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**Official Report
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Tuesday 25 April 2000

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des débats
(Hansard)**

Mardi 25 avril 2000

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

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**LEGISLATIVE ASSEMBLY
OF ONTARIO**

Tuesday 25 April 2000

**ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO**

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The House met at 1845.

ORDERS OF THE DAY

**DIRECT DEMOCRACY THROUGH
MUNICIPAL REFERENDUMS ACT, 2000**

**LOI DE 2000 SUR LA DÉMOCRATIE
DIRECTE PAR VOIE DE
RÉFÉRENDUM MUNICIPAL**

Resuming the debate adjourned on April 20, 2000, on the motion for second reading of Bill 62, An Act to enact, amend and repeal various Acts in order to encourage direct democracy through municipal referendums, to provide additional tools to assist restructuring municipalities and to deal with other municipal matters / Projet de loi 62, Loi édictant, modifiant et abrogeant diverses lois en vue d'encourager la démocratie directe au moyen de référendums municipaux, de fournir des outils supplémentaires pour aider les municipalités restructurées et de traiter d'autres questions municipales.

Mr Rick Bartolucci (Sudbury): Due to extenuating circumstances, Mr Conway can't be here. He has 10 minutes left. I'd ask for unanimous consent to allow Mr Bradley, the member for St Catharines, to finish his time.

The Acting Speaker (Mr Tony Martin): Is there unanimous consent? Agreed.

Mr James J. Bradley (St Catharines): What it does is, just to show the government how it does you a favour, cut seven minutes off a speech I would have given. You see, I normally would have had 20 minutes. I knew that would gain favour with the government. Actually I had to think a long time about it, whether this was a good thing to do or not, and I thought it probably was because you never know when a closure motion's going to come in and there may not be further debate. Anyway, I appreciate the opportunity to talk on what they refer to as direct democracy through municipal referendums.

I was reading, as I know some of you like to read, John Sewell. John Sewell had a very interesting column on this, and John is often right on these matters. He was talking about what he saw with this particular piece of legislation. I remember, I must say, that the Minister of Municipal Affairs said he would do this at the time. He said he was going to remove what we call the Henry VIII clause, a very arbitrary clause that gave the government virtually all power and the Legislature no power. In other

words, in order to accomplish any of the amalgamations, any of the megacities, it was going to mean that the government could ignore all other laws or override all other laws of the province in order to do so, and some of us in the opposition brought this up.

I notice I don't have Andrew Sancton's book here. Maybe if my staff person is watching, they could bring in the book by Andrew Sancton.

I'm pleased about one thing. You don't like complimenting the government too often, but the Minister of Municipal Affairs has indicated, I think quite clearly—he will correct me if I'm wrong—that he's not about to go in at this point in time and impose a so-called solution in the amalgamation discussions in Niagara. At least that's what I have heard him say. I don't want to ever misquote him. The member for Erie-Lincoln agrees with me on that. That is a positive move on his part. I know he has not been badgered into doing so by the editorial board of the St Catharines Standard, which of course is promoting a unicity. As you would know, all major newspapers everywhere support unicity.

Remember when the debate was going on in Toronto? The National Post, your newspaper, wasn't publishing at the time, but you had the Toronto Sun, the Globe and Mail and the Toronto Star, and all three editorial boards were pushing for a unicity. That's usually what happens in any area. The major newspapers in the area, which would like to wipe out the other newspapers or amalgamate the other newspapers, want to have one big city. The position of the editorial board of the St Catharines Standard is very clear on that. But there's much dissent within Niagara over what any solution might be.

I personally believe that a simple realignment of responsibilities is the solution. We all want to strive for efficiencies; I think everybody has that goal. My concern is that we would not have an imposed solution, particularly a unicity.

Dr Andrew Sancton of the University of Western Ontario has published a book called *Merger Mania: The Assault on Local Government*, in which he describes—in this case his examples are mostly what happened in Quebec. By the way, the Bouchard government is now attempting to force amalgamations and unicity in that province. Dr Sancton really discounts a lot of the arguments that are made in favour of unicity. That doesn't mean, where there is consent and a lot of consensus, that that may not happen.

If you look at where we are today in Ottawa, for instance, the Liberal members for Ottawa and the Con-

servative members for Ottawa, generally speaking, are in favour of a unicity concept there. If I were living in Ottawa, I wouldn't be, I suppose. But they are, and they know the area. Windsor-Essex is under some similar pressures. I happen to believe, as the old Tories did in the days of the Davis administration, that there is a lot of virtue in good local government, in the local units, and you don't want to lose that.

Andrew Sancton's book is coming in at the present time, delivered by the member for Essex. It's not a prop. I want you to know it's not a prop. It's called *Merger Mania: The Assault on Local Government*, Andrew Sancton. It is published by Price-Patterson Ltd, Westmount, Quebec, Canada, an excellent book. I recommend it to all members of the Legislature, particularly those who are under threat of some kind of forced amalgamation or a megacity.

What he does is talk about the fact that, first of all, there aren't savings to be derived from a megacity. Second, he talks about the fact that you need not speak as one voice to get something. I remember reading a professor from Brock University who wrote a letter to the editor when you didn't give Brock University money on the first round of BILD funding. I still call it BILD; I'm living in the past with that. What do you call it?

Interjection: SuperBuild.

Mr Bradley: SuperBuild funding. They didn't get the money, so his rationale was, "If only we were one big city, we would have had the money from the provincial government," when in fact the provincial government was looking at criteria and indicated at the time that it did not fit the criteria. I know the government is still looking at funding for colleges and universities and that, under different criteria that may be applied to a different program, it may be that Brock University and Niagara College will continue—the Minister of Economic Development and Trade in fact made an announcement concerning Niagara College. I am confident that the government will have the wisdom to flow the funds to Brock University and to Niagara College, if not under the SuperBuild program, under a different program.

But this professor wrote a letter to the editor saying, "If only we were one big city, we would have gotten the money." Well, I didn't think Guelph was one big megacity, and it received money. St Clair College in Windsor is not in one big megacity; it received money. The community college in the Peterborough area received money under the SuperBuild program. It's not one big city, and so on.

It's interesting how many people try to use the argument that we must speak as one voice. Sancton, in his book *Merger Mania*, discounts that as being necessary. I don't think, for instance, that the provincial government, despite some Conservatives who seem to think that, discriminates against the Niagara Peninsula simply because it's not a megacity. I think the provincial government and the federal government look at areas and say, "What are the needs? What are the programs? What are

the criteria?" and then apply those criteria. I really dismiss that.

Third, he said you can't have the municipalities competing with one another. I look at a place like Boston, and it has dozens of municipalities that are part of greater Boston, or Los Angeles or San Francisco, or a lot of cities in the United States, and that doesn't bother them. In fact, I'm told some people in the business field kind of like the competition. They like to see competition between municipalities seeking to have them locate in their area.

Fourth, I, contrary to many on the government side, and perhaps the Minister of Municipal Affairs in this case, do not agree that fewer politicians are always the better solution. I think that really means less accountability, I think that really means less access, and what I fear is, with a huge megacity, the only people in the Niagara region, if I were speaking of that, who would be able to afford to run are people of some means financially to run. That's too bad, because I think if we look at our councils in various areas, it's a pretty good cross-section of the community. Unless you have to spend a lot of money, particularly when it's done on a ward basis, you've got a good cross-section. I don't always agree with everything, for instance, that everybody on my own city council says, but I'm glad to see that cross-section of the community represented.

So all of us who represent areas that haven't been megamerged yet should think very carefully before we allow that to happen. Where there's a regional government, it has assumed certain responsibilities. Sometimes you alter those. In our area, waste management has gone to the region. That makes sense to me. I might not have said that 20 years ago. I would say it does make sense today. Roads are coming back to the municipalities. Now, if there were some money coming back to the municipalities with the roads, not just from the province but from the region, to the local municipality, I would be happy to do that.

Interjection.

Mr Bradley: Your roads. I'd be happy to see that. That's what makes sense. Or if there are some voluntary amalgamations that want to take place between municipalities or inter-municipal agreements, all well and good, but let's try to keep those local communities. I reject the fact that people will say, "Well, if you have one big megacity everybody will remember they're part of Collingwood" or something. They won't remember that as easily as if you have a city or a town there with its own jurisdiction.

In this particular bill with referendums, my concern is how the referendums are worded. Look, I want to be honest and up front with the government. I understand why you are concerned sometimes when certain questions are put on the ballot. Any provincial government is going to be. But I kind of like the idea, even though I would be annoyed at them sometimes in government if they did this, if a local municipality puts a question on a ballot. I am very worried when, first of all,

the Minister of Municipal Affairs, or at least the provincial government, has to approve the question on a ballot, or that the province can come in and superimpose a question on a ballot of its own volition. I would be concerned about that. I'd like to see that flexibility.

It reminds me—you weren't in municipal affairs, Tony, at the time—of when the tax bills went out and your government wouldn't let them put the information on the tax bill, but the real responsibility for the increase in taxes was because of the provincial government. Now, I'm confident that the same municipalities would put information on the bill if taxes went down saying: "Thank you to the provincial government. The taxes went down."

Interjection.

Mr Bradley: It doesn't work that way? I thought it would. I really thought it would. So I'm concerned about that. That's why when I look at local democracy, I say that's a concern.

Now, I don't expect they're going to put on the ballot the question: "Do you think that Mike Harris should buy two new airplanes for the government?"

Interjection.

Mr Bradley: Jets, sorry. The Minister of Natural Resources was busy with some work in his office this afternoon and may not have heard this, but I was explaining why these were jets. They're jet propulsion engines. Turboprops have those. So when I hear that, I call them a jet. I must say to the government members that I don't think it would be appropriate for a municipality to put on the ballot: "Do you believe that the Mike Harris government should spend \$11 million on a nicely appointed, luxurious turboprop jet—two of them—for the comfort and convenience of the Premier and the cabinet? Do you agree with that?" I think that would be an inappropriate question to put on a ballot.

So I can feel sympathetic to the Minister of Municipal Affairs if that happens, but generally speaking I like some of the questions they put on. We had one on garbage set-out service at one time that said: "Do you want garbage set-out service—it costs this much—or do you not want it?" People voted overwhelmingly in favour of retaining it, and city council took it away. So it was an indicator at the very least. I do worry about that.

I'm happy to see some of the Henry VIII clauses disappear, but I'm informed by my colleagues that if you get the magnifying glass out, you'll find some others.

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The Acting Speaker: Comments or questions?

Mr David Christopherson (Hamilton West): As always, the member from St Catharines is thoughtful, entertaining, provoking and has years of experience—never boring, never, ever boring. I just want to add to some of the issues that he has raised.

Interjection.

Mr Christopherson: Why aren't you out flying around instead of heckling us in here, Minister?

Hon John Snobelen (Minister of Natural Resources): They're not going to be delivered till June 1.

Mr Christopherson: Yes, his planes won't be delivered until June 1. I won't give attribution to the honourable member across the way.

I just wanted to mention that within Bill 62, one of the things that's missing is a final determination around Flamborough, whether or not Flamborough is in the new city of Hamilton. I was meeting with Jessica Brennan, our NDP candidate in the by-election, and we disagree on the issue. She happens to believe that Flamborough ought to be released to go to these various other municipalities. I've always believed and maintained that the original boundaries of Hamilton-Wentworth as a region that we've known since 1974 should be the boundaries that create the new city of Hamilton, and that includes Flamborough. The only reason there's an option out there is because the government, foolishly in this case, was trying to buy off Toni Skarica to prevent him from doing what he ultimately did, which was resign over the fact that he believed that the government misled the people of his riding during the last general election.

But both of us, Jessica and I, agree that a decision needs to be made, and not after the by-election, which would be oh, so convenient, but now, so that local democracy can be served and candidates can make determinations on whether or not they're going to run. How on earth can we make plans for a new city when we don't even know what the broad boundaries of the city are going to be? The municipal election is in November, for goodness' sake. Minister, include a decision around Flamborough in Bill 62 and let us get on with local democracy in the new great city of Hamilton.

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I'm pleased to make a few comments on what my colleague from St Catharines has said. In our part of Ontario we've had some amalgamations already, where the county system has dropped down to six municipalities, but they're very worried too that they have a hard time meeting with the provincial government to understand the new system. I know they're worried about the highways that are left, the ones that haven't been downloaded on to the municipality. The provincial highways are in dire need of repairs, and they're having a lot of problems getting the answers on these highways. I guess they would like to meet with ministers to get the SuperBuild fund to understand that a little better.

In our part of Ontario the municipality has had to close some bridges because they didn't have the money available, which you used to get under supplementary funding from the province, to build bridges. They've had to close the bridges because they didn't have the money to repair them. I feel a little bit sorry about what has happened in Ontario. I come from a municipal background and have been for 15 years. I know a municipal councillor who is available seven days a week, 24 hours a day to try to solve the problems in these big megacities, and what this government is proposing to the residents of our part of Ontario, that same opportunity won't be available to them. I just hope that the government would be more accessible. If they got new programs that are

supposed to work, I wish they'd explain them to the municipal politicians and the school board trustees, because they're at a loss and they cannot find the answers.

