoney Creek? Something has to be done to ensure that does not happen, because quite clearly a city council has the autonomy to do it. Kingston demonstrated it. They did it. I don't want it to happen in my community.

Mr Gerretsen: They didn't do it.

Mr Clark: Clearly, they removed the sign. It was their decision.

Mr Gerretsen: No, it was a provincial sign.

The Acting Speaker: Order. This is the second time I've spoken to you in the last eight minutes, member for Kingston and the Islands. If you'd keep your comments at a level that doesn't interrupt and disturb the speaker, it would be appreciated.

Mr Clark: I have heard throughout this debate that this is about accountability and about efficiency. It's about, as the title says, fewer municipal politicians.

If we want to talk about accountability, I have some suggestions on how we put accountability back into municipal government. How about doing like the state of Michigan and enacting an open meetings rule, an act for open meetings, whereby if any public body, any municipal council, does not adhere to the in camera rules and closes the doors to the public on any issue illegally, each individual councillor who participated can be fined? In Michigan it's a \$1,000 fine for the first offence; second offence \$2,000 and/or 12 months in jail. They don't have problems with illegal in camera meetings. Why don't we do that to bring in accountability?

If we want to talk about accountability, why don't we change the Audit Act so that provincial grant recipients, like municipalities, can have value-for-dollar audits done by the Provincial Auditor? Let's find out what's happening in the municipalities, where they're spending money. I can come up with at least a half a dozen issues in Hamilton-Wentworth that I would like to see audited. I'd like to know where the money goes. Why don't we do that in terms of accountability?

In terms of accountability, here's another great one that I think is wonderful, was passed in this House in 1994, but it sits on a shelf: the Local Government Disclosure of Interest Act. This particular act was basically like the integrity act for MPPs but for municipal councillors, ensuring that they disclose income, ensuring that they disclose interest, allowing them the opportunity to talk to a commissioner of integrity to make sure they don't ever breach—that wonderful word—integrity. It's already passed third reading. It simply needs to be enacted. It's sitting there. The reason it didn't get enacted

is that an election got in the way after 1994, and some municipal politicians simply stated, "We don't make the same money as MPPs, so we shouldn't have that type of accountability."

Well, we've now created big cities. It's time that there's accountability in these big cities. If we want accountability and we want to talk about accountability, then these are three simple suggestions that we can enact that can make sure there is accountability in municipal governance.

Getting back to Bill 25, it saddens me that I have to vote against it. It saddens me that the tri-city model was not accepted. It bothers me immensely. But there's room to make some changes to help my constituents, and I want it said on the record that regardless of the changes, I will not support the bill. I've made it very clear to the minister and I've made it very clear to the Premier that my constituents, 83% of them, do not support it and I will not support it and I will vote against it.

Mr Dan Newman (Scarborough Southwest): I want to thank the member for Stoney Creek for sharing his time this evening with me. I rise tonight to debate Bill 25, the Fewer Municipal Politicians Act. It's a bill that deals with Ottawa, Sudbury, Hamilton and Haldimand-Norfolk. It also deals with the direct election of the chair in Halton region. It also deals with referendum questions, ballots in French for French-language school boards. But it also talks about reducing the council size in the city of Toronto, and that's what I specifically want to address the Legislative Assembly on tonight, because that has a direct impact on my constituents in the riding of Scarborough Southwest.

It was two years ago that Metro Toronto and its six member municipalities amalgamated through Bill 103. The new city to date has achieved many great savings by becoming more efficient and more accountable to the taxpayers, but there's still more to be done.

Prior to amalgamation, our government's original plan specified that beginning in 1998 Toronto would be governed by 44 councillors and one mayor, with new ward boundaries based on the 22 new federal-provincial boundaries.

As a transitional measure, we listened to what people said. They wanted more councillors. We changed the plan. The province then established a 28-ward model with 56 councillors and one mayor, originally 56 plus the mayor, for 57, and then there was a change made through a private member's bill to 57 plus one, for a total of 58. What's important to note is that Toronto council was actually given the power to reduce the number of councillors to a more manageable number.

When the new city of Toronto came to reality two years ago, on January 1, 1998, it quickly became obvious that the size of city council was a cause for concern for many citizens and for government officials. Even the mayor on many occasions has voiced his concern and frustration as to the large and unwieldy nature of the council and its inability even to get through a full agenda at council meetings.

Councillor Doug Holyday stated in the *National Post* on August 19 of this year: "This council is too large. We have completed our agenda only twice since the new city of Toronto was formed, even though council sometimes meets late into the night, and unfortunately, hurried decisions are often made to finish off as much of the agenda as possible." That's what Councillor Doug Holyday said.

