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**Assemblée législative  
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**Official Report  
of Debates  
(Hansard)**

**Monday 18 November 2002**

**Journal  
des débats  
(Hansard)**

**Lundi 18 novembre 2002**

**Standing committee on  
general government**

Municipal Statute Law  
Amendment Act, 2002

**Comité permanent des  
affaires gouvernementales**

Loi de 2002 modifiant des lois  
en ce qui a trait aux municipalités

Chair: Steve Gilchrist  
Clerk: Tonia Grannum

Président : Steve Gilchrist  
Greffière : Tonia Grannum

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES  
AFFAIRES GOUVERNEMENTALES**

Monday 18 November 2002

Lundi 18 novembre 2002

*The committee met at 1536 in committee room 1.*

**MUNICIPAL STATUTE LAW  
AMENDMENT ACT, 2002**

**LOI DE 2002 MODIFIANT DES LOIS  
EN CE QUI A TRAIT AUX MUNICIPALITÉS**

Consideration of Bill 177, An Act to amend the Municipal Act, 2001, the Municipal Elections Act, 1996 and other Acts consequential to or related to the enactment of the Municipal Act, 2001 and to revise the Territorial Division Act / Projet de loi 177, Loi modifiant la Loi de 2001 sur les municipalités, la Loi de 1996 sur les élections municipales et d'autres lois par suite de l'édiction de la Loi de 2001 sur les municipalités et révisant la Loi sur la division territoriale.

**SUBCOMMITTEE REPORT**

**The Chair (Mr Steve Gilchrist):** Good afternoon. I'll call the committee to order for the purpose of considering Bill 177. The first order of business would be the report of the subcommittee on committee business.

**Mr Garfield Dunlop (Simcoe North):** I'd like to move the motion.

Your subcommittee met on Monday, November 4, 2002, to consider the method of proceeding on Bill 177, An Act to amend the Municipal Act, 2001, the Municipal Elections Act, 1996 and other Acts consequential to or related to the enactment of the Municipal Act, 2001 and to revise the Territorial Division Act, and recommends the following:

(1) That the committee meet on Monday, November 18, 2002, to hold public hearings and clause-by-clause consideration of Bill 177, An Act to amend the Municipal Act, 2001, the Municipal Elections Act, 1996 and other Acts consequential to or related to the enactment of the Municipal Act, 2001 and to revise the Territorial Division Act.

(2) That amendments to Bill 177 be received by the clerk of the committee by Monday, November 18, 2002, at 3:30 pm.

(3) That advertisements be placed on the Ont.Parl channel and the Legislative Assembly Web site. The clerk of the committee is authorized to place the ads immediately.

(4) That the caucus offices of the three parties provide the clerk of the committee with lists of witnesses to be scheduled for public hearings on Bill 177 by Friday, November 15, 2002, at 3 pm. The clerk is authorized to start scheduling witnesses as soon as lists are received. If there are more witnesses wishing to appear than time is available, the clerk will consult with the Chair, who will make decisions regarding scheduling.

(5) That the Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), and the city of Toronto be invited to appear before the committee on Bill 177.

(6) That witnesses be offered 10 minutes in which to make their presentations on Bill 177.

(7) That the deadline for those who wish to make an oral presentation on Bill 177 be Thursday, November 14, 2002, at 3 pm and the deadline for written submissions on Bill 177 be Monday, November 18, 2002, at 3:30 pm.

(8) That the clerk of the committee, in consultation with the Chair, be authorized, prior to the passage of the report of the subcommittee, to commence making any preliminary arrangements necessary to facilitate the committee's proceedings.

**The Chair:** Any comments on the subcommittee report? Seeing none, I put it to the entire committee. All those in favour of accepting the report? Carried.

ANTHONY PERRUZZA

**The Chair:** That takes us to our first deputation, Mr Anthony Perruzza. Come forward to the witness table, please. Good afternoon. Welcome to the committee.

**Mr Anthony Perruzza:** Thank you very much, Mr Chairman. Thanks to the members of the committee for giving me the opportunity to speak here today.

**The Chair:** If you have a handout, the clerk would be pleased to distribute it for you.

**Mr Perruzza:** What I'm distributing to you is essentially the form that's required to be filled. I'm going to be speaking specifically to a section of Bill 177 that deals with municipal elections and, more specifically, how and when a person can or can't begin their election campaign.

The form you have in front of you is the form that's essentially filled out by anyone who intends to seek municipal office in an election year. The act specifically states that you cannot raise or spend monies until you've

filled out that form and you've filed it with the municipal clerk. If you are an MP, MPP, municipal employee or school board employee you must either, as an MP or MPP, resign your office or, as a municipal employee or a board employee, take a leave from your job or essentially quit your job.

You can fill out that form at any time during an election year, beginning, I believe, in early January, depending on when the new year falls, and ending, the way you contemplate it now, on the 45th day prior to election day. So let's speak in calendar terms. You can file that form the beginning of January and you can file it any time during 2003 up until September 26, 2003, for the 2003 election campaign.