M. Jean-Marc Lalonde (Glengarry-Prescott-Russell) : C'est toujours intéressant d'entendre les commentaires de mon collègue de St Catharines. Mais une chose qu'il ne faut pas oublier, c'est que toute personne qui s'attend d'avoir des réductions d'impôts fonciers lorsque nous avons des fusions de municipalités se trompe beaucoup. Si nous regardons ici dans la grande ville de Toronto, les économies ne sont pas ce que nous attendions. Il faut dire que le gouvernement actuel, lorsqu'il dit qu'il a investi au-delà de 900 \$ millions dans les réparations ou la construction de routes, avait des revenus d'au-delà de 3,7 \$ milliards, donc une économie que le gouvernement a gonflé. Il a gonflé ses revenus par au-delà de 2,6 \$ milliards.

Mais lorsque nous regardons le fait du référendum, encore une fois, la semaine dernière, nous avons bel et bien mentionné que moins de 50 personnes participent ou pratiquent leur droit de vote lors des journées de scrutin aux élections municipales.

Si je regarde mon collègue de Carleton-Gloucester, on nous disait que pendant la dernière élection, au-delà de 29 % seulement des gens avaient pratiqué leur droit de vote. Mais si je regarde les économies qu'on nous disait avoir, que nous aurions avec le transfert de toutes les responsabilités, je ne m'en doute pas, parce que dans la région de la circonscription de Glengarry-Prescott-Russell, nous allons avoir un manque à gagner d'au-delà de 26 \$ millions.

The Acting Speaker: Further comments or questions? If none, response.

Mr Bradley: I thank all of the members who have made a contribution in response to my address today. I thank the members of the assembly for their unanimous consent to complete the remarks of Mr Conway. I do recommend something that I thought, if we had more time, we would have talked about as a Legislature, and that is, John Sewell's Local Self-Government Bulletin. This is number 6, April 2000. It deals with this bill. It talks about this bill and this issue.

It includes: "Tighter straitjackets for Ontario municipalities"; "Lessons from an amalgamated Toronto"; "The transition period involves extraordinary confusion"; "Amalgamation results in decreased services to the public"; "User fees were increased"; "Harmonization is very expensive and very difficult to achieve"; "Most councillors refuse to speak out"; and the last part, (g), is "Suggestions for citizens." One of the suggestions is that they subscribe to this newsletter, which I think is a very good suggestion.

It says: "This bulletin has been sent to about 900 individuals involved directly and indirectly in local government in Canada. We invite you to subscribe by going to the 'Bulletin' tab of the Web site <http://www.localselfgovt.org>." You can tell that I am always at my computer dealing with these matters. That's what the address is.

I know the Minister of Municipal Affairs and Housing will want to get this right away. In fact, if his staff wants to get it, because it was difficult the way I read it to get it, they may do so.

I'm glad that Flamborough was mentioned, because I too would like to know before the by-election what's going to happen to Flamborough. It will be very, very interesting to hear.

The Acting Speaker: Further debate?

Hon Tony Clement (Minister of Municipal Affairs and Housing): I am enjoying the opportunity to engage in the debate on Bill 62, the Direct Democracy Through Municipal Referendums Act, 2000, and thank my honourable colleagues on the other side for setting up the debate for this evening. I'm sure there's a little bit of confusion with our viewing audience about the content of this bill. It is not about forms of aerial propulsion. It's not about Flamborough in particular. It's not about roads. It's not about the road network in the counties and regions of our great province. It is certainly about some incidental changes that the honourable member from St Catharines did a good job of explaining to this House.

But it also is primarily, from my perspective, about direct democracy, about greater accountability at the local level. This is not the be-all and the end-all. Anyone who has heard me talk about this issue would know that I will not be completely satisfied until we have forms of citizens' initiatives, both provincially and locally, that allow for that kind of accountability. It should not be just when politicians decide to present an issue to the people; it should be when the people decide as well. This is one more step in the process that gets us closer to that goal. Certainly it's a personal goal of mine. I'm not saying it's a goal of this government at this particular stage in time, but this is certainly the next step in fulfilling the commitment that this government did make on more accountable government in Ontario.

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It is not, I should say for the record, a new idea, because referendums have been part of our political culture here in Ontario, both provincially and locally, for decades. We've also had national referendums at times of great debate. Who can be a student of national history without knowing about conscription referendums? Certainly we went through this whole process with respect to the Charlottetown accords as well, in more recent time. So referendums are part of our political culture. They're not alien to what we do here in the province or in the country when it comes to parliamentary representation or democracy.

Indeed, the current Premier of the province of Ontario, Mike Harris, has been advocating the greater use of direct democracy quite consistently since at least 1990. It was in 1996 that the Premier and myself, as parliamentary assistant to the Premier at that time, were able to introduce a white paper on referendums called *Your Ontario, Your Choice*, that was issued in August 1996. It then went to a standing committee of the Legislative Assembly. Perhaps the honourable member

remembers the very fulsome debate that occurred for six months of my life at that particular moment in time where a certain member of the Liberal caucus had a lot to say for days and days and days of debate.

Mr Bradley: That was the member for Windsor-Sandwich.

Hon Mr Clement: That's right. How could I forget?

We eventually were able to produce some recommendations to this Legislature with respect to the issue of direct democracy in 1997, which was called The Final Report on Referenda. Then, fast-forwarding a little bit, it was in March and April of 1998 that I was able, on behalf of the government as a project leader for direct democracy, to visit 26 communities throughout Ontario, including Ottawa. Windsor was visited; I remember that very well. Niagara Falls was a spot; in fact we had a town hall meeting in a library and I learned by visiting it that the cornerstone was laid by my stepfather when he was the MPP, so for me personally that was a moment that I did enjoy. London and Thunder Bay were other locations where we did have these discussions. We had over 1,000 people participate directly by coming out on the tour and making their views known in person. We also had a number of e-mails and phone calls; thousands of people visited either the Web sites or participated in faxes or letters.

Mr Bradley: Did you go to the casino?

Hon Mr Clement: No, I didn't visit the casino, actually, the honourable member should know; it's not something I do with my time.

All of that work did not go to waste. Last fall, the first component of direct democracy was introduced in this Legislature when we introduced and passed the Taxpayer Protection and Balanced Budget Act, which does protect Ontario families from irresponsible government spending that results in deficits and accumulated debt. So now we need voter approval before introducing a new tax, before raising rates on a wide variety of taxes, including personal income tax, corporate taxes, the provincial sales tax, employer health tax, gasoline and fuel taxes, and education property tax. We know on this side of the House that tax cuts create jobs. That is something that has been close to our soul as a government since we were first elected in 1995, and this bill, this act that I refer to, the taxpayer protection act, enshrines the idea that the voters should have a say on the taxes that affect them. We're now protected that way.

Now we have the next stage of this through the Direct Democracy Through Municipal Referendums Act, 2000, which will build on that momentum that we created through the taxpayer protection act and give voters a greater say in local issues, local decisions.

This legislation provides the necessary framework for the municipal questions and I believe improves direct democracy by indicating, through credibility, why these referendum results should be followed by the local government, because in order to make something binding, it has to be credible. That's the precondition. There is no point in going through a process and making

it binding on the municipal politicians, or indeed making it in any way that public policy should have regard to, unless the process is a credible process. This legislation seeks to accomplish that.

Questions must be within the matters of the jurisdiction of the municipality. If the municipality is putting it on the ballot, it has to have the ability to enforce through a bylaw, through a policy change, through a direction to its staff. The municipality has to have the ability of effecting the result of the legislation. The honourable members opposite ask, "Well, how do we know what a local issue is?" A local issue is anything that a municipality could pass a bylaw on, anything a municipality can pass a policy on, anything a municipality can direct staff to do. It's quite simple actually.

The question also must be phrased in a way that can get a result in answer to a yes-or-no question. The question must be clear and concise, the language has to be unbiased and there is a requirement that there be full and accurate disclosure to the electors of the impacts of implementing or not implementing the proposals, including the financial impacts.

We should say this as well for the record: The results of the questions cannot deny other rights that are accumulated by individuals or otherwise, they don't deny a right to appeal a council action to the courts of Ontario or to quasi-judicial tribunals and there has to be a process of appeal to the chief election officer of Ontario in order for this process to be credible as well.

So if there is a question about the wording of a referendum question—because the wording, as we know through our national debates, is so important to the credibility of the end result—or any controversy about the wording, any elector can challenge the wording of the question within 20 days of being notified of its content. The municipalities would be required to send the appeals filed with them to the chief election officer of Ontario, not to the Minister of Municipal Affairs and Housing—thank goodness it's him, not me—within 15 days. That way we have a clear and credible process to ensure the question is a clear question, is a concise question, is a question capable of a yes-or-no answer, is a question that leads to a credible result. That is so important.

I want to talk about some of the past history, because of course referendums are not something new to the municipal ballot. But what we want to do is get to a point where they are seen as credible in all cases—because there have been some credible referendums in the past, no doubt about it—to ensure that this is a building block for more accountability and more direct democracy.

In the last municipal election, 1997, there were about 70 municipalities that did put questions on the ballot. The Association of Municipalities of Ontario did a survey on the sorts of questions they asked. A few were about issues they could actually take action on. These were the ones that we had the most interest in, because they build the credibility of the process. They are on such issues as mosquito control, the name of a municipality, recreation issues and water supply issues.

East Gwillimbury, if I can give you an example, asked a clear, concise yes-or-no question with the cost attached. They said, “Do you want the town to continue its mosquito control program at a cost of approximately \$145,000 per year (\$19 average cost per property)?” A very clear, very concise question. People had a direct say on not only a public policy issue, but an issue that involved their own pocketbooks.

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The city of Hamilton asked a yes-or-no question about whether it should pass a bylaw making public places and workplaces smoke-free, a perfectly legitimate and acceptable question. These are examples of questions municipalities can actually act on, which means the result is credible. But a great many questions were about issues on which the municipality—we can argue about whether this is right or fair or just—had no authority or power to act. This only leads, when these sorts of questions are put on the ballot, to voter frustration and voter confusion, and it detracts from the whole credibility and legitimacy of the exercise. It’s also a waste of taxpayer time and money.

I want to talk a little bit about the 50% turnout issue, because I know that has been raised by my friends on the other side. There have been some concerns raised that the 50% turnout that is required for a municipal question to be binding is somehow too onerous. I will admit to you that this is a high threshold, but again it goes to credibility. I believe, and indeed the experiences in other jurisdictions bear this out, that if an issue is important it can galvanize the electorate and it can lead to increased voter turnout, which benefits the entire system. It not only benefits the actual question that the voters are getting an opportunity to have an opinion on, but it also obviously helps increase the turnout, incidentally, for the local council races or the mayoralty race or whatnot.

Let me quote Walter Robinson of the Canadian Taxpayers Federation. He said the following: “Given the threshold required for referendums to be binding, this can only serve to increase voter turnout.” I agree with that. It makes common sense to think of it that way. I also agree with this statement: “Anything that we can do to produce a greater turnout at the polls makes for stronger democracy.” That was said by the Honourable Leader of the Opposition, Dalton McGuinty. I agree with him on that point as well.

There has been some editorial comment that I would like the opportunity to put on the record as well, because I think it shows a general flavour of how this is being perceived in our communities. Nanticoke Mayor Rita Kalmbach said in the Guelph Mercury: “It’s a positive initiative, especially if you have an item that impacts greatly on the community. Sometimes some issues are so important that the voices around the council table simply aren’t enough. You have to ask the entire community.” I agree with her on that point.

Another quote from an editorial in the Simcoe Reformer, April 18: “One can thus see this process creating subtle pressure in favour of greater participation,

a welcome change from the apathy that normally accompanies municipal campaigns. With more people casting ballots on issues concerning their neighbourhood, chances are more votes will be cast for council candidates, giving them something resembling a majority mandate for a change.”

The Brantford Expositor: “An attempt to clarify and codify the rules for municipal referendums would be a vast improvement over what exists now, which is essentially nothing. Over the years, municipalities have held referendums on everything from Sunday shopping to nuclear disarmament, but even after the votes are held, no one is ever quite clear what they mean.”

On this side of the House, we have consistently expressed our commitment to promoting ways and means in which the local government can work effectively for their voters to be more accountable to the wishes of the voters and to be more responsive to the wishes of the voters. This is what makes local government more credible and legitimate. Yes, we have credible and legitimate local governments, but we need to do more. We in this House need to do more.

In fact, I heard the honourable Leader of the Opposition not two weeks ago at a public event, which I was fortunate enough to attend as well, talking about the need for politics and government, at whatever level, to reconnect with the voters, to reconnect especially to our young people. The only way to do that, the only way to re-legitimize the process, is to give those people, either at the municipal level or the provincial level or indeed the national level, more say in the decisions that affect them in their daily lives, and that means not only in this place. This place of course has a history and a tradition and it is so critically important to our notions of parliamentary democracy—but it also means sometimes—not every day of the week or every week of the month or every month of the year, or indeed every year, but sometimes—giving the people a direct say on the issues that affect them. Is that so subversive? Is that so wrong?

The mother of all parliaments, in Westminster, has had three referendums to date in Prime Minister Tony Blair’s short term. If it can happen in Britain, surely it can happen in Canada, surely it can happen in Ontario. In Australia last year they had a very important referendum on the question of the future of the crown which was very actively participated in by a great majority of Australians. This is a process that dovetails in with parliamentary democracy; it does not detract from it.