As I mentioned, the 58-member council was always seen as a transitional step. It was never viewed, I don't believe, as viable on a long-term basis. In fact, the council of the city of Toronto as it now stands has more politicians than the Legislative Assemblies of Manitoba, New Brunswick, Newfoundland, Nova Scotia and Prince Edward Island. From the outset it was evident that the people of Toronto would be better served by a smaller, more streamlined council, not to mention the resulting tax saving.

I want to quote Councillor Holyday again, August 18, 1999, in the *Toronto Star*. "Council, because of its nature, is unlikely to ever downsize itself, so if this required reduction is to take place, it will have to be instigated by the province." How prophetic those words were.

In the two years following amalgamation, despite the obvious, Toronto council chose to play politics rather than to exercise its power and responsibility to bring council size down to a more efficient and manageable level. I ask the question tonight, do fewer councillors mean less representation? I guess it's the quality of the people they elect rather than the quantity. I had this discussion with a constituent last Friday, when we discussed the issue of reducing council size, and I told him that as an MPP who survived through redistribution when we reduced the number of MPPs from 130 down to 103, I still return his phone calls, I still return his letters. It's the quality of the people you elect rather than the quantity.

But I guess many councillors were just too busy on what they saw as higher priorities. I want to quote from a newsletter that was sent by a Toronto councillor recently to his community. "We've struggled over what the new city of Toronto flag will look like and unveiled the new Toronto police, fire and ambulance insignia." I think there's more to do than that.

2050

Toronto taxpayers, including my own constituents in Scarborough Southwest, deserve the benefit of a smaller, more efficient and more accountable city council. Consequently, in the absence of proactive leadership on this issue at Toronto city hall, the government of Ontario is taking the necessary action on behalf of the taxpayers of Toronto. Even then, many municipal politicians continue to play politics and have remained unfocused rather than objectively supporting an obvious need that is in the best interests of their constituents. Even Mayor Lastman publicly criticized the size of council as recently as July 15 of this year. At that time, Mayor Mel, in referring to Toronto council, said in the *National Post*, "They're showing that maybe 58 councillors could be too many

because they're getting crazy." The mayor certainly does have a way with words. However, the mayor was also subsequently quoted, in the December 2 issue of the *National Post*, as saying that the proposed restructuring of Toronto council would be "the worst thing that could happen to the city of Toronto." The last time Mayor Mel said that, the city saved \$120 million from provincial restructuring.

Based on the mayor's prognostication track record, I would say the taxpayers of Toronto are in for even greater substantial savings and cost efficiencies. To be fair, lately the mayor has been too preoccupied with his "Vive le Toronto libre" ploy to see the obvious benefits of the current proposals. However, some Toronto councillors have put the welfare of their city and constituents above petty politics.

Councillor David Miller, you may know, Mr Speaker, was a former NDP candidate in 1996. He tried to succeed Bob Rae for the NDP in York South in 1996. He stated in the *Toronto Star* on November 30, "For me, I think they"—the provincial government—"for once have got it right." That's what David Miller, a former NDP candidate, said.

Let's hear from Tom Jakobek, the councillor for the eastern part of Toronto, the city's budget chief. He stated in the same edition of the *Toronto Star* that this is "the best news city council has received from the province this year."

I want to say that the government of Ontario has indeed led by example from the start. As I mentioned earlier, we've reduced the number of MPPs from 130 to 103. In my community of Scarborough, we've reduced it from six to five. We're saving the taxpayers of Ontario \$11 million per year.

Let's hear what Diane Francis, whom we all know is a well-respected financial editor and journalist, said on December 4. "The fact is the Ontario government of Mike Harris should be applauded and emulated because it is the first democratically elected regime in history anywhere that has reduced the size of ... politicians." That's what she said. I say it's time the taxpayers of Toronto received that same fairness.

A *Toronto Star* editorial on August 19 of this year said the following: "A leaner government would be more efficient, not to mention cheaper. Cutting council's numbers by almost half would save, by Holyday's estimates"—referring to Doug Holyday—" \$25 million over a three-year term of council." Twenty-five million dollars: That's a lot of money.

Toronto taxpayers paid out \$15.3 million last year to pay for the salaries of councillors and the staff salaries and office budgets of the members of Toronto council. Toronto council currently has 42,000 people per councillor. This is less than the elected representation of major cities such as Mississauga, Edmonton, Vancouver, New York, Chicago and 10 other cities in a comprehensive study of 20 major North American cities.

Only five cities in the survey, specifically, Montreal, Laval, Winnipeg, London and Ottawa, have fewer people

per councillor than Toronto. Salaries for Vancouver's council cost each citizen approximately 77 cents per person per year. In Mississauga the cost is about 74 cents per person. In Toronto the cost of city council, by comparison, is \$1.49 per person, and that's double our neighbours to the west.

I hear the members opposite. They are against this bill. I know they want to see council's size stay the same and they're pretty much in favour of the status quo. I just want to close by letting everyone know that a recent telephone poll conducted by CityTV/Cable Pulse 24 indicated that there was a four-to-one margin, that would be 80% of the people, in favour of reducing the size of Toronto's city council, and I agree with those people who took part in that poll.

The Acting Speaker: Comments and questions?

Mr Gerretsen: I want to start off by apologizing to the member from Stoney Creek. I did not mean to call you a name. I respect all politicians too much, and I take that back, sir, calling you a name. I apologize for that.

Let me just make it clear, though, that the Pittsburgh signs you were referring to in the Kingston area are MTO signs. It's the Ministry of Transportation that took the signs down, not the city of Kingston, sir.

I do agree with another comment you made. You must have read the Provincial Auditor's report this year because he specifically stated that over 60% of all the finances of the province are really transfer payments to various bodies and agencies—institutions such as universities, colleges, hospitals, municipalities etc—and he wants the power to in effect audit those numbers. He doesn't currently have that. I will certainly totally support you in that, and anyone else on either side of the House, to make that happen.

I think it's absolutely important that, if we're talking about the finances of this province, the Provincial Auditor, who is an independent individual, responsible to this Legislative Assembly and not to the government of Ontario, have the power to follow the dollars through. If 60% of those dollars are being transferred to agencies, then he should have the power to go after that.

There is one other point that I quickly want to make, and I see the Minister of Agriculture here tonight and I'm sure he will agree with me. It's a point that you've made as well and a point that I've tried to make: It simply doesn't make any sense at all to put large rural areas in with urban municipalities. What has defined municipalities over the generations in Ontario is the community of interests that people in certain areas have with one another. To mix large, urban communities with large-scale rural municipalities in the long run will be more costly to all the taxpayers of Ontario.

Ms Martel: I want to follow up on the comments made by the member for Scarborough Southwest, particularly with respect to the savings that are to be had when you get rid of politicians.

I've got to bring a bit of a reality check to this debate in terms of what that means in my community. The community I'm from has a grand total of \$42,000 worth of

fees for the politicians we have; \$42,000 is the sum total that is going to be saved by wiping out those councillors in my hometown. I know that \$42,000 is going to represent about three quarters of the new costs that we're going to pay a new middle manager under the new city when we have to hire more people in order to deal with all the things that will come about in the new city, which has a population now of 163,000 people and is four times the geographic size of the city of Toronto. That's what is going to happen.

I know it's going to happen because with 12 part-time councillors, two per ward, those councillors will not be in a position, as hard as they might try, to work adequately and effectively to deal with all the issues that will have to be dealt with in the city. They will not be able to do that. They will have no choice but to turn to the management in the new corporation to do all the work, to put recommendations forward that I fear in the end will be merely rubber-stamped by those new councillors. That's what I know is going to happen, because we've got part-time people who will not be able, as well as they might want to, to adequately do their job, especially in communities in new wards that have very different communities of interest than the current regional wards. You've got new wards, communities, in the city now that have no similarity one to the other, and they're going to have to cope with that too. I don't think there are going to be any savings here.

Mr Galt: I would really like to first compliment the member for Stoney Creek for an excellent, impassioned speech. I have some empathy for him—just a tremendous presentation that he made here—standing for his convictions as I really believe he should. He's caught between a rock and a hard place.

In this business of party politics, we work as a team and together as a team. There's a lot of debate in caucus and then we come out as united as we possibly can. Last term, in the 36th Parliament, we had one bill where we had some opposition from our own members. It's very difficult when you take a position like that and have to oppose a team, and I can really feel for this member here this evening.

I've been through a couple of issues of my own. The restructuring is rather sensitive in my area, but particularly the hospital restructuring, when the hospital in Port Hope was closed because of the HSRC directive that was made. That was a very difficult situation and a very difficult time for me.

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In this House I myself find it is good fun heckling back and forth. I had a little bit of respect come back as the member for Kingston and the Islands did stand up in his two-minute response and apologize, but it was a delayed apology. It should have been right on the spot, right at the time. Instead, he put his head down when you turned to him and he wouldn't apologize then, and he should have apologized.