But we have a responsibility, not only on this side of the House but all of you—if I can point; I don’t mean to be impolite—on that side of the House as well. All of us together as parliamentarians have that responsibility to rebuild the credibility and legitimacy of political activity. If we fail to do that, perhaps we can still pat ourselves on the back on all that we do for our party and all that we do for our caucus, we can pat ourselves on the back at the end of the day, but as parliamentarians we have a higher responsibility—I believe we do—and part of that is

rebuilding the legitimacy and credibility of political activity. That is why this bill means so much to me.

Is it the answer for everything? No, it's not; it's another step on the way. It's a process issue, it's not a substance issue, I know that, but we have to build the processes that are going to be important not only to present generations but to future generations as well. I believe this bill deserves the support not only of the government side but of the opposition benches as well for that very reason. I look forward to working with them so that we can build that credibility and legitimacy not only at the provincial level, which is our day-to-day task and responsibility, but also at the local level, for the betterment of the citizenry here in Ontario.

The Acting Speaker: Comments and questions?

Mr Dominic Agostino (Hamilton East): I certainly listened intently to the speech given by the Minister of Municipal Affairs. I was disappointed to hear that the minister had nothing further to add to the situation with regard to Flamborough. If we remember when the decision was made by the government to amalgamate Hamilton, the minister at that time, attempting to appease Toni Skarica and to throw Mr Skarica a carrot so he wouldn't quit because of your betrayal of his community, promised that Flamborough and Waterdown would have the option of deciding whether they wanted to stay as part of the city of Hamilton or look at other parts of adjacent municipalities.

The good people of Flamborough, led by Mayor McMeekin, went through a very democratic process, exactly what the minister is talking about tonight. Given that choice by the provincial government, they decided overwhelmingly that they did not want to be part of the region and they made agreements with other municipalities to do so. Again, it was not something they came up with on their own. They were given that choice by this government. We were disappointed to hear the announcement last week where the minister said, "I don't quite have the answers yet for Flamborough." We were disappointed to hear that the Tory candidate in that riding doesn't have a stand yet on Flamborough. Some of us, cynical as we may be, believe that the government is delaying making a decision on Flamborough until after the by-election is over, that they're afraid to tell the good people of Flamborough where they stand.

Let me tell you very clearly that Dalton McGuinty and the Liberal caucus believe that once the government gave the people of Flamborough the option and the choice to democratically decide their future, this government—it's in the spirit of what you have talked about tonight—has no choice but to abide by the wishes of the people of Flamborough, and you have not done that. You haven't done it tonight, you didn't do it two weeks ago and, I would suspect, you're not going to do that until after the by-election because you're afraid of the answer. I believe you're going to say no to the people of Flamborough against their wishes, and you gave them that choice. So if you want to talk about real democracy, Minister, stand up in your place and tell us tonight what you're going to do

with the choice made by the people of Flamborough to leave the city of Hamilton.

1930

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I'd just like to say that I think the member for Brampton West-Mississauga, the Minister of Municipal Affairs, gave an excellent speech. I think we should all support him, and I know we will. I know this will be a unanimous decision.

Ms Caroline Di Cocco (Sarnia-Lambton): I also listened intently. When we talk about direct democracy, we believe in direct democracy, but this government doesn't believe in direct democracy. The direct democracy that the minister is talking about is the one imposed by the province, because the plebiscite that was held here in the greater Toronto area not long ago regarding the megacity was disregarded. You talk a good line when it comes to direct democracy, but when people actually tell you what you do not want to hear, then you don't do it.

You also stated that municipalities shouldn't be allowed to run deficits. You know that legislatively municipalities cannot run deficits, yet you insist that this legislation will hold them more accountable, when by law they're already held accountable to a higher standard than I would dare say the province is held to.

You talk about more say at the local level, about what affects people, yet you don't give people a direct say when it isn't what you want to hear. Again, Flamborough is an example. That is not what you want to hear. You are imposing, under this legislation, that if it's not of interest to the province, then it can't be stated in their referenda question. You ultimately have a veto on the referenda question.

Again, it sounds good, but the credibility just isn't there.

Mr Gilles Bisson (Timmins-James Bay): To the minister in his comments in regard to the referendum legislation part of it, I just have to say that I'm a little bit surprised. The minister, Mr Clement, from which riding name I don't remember, brings forward this legislation and says: "Look at the wonderful thing I'm doing. I used to be the former president of the party"—this particular individual was, of the Tories, and really was very strong on the whole idea of bringing forward referendum legislation. He was going to give individuals within communities of Ontario the power to make decisions and to hold their councils accountable and to make sure the decisions were according to the will of the people.

It's a funny thing; on the road to government, what happened is that somehow or other the principles dropped by the wayside, because when you read the legislation, there's no power. There's absolutely nothing in this that gives people anything more—I would actually argue less than what they have now under referendum abilities that people have through their municipal councils.

The Minister of Municipal Affairs is the very minister who is going to have the right to determine if a

referendum question should go ahead in a municipality, based on, if it's a provincial matter, yes or no. Imagine that. The former president of the Ontario PC Party, who was in favour as a Reform-type individual within the Ontario provincial PCs, who campaigned on the issue within his own party of giving people more direct say in referenda and direct control when it comes to democracy, comes here as the Minister of Municipal Affairs and brings this legislation that, quite frankly, is a farce. There's nothing in this legislation that gives individuals any more rights than they've got now. I would argue, and I will submit later in my debate, that it actually gives you fewer rights than you have at this point.

This is another one of these cases where the Tories try to get the five-second press opportunity. They got it. They bring in the legislation, but in the end people are not going to have any more than they had before.

The Acting Speaker: Response.

Hon Mr Clement: Thank you to my colleagues from Hamilton East, Dufferin-Peel-Wellington-Grey, Sarnia-Lambton and Timmins-James Bay for participating in this discussion. I do want to make a couple of assurances for the record.

The whole essence of why this piece of legislation gives more power to the people is by virtue of the fact that there is a process by which the referendum results can be binding on the council not to do something for a three-year period if it is voted down or to do something within a reasonable period of time if it is voted in favour of. I think that is a very critical element of this which was not there before and, again, is a building block of credibility at the local municipal scene.

The honourable members are upset that there can be a declaration of provincial interest. Again, I say to the honourable members, if it's something that the municipality can pass a bylaw on, can pass a policy on, can direct local staff to do, that's a local issue, but there are occasions where municipalities, maybe through lack of foresight or through confusion, sometimes delve into things that are overtly and exclusively provincial matters of jurisdiction. We have the right to protect the provincial interest, because that's what we are elected to do by the people of Ontario.

Interjection: That's our responsibility.

Hon Mr Clement: The honourable member is quite correct: It's not only a right; it's a responsibility and a duty to protect the provincial interest, and we make no apologies for that.

The honourable member for Sarnia-Lambton mentioned the issue of the Toronto referendums or plebiscites. I said this before, and I will be consistent in what I say: Those referendums or plebiscites were walking advertisements for why we need some rules in place. Who is spending the money? Is there a transparency of monetary contribution to referendums? How are the ballots distributed? How is the question constructed? Those are the kinds of issues that this legislation seeks to answer for the betterment of democracy in Ontario.

Mr Bradley: Mr Speaker, on a point of order: In the generous spirit that we have in this House tonight, I'd like to allow the minister another minute so he can tell us what he thinks should happen in Flamborough.

Interjection: No.

Mr Bradley: Your own members are denying you the time.

The Acting Speaker: That is not a point of order. Further debate?

Mr Mike Colle (Eglinton-Lawrence): I'm glad that the minister has been able to speak tonight. I'd also mention I'm going to be splitting my time with the member from Sarnia, the member from Hastings and the member from Timiskaming.

I just want to mention that I'm sure his Reform friends are very disappointed in this act. It is a really weak, feeble attempt to say, "Well, we did something," when they know they didn't do anything; in fact, what they've done in this act is weaken the ability of citizens and mayors and councillors in local municipalities to have plebiscites or referendums. They have weakened it; in fact, they have strengthened the hand of the provincial government.

This government is very paranoid about people locally saying anything critical about this government. As the member from St Catharines said, they went to the extent in the last Legislature of even passing into law a prohibition for municipalities to write their own tax bills. The tax bills issued by local municipalities had to be OK'd by the minister word for word, because they were so afraid that municipalities, after the downloading fiasco, were putting lines on their tax bills saying that part of the tax increase was due to provincial government downloading. They got so upset by those tax bills coming out with that information on them that they passed legislation prohibiting municipalities from writing their own tax notices.

This is a continuation of that. It's an attempt to muzzle people who disagree with them, whether it be local citizens' groups or local councils and mayors. This is really about muzzling democracy; it doesn't in any way enhance direct or any other form of democracy.

The key line in this whole piece of legislation is in part III, section 28 of the bill, which is adding section 8.1 to the act. The provincial government makes the rules, and they say, "(2)2. Despite rule 1, it"—that is, the question—"shall not concern a matter which has been prescribed by the minister as a matter of provincial interest."

1940

In other words, the minister decides what the rules are, what is allowable, what the provincial interest is and what it isn't. He can determine that. Do you think this minister is going to allow a question in the town of Aurora about the Oak Ridges moraine? Never in a million years, because he will say it's a provincial interest, that it doesn't have anything to do with the town of Aurora. Do you think he will allow the town of

Caledon to have a referendum question on protecting the Oak Ridges moraine?

Mr Bradley: No.

Mr Colle: Never in a million years. This act gives the minister the power to decide what the question should be and then make sure that basically everything is protected as far as the provincial government is concerned, that their interests are protected—politically, that is.

They also have this incredibly stupid threshold, which is not workable. It's a dream that 50% have to vote. If you look at the last election, in the minister's own city of Brampton only 23.25% voted. They're going to have to double the turnout in the next provincial election to give people a say. The minister knows that historically voter turnout is quite low municipally. If you get a 50% threshold—in the ones I've looked at, about the only cities that would probably have had an allowable question that would have been acceptable under this legislation would be Timmins, which had 55%, and the city of Toronto, which had 51%. Look at Mississauga, 20%; Hamilton, 34%; Gloucester, 28%; Ottawa, 26%. None of them would have been able to have a question that had any meaning, because they didn't reach this unattainable 50% threshold, which again is part of the way this government shuts off any opposition or any questions they might find embarrassing. Having that impossible 50% turnout regulation is something that stops direct participation.

There were a number of questions on the Toronto ballot last time, and they had a 51% turnout. For instance, there was the question: "Are you in favour of opening a casino in the city of Toronto?" Seventy-seven per cent in Toronto said no. What did this government do? They put a casino with slot machines at the Woodbine racetrack. Do you know how they did that? By ministerial order. So whether or not you agree with the casino being good or bad, 77.8% of the people of Toronto said they didn't want the casino. The government said, "We don't care what you said in the question"—51% even voted—"we are going to put in that backdoor casino at Woodbine by ministerial order." That was one question.

Here's another question: "Are you in favour of deferring property tax assessments until the provincial government has released tax impact studies and provided an opportunity for public hearings?" Are you in favour of that information coming out? That was among the questions in Toronto. Eighty-three per cent said, yes, they wanted to defer it until they had the impact studies. What did this government do? They said, "No, you can't have the tax impact information."

Here's what it's all about. It's about making sure these types of embarrassing questions don't get asked. That's what this legislation is about. It is saying: "We want to control what the question would be. We will decide the wording and you, the local cities and towns, are basically allowed to go through the motions." That's about it. It diminishes their ability to really have any say.

The minister was on his feet talking about voter approval and building blocks. We know that this

government has systematically, without asking, destroyed and wiped out local municipalities like no other government in the history of this province. When they were asked, like in Toronto, where people were asked whether they wanted to be part of the megacity and 76% voted that they didn't want to be part of it, this government said: "No, we didn't like the wording. We didn't like the result. We didn't like that referendum question. We are still going to do what we think is right."

They have a proven track record on referendums. They have a proven track record on denying local democracy in a real, grassroots sense. This act further reinforces provincial power in the minister's hands. That's what it does. If the minister was really listening to communities and listening to what people want, he might put a referendum question across the greater Toronto region about whether they want the Oak Ridges moraine protected. I challenge him to put that on the ballot in the next municipal election. Let it come out as a provincial question in those 26 communities across the moraine that are interested in protecting their water in the Oak Ridges moraine. That's the challenge.

If the minister is so democratic and he wants to reinforce that voter approval, I challenge him to put the question on the ballot, "Do you want to protect the Oak Ridges moraine with a comprehensive plan?" Put that question on the ballot. I challenge him to do that.

They're afraid to do that, because they know that the people from all across the moraine—from Rice Lake to the Otonabee River, to Pigeon River, the Scugog River to Lake Scugog, to Pefferlaw Brook, to Black River, to the Holland River, to the Nottawasaga River, to the Credit River, to the Etobicoke Creek, the Humber River, the Don River, the Rouge River, Duffin Creek, Bowmanville Creek, the Ganaraska River, the Cobourg Brook—all these people who live along these rivers and waterways would emphatically say to the minister: "We want the moraine protected. We don't want the Ontario Municipal Board to decide the future of our waterways. We want it to be decided by the citizens and their council."