Just how low can the Liberal Party go, when this man is feeling so distressed and speaking so passionately, and

you people heckle away when this guy is giving such an excellent presentation here. Have a little respect for your fellow human beings. Shame on you. Just how low can you possibly go when a person like this is making an impassioned speech? I'm extremely disappointed in a party such as yours performing that way, just as you did. Shame on you, shame on you, shame on you.

Mr Bradley: I am going to watch with interest as the member votes against this legislation again, but the real test will be whether he will follow the example of the member for Wentworth-Burlington, who has said, I believe, that he will resign his seat if this bill goes through.

I admire that stance. I heard somebody the other day say: "Oh, well, don't worry. He'll go home, he'll go back, and the people will say, 'Oh, please, Toni, stay,' and he'll relent and stay." I don't believe that. He's a man of integrity. He said he would resign if this bill went through and I admire him for that.

I'm wondering if the member for Stoney Creek will follow the example of the member for Wentworth-Burlington. He said this, to his credit, and again I want to give him credit for this: "I'm not going to cross the floor to one of the other parties. I was elected as a Progressive Conservative on a certain platform." I admire him for that because I don't think it would be appropriate to simply head to one of the other two parties when he was elected as a Conservative, believing I think in most of the things that the government stood for, including what Paul Rhodes told him and told you, and that was that there wouldn't be one big megacity.

So I'm wondering if the member for Stoney Creek will follow the example of the member for Wentworth-Burlington, who will resign his seat on a matter of principle because he truly believes that he has been betrayed and that this bill is a betrayal of what he ran for in the election campaign. We need more examples of that in this Legislature.

Lastly, I would ask the member if he's going to implore the Minister of Municipal Affairs and Housing if he's going to withdraw that provision whereby 75 people can sign a petition which can throw out any other restructuring plan in any other area of the province.

Mr Clark: I'm not going to resign, regardless of the outcome. The member for St Catharines shows absolutely no sense of decency in even requesting that.

I was elected to represent my constituents and I have every intention of fulfilling that election promise. Based on the analogy of the member for St Catharines, I would humbly suggest that if I were to follow through on what he's suggesting, perhaps the member for Hamilton East would have to resign because he supports the supercity but he's voting against it. Now, isn't that a betrayal of the constituents in Hamilton East? Likewise, if we were to go down that road, the same thing would apply to the member for Hamilton West—the same thing.

We were elected to the House to represent our constituents and I represent my constituents strongly. I'm an advocate for them and I've heard all of the rhetoric and

the advice from many people, saying, "They said to Brad, you know, this could be a CLM, a career-limiting move." I don't care. I don't care what the member for St Catharines has to say because he doesn't represent the people in Stoney Creek; I do, and I'm tired of your nonsense and your innuendo and your slander. You bring this House down. This is about my constituents and my community.

The Acting Speaker: Order. The member will sit. He can speak in that tone, but he can't accuse another member of innuendo and slander in this House. Would you withdraw, please?

Mr Clark: I withdraw those comments. But, Mr Speaker, imputations that fly across the floor in interjections, what are they, sir? What are they?

The Acting Speaker: Further debate?

Mr David Caplan (Don Valley East): I'll be sharing my time with the member from Glengarry-Prescott-Russell.

I'm very pleased to join this debate on behalf of my constituents of Don Valley East. I'm going to talk in two main areas: One is about what municipalities are going to be facing with restructuring, and the other will be what are some of the fundamental problems you have with the government's approach and the contents of this particular bill.

I would say at the outset that's often what's lost. You have government members who talk in very broad terms but are afraid to talk about what's actually in Bill 25.

I'd like to start off my remarks this evening by quoting Mike Harris. Mike Harris, in 1994, sat right over there and this is what he had to say. He was talking about the town of Fergus here in Ontario, and he said: "There is no cost to a municipality to maintain its name and identity. Why destroy our roots and pride? I disagree with restructuring because I believe that bigger is not better." This is Mike Harris in 1994, sitting right here in this House: "Services always cost more in larger communities. The issue is to find out how to distribute services fairly and equally without duplicating those services."

In fact, in 1993 we had Jim Wilson, the member from Simcoe, who said in this House, and I'd like to quote him as well: "I've spent the last several months reviewing all of the regional governments in Ontario"—and I take him at his word—"many of which were imposed"—by the Conservative Party—"in the past, so believe me, I come to this with some experience, and the south Simcoe experience to date. There are no cost savings." Mr Wilson said, "Bigger is not better."

Do you notice the parallel? Do you notice the commonality in the comments between Mike Harris and Jim Wilson that bigger is not better?

"The government cannot point to an area in this province, including south Simcoe, where amalgamating departments has resulted in savings to the ratepayer." Jim Wilson said this in 1993: "It does not exist. In fact, history shows that smaller units are more efficient. I, to this day, cannot find anyone in Tottenham, Beeton, Alliston or Tecumseth township who liked restructuring."

This is what Mike Harris and Jim Wilson had to say in 1993 and 1994 about restructuring. That was then, this is now. We're left to ask the question: Why did they take that attitude then and why do they seemingly have a much different attitude today? I'd like to expand upon that and try to answer that question for all members in this House. I know members of the public in Ontario, and I know those in Don Valley East, are listening to this debate and wondering the same questions.

Municipalities are looking for the money. I remember a very famous line in the movie *All the President's Men*. The advice to the reporters was, "Follow the money." That's what municipalities and municipal taxpayers have to remember here. The Shortliffe report recommended that monies be provided to the city of Ottawa, to Ottawa-Carleton, but in this bill the Harris government is providing no monies. They're not giving any guarantee of transitional dollars. When the amalgamation under Bill 103 occurred, Toronto needed transitional funding. This bill provides no assistance as it was provided to Toronto or Chatham-Kent. Toronto got an immediate grant of \$50 million and \$100-million interest-free loans in 1998 and 1999 to assist with the restructuring process. They certainly needed it. Chatham-Kent in fact received \$20 million to cover the restructuring process.

None of the municipalities affected in Bill 25 is receiving this kind of assistance. That is something that is really critical: Follow the money. Mr Harris and Mr Wilson, in opposition, knew what the purpose of these amalgamations was. It's a smokescreen to hide the downloading exercise which is taking place, because when you have smaller municipalities, they don't have the tax base available to them to be able to absorb the costs. The Harris government's intention is to broaden that base, to make larger cities, larger entities, so they can force more costs on to municipal taxpayers and take it off provincial books, like the cost of ambulance, cost of social assistance, cost of social housing—and that's an interesting one.

2110

We learned today that there is very good reason for the people of Ontario to be very concerned about the downloading of social housing on to municipalities. Look at what has happened. The provincial government has entered into an agreement with the federal government. They've received \$525 million to cover the costs of the existing social housing infrastructure. They spend \$440 million, so that leaves \$85 million in "savings."

Where are those savings? Are they going to the municipalities where the costs are being off-loaded? No, Mr Speaker, they're not, and I know you wouldn't be surprised but I think that members of the government should be. I know they want to represent their constituents, their taxpayers. Whether it's a federal-provincial or municipal issue, they want to represent their taxpayers. You see, we have a provincial government which is skimming those dollars off the top. In fact, of that \$85 million, \$50 million is being committed by the government—with no consultation, by the way, with the

municipalities—and \$25 million, contrary to their own agreement, is being taken for provincial cost restraint, and we all know what that is; that's simply code for budget cutting. Another \$10 million has disappeared down the black hole.

It's even beyond that: \$58 million was transferred from the federal to the provincial government to cover the cost of future risk for these housing projects.

Interjection.

Mr Caplan: I know the minister is very concerned about this. You would think that when municipalities like London and Kitchener, where the mayor of Kitchener calls it a ticking time bomb, are going to have to absorb these kinds of costs, these kinds of risks—yet the provincial government is skimming the dollars. It was called piracy by the city councillors in Toronto, and that I think is a very good characterization.

The region of Peel did a technical audit on their housing stock. What did they discover? For the region of Peel it would take \$57 million just to hold them even. They projected \$1 billion in costs that are being shoved on to municipalities by the Harris government. That is the reason we are having these amalgamations. That is precisely the reason this government is so intent on rushing and pushing this legislation through as quickly as possible.

In that headlong rush to download those costs, to leave municipal taxpayers holding the bag, this government has abandoned its responsibility. This government has taken an incomprehensible attitude. It's the only one in Canada, in fact in the known free world, to my knowledge, that has taken this kind of attitude. The government's record on downloading to municipalities is certainly not good.

I want to talk a little bit about the nature of the bill as well. This is of course an omnibus bill, as many bills are, and it contains various provisions. It deals with five separate municipalities, but also Waterloo and Halton and certain other measures. I would like to talk about that and give it a bit of separate attention.

There certainly has been no consultation in regard to this bill, and that's right in character with how this government operates. Municipalities were not consulted on the transfer of social housing, on welfare, on ambulance, and on all those other things, so I'm not surprised that this government is even abandoning the meagre commitment from the Premier to hold any public consultation about Bill 25.