Right now, Minister, when you talk about local democracy, I'll tell you what has happened. In Richmond Hill, on April 6, there was a great expression of local democracy. There were over 500 people at a meeting in Richmond Hill. The council had the public meeting and they asked for people to make deputations, and person after person made a deputation that night, on April 6. They said they wanted no development on the sensitive areas of the moraine. Almost 100% of the people there said that: no development on this environmentally sensitive area. The council passed a resolution supporting the people, which said they would not support the development application on the moraine.

That was local democracy at work. But you know what happened? Because of the way things are now in this province, ordinary people and councils cannot have any protection when they make a decision, because the decision of Richmond Hill council, the decision of those people that night, is overruled by developers skipping

over the local council and going to the Ontario Municipal Board. So the Ontario Municipal Board, which is unelected—it's appointed—faceless, nameless people, will decide the fate of that development application. That is not democratic. It is not fair. It is not direct. It is a sham of democracy.

Everybody in Richmond Hill that night was saying: "You know, our council doesn't want the development. We don't want it." Yet who's going to decide? A couple of faceless people at the Ontario Municipal Board. That's what is really angering people across the greater Toronto region: Their democratically elected councils have no power on important issues like zoning and planning. They have lost that power because now the developers use their huge war chests to win the battle at the Ontario Municipal Board, which has been called basically a rubber stamp for developers. That is what is angering people across the moraine. That is what is angering all these people who care about the water, wildlife and things that are green and sustainable. That is democracy.

The minister wouldn't dare put that to a ballot question in any way, shape or form, because the minister decides what the question would be. He'd be afraid of that question being there. If Scugog had that question, would he allow it on the ballot? I bet you not. If the 26 municipalities got together with a uniform question on the moraine, the minister, I'm sure, would not allow it because he has the final say. That's why I think this is a very cynical piece of legislation that does nothing to enhance anybody's right to be heard.

As you know, Minister, your attempt here is to say that this is about making sure there are better rules. I think what it does is say, "We are going to make sure the province sets the rules and the provincial rules are the ones that override the local rules."

The other thing about this piece of legislation is that there are issues where it's quite questionable whether they're under provincial or municipal jurisdiction. You take the issue of downloading of things like ambulance services, the downloading of public transit on to local municipalities. Let's say a local municipality wanted to have a question on whether they're in favour of a service being downloaded, like public transit, on the local property tax. The minister could very easily say, "No, you can't have that question because downloading and the transferring of this power locally is a provincial jurisdiction." He would not allow that, because in essence they have the control.

1950

It's ironic too that this government is very quick to criticize the federal government. They spend millions of dollars in television ads attacking the upper level of government. They think it's a great thing because they've got the money, and they spend the millions on these ads attacking the federal government. On the other hand, if you've got these local municipalities that may want to criticize them, well, they can't do it. So here what's good for them, attacking the feds—they won't allow

themselves to be criticized. So there's a double standard here.

Another thing that's missing in this legislation is that the questions have to be basically the by-product of a council. There is no allowance for citizen-initiated referendum questions. In other words, if there were 10,000 people in Sault Ste Marie who wanted to have a question on the ballot in Sault Ste Marie, those 10,000 people, if they petition the council, petition the minister, cannot have that question on the ballot unless council puts it on. There are no citizen-initiated questions. Therefore, citizens are not allowed to directly put questions on municipal ballots. No matter how many citizens there are, they are not allowed in this legislation. So it shuts citizen-initiated ballots out. That has been the tradition of a lot of referendum legislation throughout the western world. It's citizen-initiated legislation. It comes up from the grass roots. Citizens really feel strongly about something.

As I said, the perfect example right now is that citizens feel so strongly about the devastation of the Oak Ridges moraine. They overwhelmingly want something done, but they cannot get that question on the ballot. Even if you had 100,000 or 200,000—and I'm sure we could get that. We could probably get hundreds of thousands of people who would petition this government to put the question on the ballot, but the minister would deny it, because this government has decided they don't want to listen to citizens on difficult issues like the Oak Ridges moraine. They'd rather listen to the development industry, which wants to develop at any cost, to the detriment of a fragile ecological masterpiece.

There's a lot of frustration, again, through the province of Ontario. People feel that no one is really listening to them, especially at Queen's Park. They feel at every turn that people are running roughshod over their local decisions. If you look at today's clippings, there was a councillor, a Clive Doucet from the Capital ward in Ottawa-Carleton, who wrote an interesting article, "Take Back the Cities."

His letter was in the *Globe and Mail* today. He said: "I'm also tired of fighting like hell to get a tiny light-rail project going that, in total, will cost \$16 million while the province spends \$71 million on a four-lane highway to Arnprior. I'm tired of hearing the feds and the province play blame the other guy and dump it down to cities to deal with. I'm tired of being held hostage" He goes on to say: "I'm tired of seeing us"—that is, the city of Ottawa—"send a ton of taxes each year to Queen's Park and have only a fraction return. I'm tired of electing provincial members of Parliament who never go to work because the Legislature never sits. In 1999, the provincial Legislature sat a total of 41 days. Who needs it?"

Clive Doucet said: "What we need is our cities back, to be able to run our own schools again on our own tax base. We need to get rid of those monster hospitals with their monster bureaucratic salaries and monster servicing requirements. We need to go back to what we had

before—small hospitals that were community and cost friendly.

“It is clear the provincial government is not interested in cities—except as a cash cow to pave roads for the good folks that voted for them in the 905 area.”

This is what this councillor in Ottawa is saying. I think this councillor in Ottawa is typical of a lot of ordinary citizens across this province who, in recent years, have seen a government that basically has decided that bigger is better. If you take a look at the examples of what they've done in Ottawa, in Hamilton, in Toronto, they are creating these monster bureaucratic entities, which makes for less democratic input. If you look at the history of Ontario, you will see that the real democratic activity occurs in local town, village and city councils. That's where there is give and take, there are questions, there is public participation. As you know, what has happened is that a lot of these local councils have disappeared, and then, with this kind of legislation, they are given even less power to deal with questions that the citizenry may want to comment on.

I also want to put on the record here a press release that came out from the Association of Municipalities of Ontario. This is the association that represents 95% of Ontario's population. They represent over 300 cities, towns, villages and counties in Ontario. Here's what their reaction was to this very half-hearted attempt to cover their political derrière here in this legislation. It's dated April 13, 2000. This is the AMO, the Association of Municipalities of Ontario, release.

“In response to Minister Clement's introduction of municipal referendum legislation, AMO president Michael Power said, ‘Credibility, accountability and consistency and the wise use of taxpayers' dollars cannot be achieved by this legislation.’”

Here is the representative of all these cities and towns, 95% of the population of Ontario, saying that this legislation has no credibility, and it really doesn't. If you talk to people who have been advocates of referendum legislation, people who have been advocates of local democracy, they feel that this piece of legislation is a really feeble, in fact cynical attack on direct democracy.

Mr Power from the Association of Municipalities of Ontario goes on to say: “Credibility, accountability and consistency and the wise use of taxpayers' dollars cannot be achieved by this legislation if we cannot clarify for the public and ourselves what is within the municipal jurisdiction. If this is to be done on a case-by-case basis as the minister has stated, then there will be greater confusion and frustration for the public and the two orders of government.”

I think AMO makes a very good point. You see, these questions in this piece of legislation will be decided on a case-by-case basis of what is provincial and municipal jurisdiction. So it depends on what the minister's mood of the day is or what the political flavour of the month is at the time. They will decide whether they will accept a question or not. You can't have this uncertainty. You need guidelines that apply across the board.

“AMO has asked the province to not proceed with this legislation until the credibility and value of the province-wide referendum legislation is proven.” In other words, they're saying, “Don't proceed with this very transparent, political piece of legislation.” Don't proceed.

“Municipal government leads all orders of government in terms of direct access, openness and accountability. At the municipal level, public consultation is carried out as good practice.”

That is what AMO says, and AMO represents, again, the majority of local governments across Ontario and, as I said, 95% of the people. They are saying emphatically that this legislation has no credibility.

You wonder where they're getting the impetus for this kind of legislation. There are so many important things the minister could be doing. He could be saying, “I will do my job and have a comprehensive plan for the Oak Ridges moraine,” because that is what the 465 scientists said, and that is what all the cities, towns and regions across the moraine are saying. They're saying, “Minister of Municipal Affairs, your number one job on the agenda as minister is to protect the fragile water and greenbelts north of Toronto that go from the plains of Rice Lake all the way to Peel region.” They're saying, “Minister, that's job number one.”

2000

The minister is avoiding that job. As we speak, he is allowing the Oak Ridges moraine to be carved up by this ad hoc process at the Ontario Municipal Board. The Ontario Municipal Board has now filled the vacuum, because there is no provincial policy on the Oak Ridges moraine. This is the same government that had the time to put in provincial policy and ministerial statements about the Woodbine casino, but the minister has no provincial policy on protecting the Oak Ridges moraine, which is basically the source of drinking water for about five million people. No policy, no time for legislation.

If the minister wants to hear from people about how strongly they feel about communities like Scugog and Caledon, he should, as I said, go to these communities and ask them if they want a question in the upcoming municipal elections. That would be the best thing to do. We've got municipal elections coming up this year in November. The minister should ask the citizenry in communities like Palgrave, Pickering, Cobourg and Richmond Hill, “Would you like a question on the municipal ballot about whether we should protect the Oak Ridges moraine with a comprehensive provincial plan?” That would be a true test of whether the minister is just playing around with political semantics by putting forth this bill, or whether he really wants to hear and get voter approval. I think it's a perfect litmus test for this minister's long-time asserted commitment to this type of legislation.

I don't deny the minister the fact that he's been interested in this issue. He has a track record on that and has spoken on it over the last number of years. I think that issue has been burning inside him for a long time, and I accept that. He has that track record. The only thing

is that I'm sure the minister is very disappointed with this piece of legislation. Either he couldn't put into the legislation what he wanted, or it was politically expedient, basically, to pretend he was doing something. I don't know which one it is. I do think the minister has had an interest in this type of democratic approach, and putting questions on the ballot is a democratic approach.

I know the minister talked about: "We had to tighten up the rules. Sometimes they ask ridiculous questions." Well, democracy is very sloppy. It's got a lot of loose ends. People sometimes want crazy questions on the municipal ballot. Sometimes what we think is crazy goes on a municipal ballot. But in the long run I think it's better to give people the opportunity to be heard. If 100,000 people in Mississauga want to put a question on the ballot, and they think that question should be on the ballot, whether it be about nuclear disarmament or about gas-fired plants out at the energy plant or about toll roads—whatever it may be—if people want to put those questions on the ballot, let them put those questions on the ballot. I really don't know what the minister is afraid of. Is he afraid that people are going to say, "We don't want any more toll roads." At least you have a good expression of public opinion.

Right now, with this piece of legislation, it is basically impossible to have any say on these issues. You cannot express so many issues that might be very important in one community and might not be important in another community. What this does is hamstringing local councils and local groups from speaking out on an issue. As I said, turnouts are not going to improve. Historically in this province, turnouts have been in the mid-30s and sometimes up to 45%. Occasionally you come up to the 50% plateau. I found two that did in the last election. But when you come up to that plateau, it is usually not because of a referendum question; it is usually if there's a hotly contested mayoral debate.

In Toronto last time we had a real dogfight for the office of mayor, and it brought out a lot of voters. It was quite unusual. In Mississauga, for instance, nobody challenged Hazel McCallion. I don't care what you did last election in Mississauga, you couldn't have got a 50% turnout, so it didn't matter what question you put on the ballot.

In this legislation the really controversial question won't be there; it will be the questions about whether you want to put playground equipment in the playground, whether you want to build another ice rink. You're not going to get a 50% turnout about local issues of that nature, unless it's a rare occasion. History tells us that. I don't see how this bill in any way, shape or form enhances direct democracy or improves it. In fact, it diminishes it. It gives the minister more control and it has got an unrealistic and impossible threshold of 50% that just will not fly.

In conclusion, I challenge the minister. If he were really interested in direct democracy in this province, I would ask him, by ministerial order, to show that he cares about the Oak Ridges moraine or, not doing that, to

put a question on the ballot in all the upcoming municipal elections in November—it's easy to do—in all the 26 cities across the Oak Ridges moraine about whether you want to protect the moraine. I would even let him word the question, because he's got that power. So put the question about the moraine in the November election in the 26 municipalities. I would love to see that.

Ms Di Cocco: I am pleased to speak to Bill 62, An Act to enact, amend and repeal various Acts in order to encourage direct democracy through municipal referendums, to provide additional tools to assist restructuring municipalities and to deal with other municipal matters, because it speaks to direct democracy.

One of the first comments by the minister when he spoke to this bill suggested that he took out the Henry VIII clauses. I asked for a definition of a Henry VIII clause and I also asked to get some background. I have found that the Henry VIII clause is the popular name for a clause in a statute which gives the government the power to pass a regulation which overrides or alters the terms of the statute itself. So we're going to direct democracy by putting in a Henry VIII clause. Such a clause attracts the nickname of King Henry VIII because the 16th-century monarch gave himself the power to legislate by proclamation a power historically associated with executive autocracy. Henry VIII clauses are traditionally regarded in parliamentary democracies as undesirable because they empower the cabinet to pass regulations behind closed doors which override statutes passed by the democratically elected Legislature, and that's the premise of this discussion.