You have to talk about what the impact is, and the municipalities are aware that in Bill 25 the Minister of Municipal Affairs and Housing has given himself unlimited power. I would like to read section 37(1):

"The Lieutenant Governor in Council may make regulations," and this is under (b), "providing for consequential amendments to any act."

Not any act that's covered by this bill, but any act that in the opinion of the Lieutenant Governor in Council is necessary for the effective implementation of this act; clearly dictatorial powers to cover their tracks, to cover the fact that they're downloading costs on to municipi-

palities. The people of Ontario should be worried about that type of arrogance, about that type of ability, unlimited power in the hands of very few people.

I will be opposing this bill, and I would urge all members of this House to oppose this bill.

I'd like to give time to my colleague from Glengarry-Prescott-Russell because I'm sure he has some very insightful comments.

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): Today I come before this House to present my views as well of those of thousands of Ottawa-Carleton residents on Bill 25, the municipal restructuring act.

This government spent a substantial amount of money on hiring a special advisor, Glen Shortliffe. Mr Shortliffe had consultations with existing municipalities, the public and other interested groups. The pretext of gathering this information was that this information was to be analyzed by the special advisor and then a report prepared for consideration in drafting this legislation. It appears that this government has either purposely omitted sections of the report or thought that what the people of Ottawa-Carleton told them wasn't important enough to be included in this bill.

This is democracy? I don't understand what this government is trying to do to Franco-Ontarians. Ignore them? Do you think they will go away? You are easily fooled. They are now more committed than ever. They are here to stay.

Les Francos-Canadiens sont déterminés. Nous allons nous battre et nous vaincrons. Nous allons gagner cette bataille pour sauvegarder notre langue, le français.

In the Shortliffe report, after carefully considering the views of the people who took the time to meet with him, Mr Shortliffe made 44 recommendations. I want to stress that recommendation number 4, not number 44, was that the enabling legislation establish and designate the city of Ottawa as officially bilingual where warranted.

He also stated in his report that one of the most important issues raised during the public consultation was the question of bilingualism. More than 120,000 people of the new city will be francophones.

He goes on further to state: "Our nation has two official languages. Our national government, centred in Ottawa, operates by law in two official languages. The national capital must be reflective of the country as a whole and must recognize the presence in its population of a significant minority of francophones." He also stated that, "Having made this recommendation, I consider that it should be left" to the new city of Ottawa "to determine the scope and nature of services to be delivered bilingually." This seems to be pretty clear to me. So what do you do? Disregard recommendation number 4?

It is not only out of disrespect for francophones that the Harris government does this. On page 20 of the report, Mr Shortliffe states, "I repeatedly reconfirmed my position that I would function in a manner similar to a 'judge.'" Now, we know this government does not have a lot of respect for judges. In fact, Minister Sterling told reporters that he has concerns about judicial interference

in the legislative process and that the roles of politicians and benches need to be clearly defined. Maybe he should have told Mr Shortliffe this prior to his acceptance of the position. Perhaps he would have looked on his role in a different manner. Whatever the explanation, the decision has been experienced by many Franco-Ontarians, by thousands of Canadians, as a slap in the face.

2120

The Ontario government's claim that they do not want to interfere with local democracy, that it is up to the residents of Ottawa to determine language policy, rings hollow. The government showed no reluctance when it came to allocating the debts and assets of the existing 11 municipalities.

On the contrary, this legislation proposes that all citizens of the new city share the city of Ottawa's assets, while taxpayers in the existing city are alone responsible for the accumulated debt. If this isn't meddling, what is? Harris's refusal to declare the region bilingual means to many Franco-Ontarians that they are not welcome here, or they must struggle once again for rights everyone else takes for granted. The fact that this government is appealing the court decision on Montfort only adds fuel to the fire, and believe me, this thing could blow up.

This legislation could undo all the progress made by Franco-Ontarians on language rights. Probably that is what this government wants. If cost is the issue, Mr Shortliffe concluded in his report that making the new city officially bilingual should involve no additional expense since most municipalities are already offering some services in both languages.

At this time I am asking this government to take another look at this issue. Francophones are not asking for any more than they already have, but let's play fair. I can only say, be careful. Take another look at the legislation. Think about what you are doing to the francophone community. If you can allow a referendum in Flamborough, which is in Mr Skarica's riding, surely you have enough respect to listen to the people of Ottawa-Carleton and how they feel about being a bilingual city. I beg of you, bring forth an amendment on this legislation. Let the new city of Ottawa continue to function, as it has now for years, in peace and harmony.

Look here, not only has Vanier passed a resolution saying they want a bilingual city, but I have here a copy of a resolution from the city of Cumberland, which is part of my riding, and the riding of Carleton-Gloucester, stating they also want a bilingual city. As a matter of fact it is the former mayor of Cumberland who is now sitting, representing Carleton-Gloucester.