In the words of the Ontario Court (General Division), "This power is constitutionally suspect because it confers upon the government the unprotected authority to pull itself up by its own legal bootstraps and override arbitrarily, with no further advice from the Legislative Assembly and no right to be heard by those who may be adversely affected by the change, the very legislative instrument from which the government derives this authority."

I want to begin on that premise, that we have enacted legislation and inserted a Henry VIII clause, and then we want to talk about direct democracy.

2010

On April 13th the Minister of Municipal Affairs introduced Bill 62, the Direct Democracy Through Municipal Referendums Act, 2000, in the Legislature. This bill contains a number of Henry VIII clauses. Again, we start from that premise, and therefore the credibility of the whole discussion of direct democracy, in my humble estimation, comes into question.

As a new member, when I saw this autocratic power put into legislation, I couldn't believe it was happening in a democratically elected Legislature. What was even more unpalatable to me was that most of the Conservative members voted for it. I believe it was a dangerous precedent to insert these types of clauses. I also believe that Bill 62 is misleading. It accomplishes precisely the opposite of what it claims to do. The bill purports to

strengthen democracy through direct public consultation, but in fact it does the exact opposite, because there are intervening restrictions and stipulations that are imposed.

Bill 62 gives this government the right to veto any proposed municipal referendum question. It virtually takes power from locally elected officials and gives it to the government. The track record and the approval that this government has taken on clearly show that the only intent is to control municipalities. It is evident that the government has not developed policy that enables municipalities to better deliver their services more cost-effectively.

What the province does do is dictate to the municipality what it will do and how it will do it. The irony of it all is that municipalities are charged with the responsibilities of paying for it. You set up the Who Does What panel, which provided recommendations to clarify the role of what services should be provided by municipalities and what should be provided by the province. Yet the provincial government is usually extremely selective in what it wants to hear. Many of the recommendations were tossed out. In the end, the provincial government did what it wanted to do and didn't even take the advice from its own panel.

I want to address this section of the referenda: Municipalities are not protected under the Constitution. This makes them vulnerable to the whims of the province. Part III, from section 27 to 40, is a prime example whereby the province will force its will on to municipalities by attaching strings to municipal questions to be put to the electorate, strict conditions to referendum questions.

I'll point out the contradiction of where direct democracy can actually be suppressed or stifled. I'll read from subsection (2) under "Rules." It says: "A question authorized by bylaw under clause 8(1)(b) shall not comply with the following rules. It shall concern a matter within the jurisdiction of the municipality." What does this mean? Does this mean that if a municipality chooses to use a referendum to challenge the provincial government, it cannot do so?

I don't understand how on one hand this bill says it wants to help to encourage direct democracy, but then the minister has the power to actually stifle direct democracy, because in this legislation it states that a question in a referendum "shall not concern a matter which has been prescribed by the minister as a matter of provincial interest." Now, what I question is the fact that provincial interest can be anything. Remember, the municipality is under provincial jurisdiction. The choice of word, provincial "interest": What does that mean? How is that identified? How is that interpreted by the province, by the minister? "Interest," in my estimation, is subjective and ambiguous.

In the other section, 8.3(1), "Implementation," we have gone through a referendum and these are the terms laid out in legislation that makes the results the burden of a municipality. It states that at least 50% of the eligible electors in a municipality must vote on the question.

Well, the minister has already spoken to the fact that the voter turnout is low in municipal elections, and I found out the figures for Sarnia-Lambton. In 1991 we had 41%. In 1994, when we were going to have a judicial inquiry, it was 50.7%. In 1997, it was 48%. I have heard that direct councillors have been elected to make decisions, but the minister is constantly suggesting that municipal councillors are not quite democratic enough; it's only the provincially elected politicians who have been elected to represent the interests of the public. You stated that not long ago. So who exactly elects the politicians at the municipal level? How does that differ democratically from members elected to this Legislature?

This government has shown over and over again that it will impose its will no matter what the public really wants. I believe that is very evident, and I will state again that I believe this bill is not credible in its intent to suggest that it is about direct democracy, because that is exactly what it is not about.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I'm very pleased to be able to make some remarks on the bill that is before us this evening. I listened with some interest as the minister spoke to the bill that he introduced. He talked about referenda as a means of providing direct democracy for taxpayers in Ontario. He talked a little bit about the history of referenda and how they have been used.

I would be the first to admit that I probably do not have the extensive background in understanding referenda that perhaps the minister does, but from what I have been able to read and understand about the purpose of referenda, they are rarely used to bind elected bodies but are regularly used as a weather balloon, as it were, as a gauge, as a barometer: what is the sense of the public, what is the sense of a community around any given issue. I think that is a good idea and I think that is to be encouraged, so I would never stand in this Legislature and suggest that referenda are not a good democratic tool. Where I have the problem is where the act provides that the results of a referendum would be binding upon a municipality. I have a number of reasons why I'm concerned about that.

For one thing, referendums under Bill 62 do not come from the grassroots; they don't come from the voters. They have to come from the municipal council, the local government. I would ask, then, how is this direct democracy if the people within a community have no mechanism by which they can initiate a question on a ballot? I understand they have that now. I believe Bill 62 would remove that opportunity for residents within a community to put forward a question on a municipal ballot. I would suggest that is not direct democracy. That is indeed less democracy when it can only come from the local municipality. Also, local boards will no longer be allowed to put questions forward at the time of a municipal election. So I'm somewhat puzzled with the presentation that Bill 62 broadens a community's opportunity to have a hand in the affairs of the local government when I believe quite the opposite would be the case.

2020

I'm concerned around the numbers that this legislation provides for, in that in order for the results of a referendum question to be binding, there would need to be a 50% voter turnout and it would require a 50% majority in order to carry the question. My math would suggest that technically 25% of the people in any community could then provide direction for the local government that would bind that government. My understanding of democracy is that of a majority rule, and I hardly think that 25% of any population could be considered a majority. Yet technically what is provided in this document very clearly would allow for 25% of any community who would vote on any question to bind a local municipality in a direction.

While the government, in its legislation, would indicate that a municipality would be bound by those results, there's no indication in the legislation that if the result of that question would increase the financial commitment or responsibility of that local municipality, the government is going to assist them in addressing that additional cost. So if there were a question that would suggest that there would be some type of equitable service for ratepayers in a community, like streets or sidewalks or whatever, and that was supported by the majority of the people who answered the referendum, there's nothing in this legislation that would say the government is prepared—it says the municipality must do everything it can to address that question, but the government has no obligation, at least none that I've been able to read.

I'm also concerned that the minister has the ability to restrict a referendum, or the question on a referendum, if it is deemed a matter of provincial interest. The minister did talk earlier about the mechanism within the legislation that allows an appeal to the chief elections officer. However, the appeal is only on the question of whether or not the question is clear, concise and neutral, and if in fact the question is capable of being answered in the affirmative or the negative. But there is no means to appeal whether or not a community is of the opinion that the matter they want to put within their community is a matter of provincial interest.

When I think of my riding, I can think of some questions that communities in my riding I'm sure would be very happy to have a referendum on. The minister talked about how we need to connect with the voters in our riding. You know, I think I'm coming to understand that concept. In my sense, the very best way to connect with the voters is to get out there and talk to them and listen to them: What are they saying? What are they telling us?

I think in my riding the farmers would really have appreciated the opportunity to answer a question on whether or not they believed the OMAFRA offices were important and valued service providers within our community. In my riding, I believe the representative within the county of Hastings would very much like to see a question on the next municipal ballot that talks about

water-drawing permits within our community. I believe the people of Greater Napanee would really appreciate the opportunity to tell the province whether or not it wants a superdump in its community. But they are not eligible under this legislation, because it would be suggested there is a provincial interest there.

I suggest to the members of the government that this legislation is more about: "Do as I say and not as I do. We want the municipalities to be accountable to 25% of the people in your area, but if it's a matter of provincial interest then all bets are off, the rules don't apply, we run things our own way." That's a double standard that the people of this province are going to see through, and they will not be used in that way. They will understand that this legislation is window dressing. It has a catchy title. It would suggest that somehow, once this legislation is passed, people in Ontario will have a direct link, a direct pipeline to democracy, when that is not the case at all. They are less able, if this bill is passed, to have an opportunity to have the sentiments of a community measured by a referendum than they are today.

I hope the minister will consider some of these points. People in my riding have asked me these questions. "Ask the minister this. Ask the minister, how can this be more direct democracy?" So I'm bringing their points to this discussion this evening and I'm very happy to have had the opportunity to make their interests known tonight.

The Acting Speaker (Mr Michael Brown): Further debate?

Mr David Ramsay (Timiskaming-Cochrane): I'm very proud to follow my colleagues in this debate tonight. They very eloquently have poked holes through this legislation.

It's really interesting to see that this government is being very consistent in its elaborate and excessive titling of bills nowadays: "Direct Democracy through Municipal Referendums." As my colleagues have pointed out, it's not direct democracy at all. These ballot items are basically directed by municipalities and have to be approved by municipal councils and by the provincial government.

The idea of direct democracy to me smacks of the type of ballot initiatives you see in United States politics. I follow some of this very closely because I have relatives in the United States. My sister in California will send me the descriptive book of all the ballot initiatives that have been initiated by people, by voters, not by municipal council, not given a rubber stamp by a provincial government, or state government in that case, but actually people who feel that something should be changed and who go around in their neighbourhoods and in their communities. They get a certain number of people to sign up that this question should be given to the people in their November elections, and these ballot initiatives are very powerful tools in democracy.

The title of this bill would make it appear that this is the same sort of initiative that is being offered to the people of Ontario, but that is not the case at all. This is not the type of initiative that's being allowed. This

cannot be initiated by voters. If you were to look at trying to develop some grassroots democracy in our representational system that we have here, if you are to go to some sort of referendum system, it should be initiated by the voter. That's certainly not the case here. Even if the voter were to give an idea to council, if the provincial government felt that this was really a provincial issue, it would be nixed by the government.

In California, Proposition 13 was one of the very famous, and for some people infamous, propositions that were put forward over 20 years ago now that basically put a cap on education taxation in the state. There's some of the danger of this type of initiative, which basically starved the state of California schools for over 20 years until this was overturned by another initiative.

2030

In simple terms, it looked very good. A voter took the initiative to say, "We need to have a ballot item, voted on by all the voters in California, that allocations to school boards would be frozen at present levels" until this was overturned. People said: "Great, we're going to be able to cap our own taxation. Yes, I'm going to vote for capping the taxation for schools." California almost destroyed their school system through this act of referendum.

There are tremendous dangers with this sort of bill. In this case, you don't even sort of flirt with danger and give the freedom to the voter to initiate. It's basically a sham, a put-up job. If a municipality wants to hold a referendum on a certain issue, they have to apply, cap in hand, to the provincial government. They have to come to Queen's Park and ask permission. Direct democracy? I don't think so. But it is consistent with how this government has treated municipalities over the last five years.

We have really gone back to the old Robarts-Davis paternalistic attitude in how we treat our municipalities, that somehow we at Queen's Park know better than the municipal people, who are directly elected by their voters. We now really have the stamp of Queen's Park on our municipal councils. We now have complete control of our school boards like never before by the Harris government. Basically we have been getting away from any sort of direct democracy, and we're having all government at the municipal and provincial levels completely run out of the Premier's office. It boils down to that.

Previous regimes in the past 20 and 30 years saw a lot of independence in cabinet ministers and fights coming to the cabinet table, where vigorous discussions and arguments were brought to and fro about a certain policy issue. That is no longer the case in the government of Ontario. What we have now is basically a very centralized government right out of the Premier's office with the Premier and his staff, and there's no democracy left.

We can see that in the way the Harris government has treated municipalities. I think the forced amalgamation of Toronto is classic, going against a referendum that the people in all the six cities that were to become the now new city of Toronto voted on. But did Harris listen to

that? No, he decided that was the way it was going to be and that the six small cities that made up the greater Toronto region were to become the new city of Toronto.

It's the same with amalgamations right across the province. This government is basically telling municipal governments how they should govern. To say that bigger is better is just not proven around this province, and it's not proven around the world. Academic studies of amalgamations around the world have not shown one example of cost savings. They're not there. What this is about, with the Harris government, is making sure that municipalities are of large enough critical mass to be able to handle phase two of downloading. Once we get over the next municipal elections at the end of this year, there will be another forced amalgamation set on a raft of municipalities right across this province. That will get it down, maybe, to the area of 200 to 250. Then we'll see another level of downloading coming on to the municipalities to make the provincial government look good and reduce the cost of operating government at the provincial level. Therefore the Harris government can continue to reduce provincial income taxes.

But what we're starting to see—I know the Speaker has spoken to me and other members about small business people who have come to them in their municipalities. Hotel owners are one example that comes to mind. They are now paying more and more municipal taxes. Not being that profitable an operation, they're not really seeing the savings in the provincial tax system but are paying more and more municipal taxes, and many of them are going to start to be forced out of business, all of this because of the downloading and because of the greater control of this government on municipalities.

School boards are another example. I represent a region that includes the great Northeastern school board that is the largest school board in the province. The school board is greater than the distance from Kingston to Sarnia. That's a good chunk of southern Ontario. In my area that's just one school board. The trustees who are spread over that region don't feel in contact with the parents and certainly, vice versa, the parents no longer know who their trustee is. When they have a problem with the school bus or with the teacher or principal in the school and they want to talk to their trustee, the trustee could be 200 kilometres away in another community and maybe doesn't even understand the problems in that community school. Bigger is not better.

These trustees that we have had and the local councillors are really very good value to all of us as voters and taxpayers in the province. They are very good value for the few thousand dollars a year that these people make, who volunteer their time to serve local government in the interests of people across this province. They are very good people who really have the best of intentions. All these bills, like the Fewer Politicians Act, the whole idea that fewer politicians is the best way to go, are really an insult to the men and women who have served over the years and continue to serve the people of Ontario, especially at the local level.

They really want to better their communities working at the community level, which probably is the most important level to be working at, where we have the most payback of how our daily life is influenced. These people are very good value. To be saying that these people are costing too much and are not of value is an insult and it's wrong. These people are of great value. Municipal politicians are of great value. We should be respecting them, we should be uplifting them, we should be celebrating the democracy we have at the municipal level.

The Acting Speaker: Questions and comments?

Mr Bisson: It was interesting to listen to the many comments from the opposition caucus in regard to this bill. I'm going to have an opportunity in about eight minutes to comment more fully in doing the lead on this particular bill on behalf of the NDP caucus, but I want to take the two minutes that I have to just respond to a couple of the points that were made in the debate that ensued a short time ago.

I can't help but think back to the time when the Tories were in a different situation. I remember the Tories from 1990 to 1995 when they were in opposition. I remember at that time they were railing against the NDP government, and before that they were railing against the Peterson government, as I remember correctly, about how provincial governments didn't want to work with municipalities and that they were coming in with top-down solutions and weren't allowing local democracy and local decisions to be made within their communities. I remember those speeches by people like the now Premier, Mr Harris, and Mr Eves, the finance minister, and others who are here now in cabinet portfolios.

It's interesting what happened the moment they walked in the cabinet door. They forgot all of those things they said in opposition, because if you look at what the government in action has done by way of municipal reform over the last five or six years, it's all about bigger government telling smaller government what to do and, "If you don't like it, we're going to whack you over the head."

That's been the approach of this government, quite frankly. For a government that campaigned in 1995, then as the third-place opposition party, on the Common Sense Revolution, and inside the Revolution they say, "We are going to work with municipal governments to be able to respond"—look at that. I just happened to get a copy of my Common Sense Revolution. If you take a look in it—and I will talk about it a little bit later—you talked about how you were going to work with municipalities.

This bill does nothing to work with municipalities when it comes to the reform of the communities of Hamilton, Norfolk and Ottawa. What this does is give a top-down solution that in the end doesn't work for the people in those communities.

Mr Tilson: I want to comment on the three or four members of the Liberal caucus who addressed this issue of binding municipal questions, the legislation on municipal referendums. With them, I had a difficult time

determining whether they were in favour of it or opposed to the topic, generally speaking, of referendums. Some of them were for it; some of them were against it.

Mr Agostino: Let's have a vote on it.

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Mr Tilson: Yes, let's have a vote on it. They were unanimous on one thing, and the criticism seemed to be that this legislation, they say, was a cynical attack on direct democracy. Some of them used those words.

As has been the pattern of the Liberal presentation, the member for Toronto Centre-Rosedale several days ago listed off, as did the member for Eglinton-Lawrence, I believe, the different statistics of how municipal councils vote, and it's all under 50%. Well, this legislation is very specific, and well it should be. It should have very high standards. I gather that if the Liberals are in favour of this legislation, they are prepared to accept lesser standards. This legislation has tough standards. It's saying that the question must be phrased so it results in a yes-or-no answer; the question must be clear and concise; the language must be unbiased.

Then it gets into the topic of, to be binding, the results must be supported by a majority of the voters of 50% plus one. What's wrong with that? There is nothing wrong with that. I gather they're saying, "If you've got 25%, that can count." No, we're saying that's not good enough. If the issue is that important, that many people should show up to vote.

Mr Dwight Duncan (Windsor-St Clair): The member probably couldn't understand what we were saying because we spoke with so much good sense. We're opposed to this bill. We're opposed to this bill because, like so much your government says and does, the bill purports to say one thing, but in fact it does another. I suggest to the member that if he had listened to my colleague from Timiskaming, to my colleague from Sarnia, to my colleague from Frontenac, to my colleague from St Catharines, he would know full well that this bill has nothing to do with democracy and has everything to do with stifling democracy.

Just like you didn't want to talk about the Premier's new planes, you don't want to talk about the ORC and you don't want to respond to ballot initiatives that have been placed throughout this province. Make no mistake: The Ontario Liberal Party opposes this bill because not only is it undemocratic, it in fact stifles the ability of municipalities to participate in the great questions of the day.

On many instances this government tries to stifle debate. You won't even face the House. You sat for 41 days. The Premier of this province has an absolutely shameless record of not attending question period, so don't tell us about democracy. This is nothing but more Tory spin. It's nothing but more Tom Long rhetoric. It's nothing but right-wing lunacy. It's not democratic, despite what the title says.

If the members opposite took the time to read past page 1, and I know they can't read much past the pictures and page 1, they would understand, as my colleague from

Eglinton in his very eloquent remarks pointed out, that this bill is not democratic. It restricts the right of municipalities to participate and, like so much else this government does, it effectively restricts democracy.

Mr Joseph Spina (Brampton Centre): On a point of privilege, Mr Speaker: I am insulted by the comments of the member from Windsor. I can read past page 1.

Interjections.

The Acting Speaker: If you could just sit down, both of you. It's not a point of privilege.

Mr Duncan: On a point of order, Mr Speaker: Certainly I am delighted that I have offended him.

The Acting Speaker: That also is not a point of order. Questions and comments?

Hon Mr Clement: I am delighted to participate in the debate once more and thank the members for Eglinton-Lawrence, Sarnia-Lambton, Hastings-Frontenac-Lennox and Addington, and Timiskaming-Cochrane for their comments respecting the bill. I would say a couple of things, just to clear the record for anyone who would be watching this debate on television or for the record for future generations.

Responding to the member for Sarnia-Lambton, one of the purposes of this bill is actually to remove the Henry VIII clause, and I wanted to make sure that was on the record. As we know as a matter of public record, when the Liberals were in power they used the Henry VIII clause eight times. Perhaps the honourable member didn't know that—

Interjections.

The Acting Speaker: Order.

Hon Mr Clement: In this effect we are correcting a wrong that was perhaps endemic of the record of one previous government.

The member from Hastings made some points about how this did not go far enough, and then the member from Timiskaming said the initiatives go too far. So I think the member from Wellington was quite right when he said we have on the opposition some elasticity of political views on this issue. From our point of view, we think it's a step in the right direction. We think that making these sorts of referendums, adding credibility and legitimacy to them, providing the conditions by which they can be binding on the municipal council: all of these are positive steps to renew and increase the accountability of municipalities and the legitimacy of their decisions, and this can only help, just as it helps us at the provincial level when we passed the Taxpayer Protection and Balanced Budget Act, designed to enhance the ability of the citizenry to know they can have a say on important issues like taxes. This is another step in the direction we all want to go in.

The Acting Speaker: Response?

Mrs Dombrowsky: I'm delighted to give a response. I find it interesting that members of the government continue to attempt to put the spin on this legislation that this is going to provide direct democracy for the people of Ontario. That is not the case, and we on this side of the House have to work to dispel the myth and expose the

truth. If you really want to bring in legislation that will provide direct democracy, then let's see some legislation that will enable municipalities to put questions of importance or concern on their municipal ballots.

For example, in the community of Sarnia-Lambton, let's see the possibility of entertaining a referendum question on whether the residents of that community support the establishment and operation of Safety-Kleen in that community. Let's see that kind of question allowed. That's not allowed in this proposed legislation.

To stand here and suggest that people in Ontario are going to have a better opportunity to have their voices heard and addressed in a meaningful way is simply less than accurate. I think you are painting a picture for the people of Ontario that in many ways makes it more difficult for the views of local taxpayers to be heard and, in fact, followed.

The Acting Speaker: Further debate?

Mr Bisson: It's with some pleasure that I have the opportunity to respond to this bill which, among a number of things, tends to try to fulfill the government's promise on referendums, which I say they're still breaking, and tries to fix the mess this government has created by way of municipal reform in communities like Hamilton, Norfolk, Ottawa and Sudbury. I'm going to speak to those parts separately.

First of all, as the municipal affairs critic for the NDP, I want to lay out for people that there are basically four substantive parts to this bill. I want to put on the record immediately that of the four substantive parts of this bill, one of them I can support and three I cannot. I'll deal up front with the one I can support and then deal with parts three, two and one separately afterwards.

The final part of the bill, part IV, deals with enacting the Town of Moosonee Act, 2000. What this is all about is the provincial government is trying to move on what has been an issue in the James Bay communities for some time, which is trying to move the town of Moosonee, now a development area board, to a municipality. It is work that frankly had been done by the Liberal government under David Peterson and work we did under the NDP with the leadership of Len Wood, who was the member for Cochrane North, and I would say a very admirable member for the work he did across that riding. Now it is being followed up by this government.

I have to say up front that no party—NDP, Liberal or Conservative—has seen this as a partisan bill. We see the change of the Moosonee Development Area Board to a municipality as a non-partisan bill, and all governments and all parties worked on it, trying to move it along. But the particular municipality has a number of complexities in it. It is a community that is primarily of aboriginal First Nations people who come from different parts of James Bay, places like Attawapiskat, Fort Albany, Peawanuck, Kashechewan and other places, as well as people from native communities on the Quebec side of James Bay who come into Moosonee and the Moose Factory area and establish themselves in order to get

work or sometimes to get back with family members. Also, in the mix, about 10% to 20% of the community is people from different parts of Canada and different parts of the world who come to live in the Moosonee area.

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What has happened is that there has not been a total consensus on the part of the public in Moosonee to move from a development area board to a municipality. Therefore, none of the governments wanted to force this decision on the municipality and, I think, rightfully so. The Bill Davis government in the past, eventually the Peterson and the Rae governments and, I would say, even the Harris government in its first term, did not want to foist a municipal structure on to Moosonee unless it was ready. It is only now, in the year 1999-2000, that there has been some will on the part of people within the municipality, or the area around the future municipality of Moosonee, to do so.

I want to say publicly up front that I will support that part of the legislation. I don't care which government it was—whether it was the Bob Rae government or the previous Liberal government—all governments would have done what the present government is doing in the way of changing Moosonee into a municipality, and that in itself is not a bad thing.

I also want to say at the beginning of my speech that at the end I'll be splitting my time with other members of the caucus who will have an opportunity to finish at the end of it. I just got that in about two minutes into the speech.

I do, however, have two points for the minister. First, in moving towards a municipal structure in Moosonee, I think it's very important that the minister answered questions in the House last week put by me, the member representing the future municipality of Moosonee, that there had to be a couple of guarantees going into this. The first one was that we have to make sure the municipality of Moosonee, when it is formed, does not lose any of the transfers it is now getting from the provincial government. In other words, the transfers they get to run all the programs—or lack of programs, I should say—in Moosonee will not be any less, once they move to a municipal structure, than they were before. In fairness, the minister, in answer to that question said: "Yes, that is the intention. The government will not be reducing transfers to Moosonee once it becomes a municipality." The minister confirmed that in the House, and I am going to keep him to that word.

The part he did not answer adequately—and I know he's paying particular attention, because he's standing there with the former parliamentary assistant to the Minister of Northern Development and Mines, who I know is also very interested in this issue—is how to deal with the transitional costs that will be associated with converting the Moosonee development area board into a municipality. They're going to have to hire lawyers. There's going to have to be some infrastructure dollars put forward.

For people who have never been to Moosonee, it's a wonderful municipality, but it lacks in the way of basic infrastructure compared to other municipalities across the province. I would say that much has been done. I've got to give the former member, Len Wood, full credit. I helped him with some of the work, but 98% of the work on water and sewer projects in that community was Len's. We're going to see the switching on to the new system this spring, plus work that had been done before that. There's much to do in the way of roads and transportation infrastructure. We need to make sure there are some transitional dollars put forward when the municipality is formed, so they can actually go ahead with some of the work they have to do.

There will also be other transitional costs, as people understand. Because they are a development area board, they cannot enforce bylaws, and they don't have any bylaw enforcement officers. So there's going to be an incurred cost. Once they go to a municipal structure, they're going to need a planning department and bylaw enforcement officers. There's going to be another part of the administration that will have to be added into the system. I want to make sure, and I want to say publicly now, that if the government is not going to move on that and give them the powers, then this is nothing but downloading. But I'm going to be hopeful that the government is going to move forward and is going to make sure there are some transitional dollars available to the new municipality of Moosonee to cover the additional costs that will be incurred because of their becoming a municipality.