Mr Shortliffe also stated he had great concern about the rural area. I also have concerns, as my riding is part of this rural area, and I am convinced that these rural areas will either have to raise taxes or attract more development. This will create urban sprawl, and valuable agricultural land will be lost. It is particularly important that rural residents know their views are being recognized in the governance structure of their new city.

Mr Shortliffe tried once again to provide for protection of the rural area in recommendation 13, stating that for the first term rural matters be especially addressed by the rural affairs standing committee. Votes in the rural affairs standing committee would be established at 8; four urban councillors would have four votes and two rural councillors would have four votes.

I have reviewed the bill in detail, and once again this government has not taken this recommendation into consideration, leaving the rural communities unprotected. It appears to me they have a very specific agenda in mind, and that is to get this bill in place as quickly as possible, with no public hearings, even though Mr Harris stated in this House on December 6, "We will have an opportunity, even after 25 years of discussion, for yet more public hearings because we on this side of the House are committed to having public hearings on this legislation." Who is doing the flip-flop now? Mike Harris.

I ask this government one more time: Bring forth some amendments on this bill. Listen to the special adviser and to the people of Ottawa-Carleton. Let's do it right for the people.

The Acting Speaker: Comments and questions?

Ms Martel: I want to follow up on comments made by the member for Don Valley East with respect to the quite extraordinary powers that are present in the bill. I spoke earlier about the powers of the transition team and the minister himself, and I think those changes are extraordinary, but there are two other areas in the bill that are worth mentioning here again tonight. One that the member mentioned is that the government can, by regulation, pass any consequential amendments to any other act without this Legislature even sitting. The second is that in the event of a conflict between a regulation which is made under this act and a provision of this act or any other act or any other regulation, it will be the regulation itself that will prevail. That is a fundamental and complete change from anything we have ever dealt with in this House. I don't just say that myself. It's worth quoting again the opinions of three constitutional experts who have had a chance to look at this, and that final clause in particular, because it hasn't been done tonight.

"Ed Morgan of the University of Toronto law faculty and expert in constitutional law" said: "The cabinet is not above the law. This says the cabinet is the law." Joseph Magnet, who is a constitutional expert and "teaches law at the University of Ottawa," says that if the bill is passed in this form, "the Legislature may itself be acting illegally by unconstitutionally delegating to the cabinet its authority to make laws." Finally, "David Elliott of the Carleton University law faculty ... calls" this section and this clause "astounding and extraordinary."

The government's response was interesting. One of the minister's political staff—I believe that's who she is—Ms Karen Vaux, said: "This is just a bit of an expansion from clauses that have existed. It's not a new concept by any means." I don't know when Ms Vaux

became a constitutional expert, but if I have to go with the sentiments of anyone, I'm going to go with the three who teach law and who are constitutional experts. This bill goes far beyond anything we have seen. For that reason alone we should vote against it.

Mr Wayne Wettlaufer (Kitchener Centre): It's very interesting to hear the members of the opposition talk. I want to point out that the Liberal leader during the campaign just completed in June campaigned on the issue of restructuring. That was one of his big issues. Now they're turning around to the other side.

In August he said: "There has to be here in eastern Ontario a large urban centre if we're going to compete with the likes of Toronto. We'll never be able to do that if we break up into three cities. It's time for the region to come of age." He said that and he was quoted in the *Ottawa Sun* on August 25, 1999.

Then: "We have to look at the province of Ontario and the large economic centre of Toronto. We have to develop a critical mass here in eastern Ontario so we can weigh in and be seen to be competitive to investors both in the province and nationally. To do that we have to have one city." Who said that? Dalton McGuinty. He was quoted in the *Ottawa Citizen* this time, on August 25.

The member for Don Valley East said that we weren't going to provide any transitional funding. Just because that wasn't in the bill doesn't necessarily mean that there's no transitional funding available for these municipalities. There is never anything in the bill saying that. We have said we would consider that.

Insofar as the bilingual issue of Ottawa is concerned, that is a bit of a red herring. For 130 years that has been a municipal issue. Language is a municipal issue, or a federal issue, if you want, but it is not a provincial issue. If the Liberals try to come into Waterloo region when we restructure and try to mandate bilingualism, they're going to have a fight on their hands with me.

The only thing wrong with this bill is that Waterloo region isn't included in it. I have hundreds of requests from constituents in Waterloo region advocating restructuring, some advocating two cities, some advocating one city. We need it.