I look to the minister across the way, to what I think is a nod—I hope that is the case. There will be some transitional costs to deal with: How do you create a bylaw officers' department? How do you deal with a planning board? How do you deal with a number of services that the new municipality is now going to have to take care of that they were not taking care of before because they were a development area board? I look forward to that particular part of the bill going through committee. I would ask the government to make sure that at some time at the committee level we are able to deal with concerns that may be brought forward from the community about how that's done.

There is also an impact, I must say, on communities like the city of Timmins and the town of Kapuskasing, first because the city of Timmins, through its district area service board, is actually administering some of the services, such as welfare, up in Moosonee. In addition there is the Timmins Housing Authority, which manages some of the housing stock. As they become a municipality, some of those issues become a little less than clear and a little bit grey. We need to make sure, one, that we figure out how those services are going to be supported once the municipality is put into vigour and, two, that the municipality of Moosonee actually has money to be able to pay for those things.

I want to say for the record, Mr Speaker, and to the minister, that if I had to vote on part IV of the bill dealing

with the creation of the municipality of Moosonee, I would vote in favour of the bill, no question. However, here's the problem. Like everything else this government does, it takes a good piece of news, which is the creation of the municipality of Moosonee, and it throws in a bunch of other things. It puts members, I would argue, in the government and members in the opposition in a position of, how do you deal with it?

Personally, I do not believe in some of the provisions the government is putting forward by way of part III of this bill, which deals with how municipal aldermen are able to recoup expenses for their campaigns. Plus, I have a real problem with the referendum section under part III, and I am diametrically opposed to what is in part II and part I of the bill that has to do with the transformation of the municipalities of Hamilton, Sudbury, Ottawa and Norfolk into larger megacities like we've done here in Toronto.

You're caught in between: They give you one part of the bill which is good, and they give you a whole bunch of other parts which are not so good. On the balance, I'm afraid I'm not going to be able to vote in support of this bill on the basis of what it does inside the rest of the act. Let me deal with part II and part I of the bill first, and I'll deal with part III, which is referendum, in the latter part of this debate.

What the government is doing here is quite simple. If you remember, the government introduced legislation last fall, once they had returned from winning their second term in government, to reform the municipalities of Hamilton, Sudbury, Norfolk and Ottawa into larger mega-municipalities, just like they did to the city of Toronto in their first term. They rushed so fast to pass that legislation last fall that they made a ton of mistakes.

I remember the time, and you can go back to the Hansard and check it, when myself as municipal affairs critic and other members of my caucus and, I would argue, some of the opposition members said: "Listen, you're forcing this legislation through so fast that you're not allowing the proper amount of time in committee. You're going to have all kinds of problems with how the bill is not going to work once you enact it."

The government said: "Oh no, we're smart. We know everything. Heck, we don't need debate in this House. We'll time-allocate the bill. We're not going to allow for public consultation by way of real committee hearings in communities that are being affected. We're smarter. We're Mike Harris. We believe in top-handed solutions. We're going to shove the solutions down the pipe and the municipalities are going to have to accept them, and they're going to be really happy because we're going to get it right."

We pointed out at the time a number of problems having to do with different sections of the bill that did not work technically. We said that if you pass the bill the way it is, not only do we think it's wrong-minded as far as where you're going, we're not convinced that making larger municipalities will save you money. It has been the experience in Toronto, where a megacity has been

created, that you're not saving any money. What you've done is created a bigger government. Mel Lastman now is more powerful than Tony Clement, the Minister of Municipal Affairs. I see the minister bowing to Mel Lastman, the mayor, every time he walks into his office because—think about it—the power this mayor and council now have is greater than that of most cabinet ministers.

Second, it's not really saving us any money because larger government is not necessarily cheaper. I would argue that a larger government is more expensive. It's pretty simple: The bigger the administration, the higher the overhead costs. All these top bureaucrats say, "I've got more people working for me, so I deserve more money," and they get it. I was just taking a look at the financial disclosure act before I came to this debate. You should see some of the figures top administrators and top bureaucrats get in the city of Toronto. It's enough to make your head spin. Most CEOs—some CEOs; I shouldn't say "most," because a lot of them make money in private corporations—would salivate at some of the salaries these people get, and that's thanks to Mike Harris. Quite frankly, create a larger municipality and build the argument why you've got to pay people more for more responsibility.

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It's interesting to note, in the case of Sudbury, where the transition team is now working on how to create this huge supercity of Sudbury and how to pay for services and work things out and be cheaper for the taxpayers, that the people on the transition team are telling the minister: "There's no money to be saved. There's not a sou, not a cent." Not any money is going to be saved in the new municipality of Sudbury. So you have to say to yourself, why is the government doing this? I believe it's quite simple. It's an ideological belief that's built on nothing more than this: that if you make a supercity, somehow it's going to make things super nice and super good and super efficient. All it's going to do is make it super expensive, super bureaucratic, and it ain't going to work very well at all.

I say you were wrong in the fall of 1999, when you came with legislation to create these municipalities. If they wanted to create supermunicipalities, they had the provisions to do that under existing law. In fact, it has been done in a number of municipalities where it has been locally driven. But for the province to bring a top-down approach to this thing is high-handed. We said at the time, last fall: "If you rush the legislation through, you're going to have all kinds of problems. We'll be back here in the House later on in the spring or next fall to fix the problems."

Just to give you an idea, take a look. This is just the section of the bill that deals with fixing the problems in the bill that the government introduced last fall. These are just the sections dealing with the Municipal Act. Look at all the mistakes they made. They had to go through and amend about four inches of paper in the bill to try to make this thing work. We told them that last

year. We said, "Listen, it ain't going to work." What did the government do? They didn't listen. They just turned around and did what the heck they wanted, never mind the public, never mind the municipal politicians who were trying to tell you: "Slow down and at least get this right. If you're going to impose a municipality on us the size of whatever, let us have a chance to work through the process on how this thing is going to work." But they didn't listen.

I went to the legislative library. I've got to say, here's a wonderful place, because we keep everything at the legislative library and we have wonderful staff there who always have things at the tips of their fingers. As a matter of fact, I asked one of the pages here earlier, "Can you go down and get me a copy of the Common Sense Revolution?" They were back up here in, I would say, about a minute and a half flat—wonderful work by our pages and wonderful work by the people of the legislative library. I asked for the Common Sense Revolution because, as I said, I wanted to remember what Mike Harris had to say about how he was going to work with municipalities in the election of 1995, when he ran on the Common Sense Revolution.

I'm looking at page 5. You guys remember because you were there. You ran on this in 1995 and you said in the Common Sense Revolution that you were going to do something very special with municipalities, and here's what you had to say to municipalities in 1995. If I had been a municipal politician I would have said: "Hey, they got something here. Maybe I should vote for them." Well, besides saying, "There's only one taxpayer"—they forgot about that, because user fees have eroded that, but that's for another debate—they said on page 3, in the section dealing with municipalities, "We will work closely with municipalities to ensure that any actions we take will not result in increases to local property taxes." Five years later, municipalities across this province are having to raise property taxes to deal with the downloading.

Interjections: No.

Mr Bisson: They say no, but do you know why they're saying no? Because we had to bring in legislation to freeze property taxes as a result of your downloading. Do you remember the five, five and 10 thing that you did? Jeez, we said, "If you guys start downloading, it's going to mean higher property taxes." You said, as Tory Mike Harris: "I'm smart. I know everything. Nobody else knows anything. I will do it by way of closure motions and I'll get it all right." They introduced one bill to start the downloading. It resulted in seven pieces of legislation to try to fix the mess they created in the first place, and they ended up breaking the promise they made in the Common Sense Revolution—a broken promise.

I'm a taxpayer. I pay municipal taxes, as most of these people do, and my taxes went up under your watch. Why? Because you've downloaded to municipalities. The small business people in my community were running to me back in 1996-97, when you started this process, saying: "Gilles, look at the tax bills. My taxes are going

to go up by 100%." I had people like Bupont Motors and other businesses across the riding with 130% increases. I brought the government to the estimates committee in order to raise the issue and then when I sat with the minister, he went: "Oh, I've got a real problem there. Going to have to fix that. We're going to introduce legislation to freeze municipal property taxes." So they've raised it not more than five, five and 10. Well, an increase is an increase is an increase. I don't care how you cut it, you guys broke your promise in the Common Sense Revolution.

Then you say on page 7—this is even better, you know, when they said how they were going to work out change with municipalities. I remember the Tories were mad about how the Peterson government dealt with municipalities and how the Rae government dealt with municipalities. We were dealing with that at that time. Do you remember? It was called disentanglement. The NDP Rae government went through the process and we said, "We need to sit down with municipalities to figure out ways of disentangling the overlap between provincial and municipal sectors." And it was a true set of negotiations because, quite frankly, it was a fairly difficult process to go through and a lot of good stuff came out of it.

The Tory Harris agenda said, in the Common Sense Revolution, "Join the Mike Harris team at 1-800-903-MIKE," and I forget what particular issue this is of the Common Sense Revolution. "We will sit down with municipalities to discuss ways of reducing government entanglement and bureaucracy with an eye to eliminating waste and duplication as well as unfair downloading"—as well as unfair downloading—"by the province." What did these guys do? You're the masters of downloading. You have downloaded how many services? Ambulances, public health, welfare, housing, planning—the list goes on. All of that has been downloaded to municipalities, and you guys promised in the Common Sense Revolution that you were going to sit down with municipalities and figure out a way to do it together. You didn't sit down with them. You didn't try to figure out how to do it with them. You broke your election promise. You shoved it down their throats unwillingly. This government says, "Oh, we kept our promises." You guys wouldn't know how to keep a promise if it came up and bit you. You guys broke the promise that you made in the Common Sense Revolution, and I say to the government that you were wrong to do that.

Is there between the government and opposition a certain ground, and as well with municipalities, to figure out ways of making municipalities and the provincial government work better together? Yes. There's not a member in the opposition or the government side of the House or in municipalities who is not prepared to sit down and figure out ways to make this happen. But you guys bring legislation in, you shove it through the House, it's time-allocated. You do it wrong because you don't want to listen to the bureaucrats, who are drafting your own legislation. You say: "Oh, they're bureaucrats. We

can't trust them. They're not party loyalists so we're not going to trust them." So you allow the legislation to go through here really quickly. You don't allow good debate. You don't allow public hearings. Then you have problems with your legislation. You come back, as you have today, with a bill. I don't even want to pick it up; I'll get a hernia trying to pick up the parts of the Municipal Act. I know you guys don't want me to get hurt because there's no workers' compensation in here, or WSIB, as you call it. But the point is, you've got a real problem.

On part I and part II of the bill, the government said it didn't have time to fix anything back when they introduced the bill and they had to do it quickly and all that because they knew better and everything was right. They had to do it in a hurry. We said at the time, « Monsieur le Président, il y a un problème. Il n'y a pas de protections pour les services en français pour les communautés de Sudbury et Hamilton, où il existe déjà des services en français, où il existe déjà des lois locales sur la question des services en français. »

Le gouvernement nous a dit, « Non, non, Monsieur Bisson. Voyons, donc. On n'a pas le temps de traiter cette décision. On n'a pas le temps de traiter ce point. On va aller en avant bien vite, puis on va arranger ça tout. Vous allez voir : tout va marcher bien. »

Vous êtes revenus avec la législation. Vous avez fait des amendements avec votre loi de l'automne passé. Il n'y a rien dans ce projet de loi, il n'y a aucun amendement, qui garantit les droits aux services linguistiques pour les francophones à Ottawa ou à Sudbury. Excusez-moi, les messieurs du gouvernement. Si vous aviez eu le temps de rentrer avec des amendements, comme vous l'avez fait aujourd'hui dans ce projet de loi, vous auriez pu prendre une seconde pour mettre dans le projet de loi un amendement qui aurait dit, « Là où il existe déjà des lois locales qui disent que les services pour les francophones sont protégés, comme à Sudbury et à Ottawa, on va s'assurer que ces mêmes lois restent en vigueur dans ces municipalités. »

Cela aurait été très simple. Cela aurait pris deux secondes, bien vite, comme vous faites d'habitude. Rien, rien, rien. Puis moi, je me dis comme francophone, « Vous autres avez bien décidé de quel bord vous êtes. Vous êtes un gouvernement qui ne croit pas aux droits linguistiques. Vous êtes un gouvernement qui nous tape sur la tête et qui ne veut pas respecter les droits des francophones dans la province. » C'est encore là un exemple.

So I say to the government that with regard to parts I and II of the bill, there's no way I can support that section of the act. It refers back to all the legislation you brought into this House last fall dealing with municipal restructuring by way of making megacities in the four municipalities of Hamilton, Norfolk, Sudbury and Ottawa, and it doesn't deal adequately with the issue as far as I am concerned. If you were trying to find ways to make this thing work, you're certainly not making it work.

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As to the latter part of the bill, part III, this is the most hypocritical part of the bill. "Hypocritical" I take back; it is the most colourful part of the bill when it comes to the truth. The government members try to make us believe they are the defenders of democracy. Mr Clement, the Minister of Municipal Affairs; Mr Eves; Mr Harris; Mr Runciman; the Minister of Transportation all believe in local democracy. They tell us a good line. They stand in this House and say, "We want to give local citizens more say; we want to make sure that citizens decide what happens in their municipalities," and rightfully so. Referendums? Maybe—I don't know. I'm not a big fan of referendums to start with, but I'm certainly prepared to get into the debate. I prefer a system of proportional representation when it comes to provincial politics, but that's for another debate, if you're going to talk about real democracy.