2130

Mr Peters: Thank you, member. Don't wish for it, because you're going to get it. You know that your government is going to impose it.

One hundred and fifty years ago, the Baldwin Act created the county structure of government in this province. Your government is bent and determined to dismantle the county government system across this province. I'm not against change, but I'm against change when it's imposed on people.

Change is best when it comes from the ground up, when the local politicians are part of the decision-making process. You've got this attitude that bigger is better. I can tell you that bigger is not better, because what you're doing is taking the control from the democratically elected people, those who are elected by the people to

serve the people. You're taking it away from them, and what you're doing is creating new bureaucracies.

These bureaucracies are not going to save money; they're going to cost more money. What's worse, though, is that it's going to put the power into the hands of individuals who are not elected, and that is very dangerous; the fact too that you didn't go to the public after you introduced this legislation. You had your commissioners out there doing their thing. You drafted the legislation. You didn't give the public an opportunity to comment on that legislation. That's very wrong to do that, because it's incumbent on us, as we bring forth legislation, that the public has an opportunity to have some input into that legislation. You have total disregard for that.

Interjections.

Mr Peters: You talk about heckling. Gosh, you can't even get a word in edgewise. You don't have any respect for what other people have to say. I think what you're doing is running roughshod over the citizens of Ontario, and the citizens of Ontario had better be very concerned over the direction in which this government is going because this is just the beginning of the demise of rural Ontario.

The Acting Speaker: The member for Brampton Centre, if he wants to give a speech, he'll have an opportunity to do a two-minute response. I prefer that you not go on and on and on.

Further comments and questions?

Mr Bradley: I want to compliment my colleague from Don Valley East and I want to compliment all who actually have contributed to the debate this evening. I remain very concerned about a number of provisions of this bill; first of all, the fact, as I think our members have pointed out appropriately, that it's an omnibus bill and doesn't allow individual members of the Legislature to deal with individual municipalities. They're not all the same. They should be considered independently so that people can make a pronouncement on one or another. I think that's most appropriate.

Second, I want to say that I'm very concerned, and I know that the Minister of Community and Social Services, who's under a lot of heat in his own riding over this, would be concerned. Members of the cabinet alone, and not his colleagues outside of the cabinet, will have the power to change any and every law of the province of Ontario to accommodate the restructuring that will take place.

I wonder how many editorial writers, even of the right-wing press, know that you have vested in yourself this power. I wonder how many know, for instance, that only 75 people in a region, the constituency association of York-Mackenzie, for instance, would be able to get

together and scuttle any restructuring plans that might be forthcoming from that area.

Interjection.

Mr Bradley: That is Oak Ridges now, he points out, most appropriately. That is most disconcerting to anybody of good will, the absolutely immense power that the transition team will have in terms of appointing all of the people who are going to run the local government, instead of having people locally make those decisions.

By gosh, the Conservative Party used to be the party, whether anybody liked it or not, which could lay claim to being the party that best recognized the needs of local government. We're a long way from that today, with a few exceptions on the government benches.

Mr Caplan: I'd like to thank the members from Nickel Belt, Kitchener Centre, Elgin-Middlesex-London and St Catharines for their comments. The member from Nickel Belt is quite right: The bill contains several extraordinary powers. She has highlighted some; I have highlighted them; the member from St Catharines did.

There was one that we haven't talked about which gives the Minister of Municipal Affairs and Housing the ability to override any municipal ballot referendum question. There is an irony to that, where we have this minister who claims to be a proponent of referenda, and he now wants to be the sole arbiter and judge. A locally elected, democratically accountable municipal council can no longer put anything on a municipal ballot that this minister doesn't agree with. So if they want to ask about hospital restructuring, if they want to ask about municipal downloading, if they want to ask any conceivable question that may be of interest to people in that municipality, this minister can say no. Is that a democratic power?

I remember the member for Scarborough Southwest got up and talked about the composition of the Toronto city council. In this bill, the minister has given himself the ability to override the city bylaws as they relate to size or ward boundaries, without any consultation process at all. In fact, it's a unique process to the city of Toronto. It is vindictive in nature, it is punitive in nature, because somebody had the guts to stand up to this government and say: "No, we're not going to take it. You've downloaded your responsibilities, you've off-loaded the costs, you've run roughshod over the municipal taxpayers." This is payback.

This minister and this government have decided to give themselves extraordinary powers, unheard-of powers over provincial legislation and over municipalities. The way things are run in this province, it should be vehemently opposed.

The Acting Speaker: It being past 9:30 of the clock, this House stands adjourned until 10 tomorrow morning.

The House adjourned at 2137.

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