The government is amazing in its gall when it comes into this House and introduces legislation on referendums. They bring a bill into this House that they say will give local citizens more say about what happens in their municipalities, because it will give citizens the right to introduce the concept of binding referendums on their municipalities.

Then they put so many weasel words into the legislation that it's almost impossible—I won't say impossible but pretty darned impossible—to get any of this passed when it comes to a referendum question. For example, let's say the town of Kapuskasing was forced by the provincial government to amalgamate with the communities of Val Rita, Smooth Rock Falls, Moonbeam, Fauquier and Opatatika, and the local citizens were to say, "Hang on, we want a referendum to put our mark on this issue." What would happen under the legislation? The first thing is that they would not be able to ask the question because the legislation, as it's proposed here by the government, says that the Minister of Municipal Affairs will have the final say on what the question is and if the question is to be allowed. If the question in any way, shape or form touches a provincial issue or provincial jurisdiction, the municipality does not have the right to pose the question.

The citizens think they're getting new power by way of this legislation to introduce a referendum concept in their municipality, but practically, the minister has the final word.

To me, the ultimate test of a referendum is, can the citizens express themselves on a particular question and can they make that expression count when it comes to saying yea or nay to the question on the ballot? As we go through this legislation, we find that it's neither yea nor nay, because at the end of the day it's the minister, Mr Clement, who's going to decide what the question is.

The minister is going to decide if the question is appropriate, and if the question touches provincial jurisdiction, such as the province of Ontario saying to Kapuskasing, Val Rita, Opatatika and others that they have to amalgamate, there's nothing the citizens can do

about it. Secondly, even if they could, the way the legislation is drafted, you have to have better than a 50% turnout and win better than 50% of the vote for the referendum question to stick. We've all been around politics long enough; there's hardly an election at the municipal level that's better than 50%, especially on referendum questions.

My Lord, the biggest referendum question the city of Toronto ever saw was on the megacity and it didn't reach 50% of the people voting. Yes, 78% voted against it, but it was less than 50% who showed up to vote. Such is the nature of democracy. You can't force people into the ballot box at gunpoint. It's a democratic right that you hope they exercise. Maybe if we were to get into some kind of debate on how you entice people into utilizing that democratic franchise of voting, I'd be prepared to get into that.

But here's the really—I can't say “hypocritical,” eh, Mr Speaker? “Hypocritical” is against the rules? OK. I won't use the word “hypocritical,” because I can't. But it's interesting, because I've got two other pieces of legislation. I've got one piece of legislation introduced in 1987 by Mr Runciman, the then member for Leeds-Grenville, who came forward with legislation dealing with the referendum question. Just for people watching back home to know, the member for Leeds-Grenville, as he was called at the time, is a Conservative member of the government who sits in cabinet presently as the Minister of Consumer and Commercial Relations. Back in 1987, when he introduced the bill into this House, the bill was entitled “An Act to provide an opportunity for the electorate to express their views by means of referendum in Ontario.” That particular bill basically said the public had the right by way of referendum to hold the provincial government accountable on provincial issues as well as municipal issues. He gave carte blanche to referendums. They were non-binding referendums, but what would end up happening is that anybody would have the right to hold their government accountable by way of referendum.

My point is, how come that's not in this bill that we have before us tonight? How come all of a sudden the Minister of Municipal Affairs and Mike Harris and the rest of the cabinet say municipal citizens should not have the right to vote on an issue by way of referendum if it's provincial in jurisdiction? Yet in 1987, the members of your own caucus were putting forward legislation that was voted on by Mike Harris, Mr Runciman and all the other cabinet members who were members of your caucus back in 1987, and they voted in favour of referendum legislation that went a lot further than what you're putting forward today. In fact, it gave people referendum rights on provincial issues. What happened?

Wow, that's strong water. I just want to say to anybody watching, there really is no gin in here.

What has happened? Why did the Tory party, in third place in 1987, put forward legislation that gave far-sweeping powers to citizens to initiate a referendum on provincial issues, but now all of a sudden in the year

2000 the government Conservatives are saying, “No, we can't give people in municipalities the right to express their view by way of referendum on what is a provincial issue”? That's completely the opposite of what the government has put forward in their bill.

Then I've got another one, and this is the galling one. I saved this one for last. I'm sure the member for St Catharines is going to get great amusement as he listens to this one. If you'll remember, the member for St Catharines, there was a bill introduced, I think in September 1991, and I'll read the title of the act: “An Act to authorize Municipalities to obtain the Opinions of Electors respecting Provincial Budgets and Fiscal Policies.” Interesting. The Tories of the day and all of you who were Tories in this House back in 1991 got up and voted in favour of this legislation that would have given municipal voters the opportunity, on a municipal ballot of referendum, to decide what is going to happen when it comes to the policies of the province of Ontario.

There is nothing that is more of provincial jurisdiction than a budget. That is the core essence of what a government is all about, managing the fiscal responsibility of its particular government. Yet back in 1991, all the Conservatives voted in favour of giving municipal people the right to vote on fiscal policies of the province of Ontario. Who put forward that bill? Mike Harris. Mike Harris, your own leader, the now Premier of Ontario, put forward legislation that gave individual voters in municipalities the right to hold a referendum on what is a provincial issue, run by the municipality. Now hang on a second. Does this compare to the bill that we have before us now, where it says in the bill that you cannot by way of a municipal referendum decide a question that has provincial jurisdiction? You have the bill by Mike Harris, Bill 138, 1991, that says, “You will have the right as people living in a municipality to effect a referendum on what is an issue of provincial nature.”

What happened between these two bills? Why is it that all of a sudden you're saying you don't want to give people this right but you were ready to do it in 1991? I say it's hypocritical. You're a bunch of damned hypocrites. It's as simple as that.

The Acting Speaker: The member will withdraw and will refrain from using that word.

Mr Bisson: I'll refrain and withdraw the comment, but I hope I don't have to withdraw from the chamber just yet. I still have five minutes.

I have a real problem with the doublespeak of this government. They get up in this House, as we saw today in question period, and you've got a government that basically says one thing and does the complete opposite. It's all this placebo-type politics they're bringing to Ontario, something we've seen in the United States for some time. The government pronounces policy on an issue they see as politically sexy, introduces a bill in the House, and when you read the bill it doesn't do anything the government talked about in its press announcements.

Now we have referendum legislation that doesn't give anybody any referendum rights. You've created a

Victims' Bill of Rights supposedly to give victims rights in a crime that is brought to the courts, and the judges say there are no rights given in the government's bill.

You have the Attorney General on Monday out in front of the Don jail talking about having to deal with the whole issue of enforcing issues at the federal level when it comes to crime, and they have no jurisdiction on the issue whatsoever.

You've got the government in the House with a bill having to do with parental responsibility, supposedly to penalize the parents for what their kids have done, very politically popular with some. As a matter of fact, I was talking to a good friend of mine in Toronto whom I hadn't seen in some time. I went to see him the other day and he said: "You know, Gilles, I like that bill. Parental responsibility: It's about time we make those parents pay for what those kids are doing." I said: "Vlad, do you want the bill? I'll give it to you. I'll let you read it."

I provided him with the bill and when I saw him the other day, he'd read the bill and he said, "Gilles, it doesn't do that." I said: "That's the point. The government is saying the right things. Everybody wants to hear that somehow or other they've got a magical solution, but in the end there's nothing in the bills to make them work." Vlad said: "Well, what is this? What's going on? Why are they saying one thing and doing another?" I said, "Because they're a bunch of old politicians, no different than the rest."

They try to be the anti-government government. They try to be the anti-politicians government, but they're the worst kind of politicians you could ever have because they say one thing and do the other at every opportunity, and they make it look as if it's good news. The worst part about it—it drives me crazy—is they're getting away with it.

I was watching today in the House when the Minister of Labour had his Maple Leafs sweater out. The media were all out with their cameras to take pictures, but the minute there were real issues to be dealt with, the media were all gone. They had got the story for the day.

They say you should never criticize the media and their business but I've got to say to the Toronto media, "Get your act together." You would have never let the David Peterson government, the Davis government or the

Rae government get away with what these guys are getting away with by way of allowing them to do the kinds of doublespeak they're doing now. The thing is that it works, because what happens is we live in a world where there's so much information coming to us that we're being sold a bill of goods on a five-second sound clip.

That's what this government understands. You give the public the five-second sound clip they want to hear. The public—it's not their fault—say, "They say they're going to do something, so it's got to be good," and they don't find out until after, when they go to try to get those new services or deal with the issue the government raised, that there's not a hill of beans in the legislation they've done, and that in fact they've made things worse.

I say to the government that if it was good enough for Mike Harris in 1991 to introduce legislation that gave people the right to decide referendum questions in municipalities on provincial jurisdiction, where is the government today when it comes to giving people that same right? Was it that he was saying one thing then and another thing now? I say that's the case. The Premier was being—I can't say less than honest, can I, Mr Speaker? I can't say he was lying; it would be against the rules. So he was saying one thing and doing the other when it came to what he was doing.

There's about another 20 or 30 minutes left on the clock and I'd like to make sure that other members of my caucus have an opportunity to share in this lead. Being that it's almost 9:30 of the clock, I move adjournment of the debate for tonight.

The Acting Speaker: Before you sit down, perhaps you can indicate to myself and the table which members you will be sharing your time with.

Mr Bisson: Mr Speaker, there are so few, use your imagination.

The Acting Speaker: I think you can appreciate that we will have a problem if we—

Interjections.

The Acting Speaker: Order, the member for Sault Ste Marie and the member for Hamilton-East.

It being 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 2125.

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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
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Brant	Levac, Dave (L)		
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Don Valley West / -Ouest	Turnbull, Hon / L'hon David (PC) Minister of Transportation / ministre des Transports		
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Durham	O'Toole, John R. (PC)		
Eglinton-Lawrence	Colle, Mike (L)	London North Centre / London-Centre-Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Elgin-Middlesex-London	Peters, Steve (L)	London West / -Ouest	Wood, Bob (PC)
Erie-Lincoln	Hudak, Hon / L'hon Tim (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines	London-Fanshawe	Mazzilli, Frank (PC)
Essex	Crozier, Bruce (L)	Markham	Tsubouchi, Hon / L'hon David H. (PC) Solicitor General / solliciteur général
Etobicoke Centre / -Centre	Stockwell, Hon / L'hon Chris (PC) Minister of Labour / ministre du Travail	Mississauga Centre / -Centre	Sampson, Hon / L'hon Rob (PC) Minister of Correctional Services / ministre des Services correctionnels
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)	Mississauga East / -Est	DeFaria, Carl (PC)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Mississauga South / -Sud	Marland, Hon / L'hon Margaret (PC) Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)
Guelph-Wellington	Elliott, Brenda (PC)		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	Hodgson, Hon / L'hon Chris (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		
Halton	Chudleigh, Ted (PC)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West / -Ouest	Snobelen, Hon / L'hon John (PC) Minister of Natural Resources / ministre des Richesses naturelles	Scarborough East / -Est	Gilchrist, Steve (PC)
Nepean-Carleton	Baird, Hon / L'hon John R. (PC) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones	Scarborough Southwest / -Sud-Ouest	Newman, Hon / L'hon Dan (PC) Minister of the Environment / ministre de l'Environnement
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough-Agincourt	Phillips, Gerry (L)
Niagara Falls	Maves, Bart (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Nickel Belt	Martel, Shelley (ND)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe-Grey	Wilson, Hon / L'hon Jim (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Northumberland	Galt, Doug (PC)	St Catharines	Bradley, James J. (L)
Oak Ridges	Klees, Hon / L'hon Frank (PC) Minister without Portfolio / ministre sans portefeuille	St Paul's	Bryant, Michael (L)
Oakville	Carr, Hon / L'hon Gary (PC) Speaker / Président	Stoney Creek	Clark, Brad (PC)
Oshawa	Ouellette, Jerry J. (PC)	Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Sudbury	Bartolucci, Rick (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thornhill	Molinari, Tina R. (PC)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa-Vanier	Boyer, Claudette (L)	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Oxford	Hardeman, Hon / L'hon Ernie (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Timiskaming-Cochrane	Ramsay, David (L)
Parkdale-High Park	Kennedy, Gerard (L)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parry Sound-Muskoka	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Perth-Middlesex	Johnson, Bert (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Peterborough	Stewart, R. Gary (PC)	Vaughan-King-Aurora	Palladini, Hon / L'hon Al (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Pickering-Ajax-Uxbridge	Ecker, Hon / L'hon Janet (PC) Minister of Education / ministre de l'Éducation	Waterloo-Wellington	Arnott, Ted (PC)
Prince Edward-Hastings	Parsons, Ernie (L)	Wentworth-Burlington	Vacant
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	Whitby-Ajax	Flaherty, Hon / L'hon Jim (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia-Lambton	Di Cocco, Caroline (L)	Willowdale	Young, David (PC)
Sault Ste Marie	Martin, Tony (ND)	Windsor West / -Ouest	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	Windsor-St Clair	Duncan, Dwight (L)
		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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