Now what does that do for a good many people? I think to effectively and fairly seek election to municipal office for the folks I've just mentioned—the MPs, MPPs, municipal employees and school board employees—you really can't communicate that you're running for office to anyone until you take a leave. In explaining it for MPPs, for example, if you decided to run for mayor or run for any municipal office and if your competition registers January 1 and they begin to do the work of the election campaign—fundraising and getting ready and getting themselves organized—you wouldn't be able to compete with them if they filed January 1 until you essentially resigned from your position. Unless you're independently wealthy, I think that would cause some hardship.

I remember Don Cousens in 1994 was a member of this Legislature and decided to run for mayor of Markham. He announced his intention to run for mayor of Markham early that year and then I believe sometime around September—because municipal elections generally fall the second Monday of November—he resigned his position and ran for mayor of Markham. But he essentially during that period organized himself. I believe he did fundraising and got ready to contest the municipal election and quite frankly was successful in doing that.

So the act that you have in front of you and the way that the act is worded really prohibits a number of folks from fairly contesting or fairly seeking municipal office, and I would hope that you would take a close look at that and change it.

I don't believe that the wording currently in the act is politically motivated. I believe that it's just wording that's now also been interpreted by the courts and it does something which I don't believe that anyone here intends it or wills it to do, and that is, it effectively prohibits a number of folks from seeking municipal office on a level playing field with folks who are neither MPs, MPPs, municipal or school board employees.

**The Chair:** Thank you. Are there any questions? We'll start with the Liberals.

**Mr Mike Colle (Eglinton-Lawrence):** So it specifically states federal members, sitting members and sitting provincial members. As soon as they file, they have to resign their seat.

**Mr Perruzza:** This act doesn't do that, but what it does say is that—as you know, in 2000, this was

challenged by two individuals in both camps. One was a fellow named Zeppieri who was a municipal inspector who filed the nomination—

**Mr Colle:** Oh yes, I remember that. In North York, wasn't it?

**Mr Perruzza:** In North York, the city of Toronto. He filed the nomination paper, the clerk accepted the nomination paper and he proceeded to do fundraising in getting ready for the election and so on. Then when, I believe it was John Nunziata, the federal member went in to file his nomination paper, there was an interpretation of what “nomination” meant because the federal act requires members of Parliament—as the provincial act also requires the members of provincial Parliament—to resign your seat when you seek municipal office. So when you fill out that form and you take it in, you had to have quit your job in order for the clerk to be able to accept that with the filing fee for you to be a candidate.

**Mr Colle:** What happened in the Nunziata case? Did they ever rule on that, whether he had to resign?

**Mr Perruzza:** That's right. They basically said that the way the term “nomination” is defined in this act, he would have had to resign his seat.

**Mr Colle:** Then it's a board of education employee?

**Mr Perruzza:** Board of education employees are specifically spelled out in this act as municipal employees are spelled out in this act, yes.

**Mr Colle:** So for those general categories, anybody working under the employ of the municipality would have to take a leave, basically, in order to be eligible to run.

**Mr Perruzza:** In order to be able to file that form, in order to be able to communicate that they're running to anybody, in order to raise money, in order to spend money.

**Mr Colle:** So you, in essence, think this is discriminatory against people, especially—I guess maybe the elected officials are in one category, but then if you've got employees who are punished because they work for a school board or a municipal government or something, they are not eligible. Is that what you're basically saying, that it's not fair to those people?

**Mr Perruzza:** Precisely. You potentially have hundreds of thousands of people. I don't know how many school teachers there are in this province—I believe it's 127,000 or 130,000—plus all the municipal employees. You have all these folks who can't file that nomination and get ready for a municipal election until they take an unpaid leave from their job in order to compete with someone who doesn't belong to any of those groups and who can file that January 1. They have a huge head start.

**Mr Colle:** School teachers would be included under this. So if you're under contract, you would have to take a leave from your teaching duties when you file?

**Mr Perruzza:** I guess the clerk of the city would have to interpret that, because that's not clearly spelled out in there, but it clearly says a board employee or a municipal employee. How that's interpreted, I'm not sure.

**Mr Colle:** OK, thank you.

**Mr Michael Prue (Beaches-East York):** A couple of questions. I have a motion here, and I don't want to get into my motion, but are you saying that you believe that MPs or MPPs should be required to resign by nomination day or not at all?

**Mr Perruzza:** I think that would be reasonable, nomination day being the 45th day, or any other day. If somebody is independently wealthy and they want to do that earlier on, that would be fine, but at least on that 45th day, MPs, MPPs and, if you so desire, municipal employees as well.

**Mr Prue:** I also have a motion here about municipal employees. Do you believe that municipal employees should be required to take a leave of absence from, say, the 45th day before? Is it consistent that they take one while they're contesting a nomination?

**Mr Perruzza:** Absolutely. If you're going to be out there campaigning full-time, and I think you'd have to campaign full-time, you can't do your job.

**Mr Prue:** Well, I suppose, but a lot of municipal employees work in little tiny towns across the province, where it may not be to the same intensity as a Toronto election.

**Mr Perruzza:** I stand corrected. You're absolutely right.

**Mr Prue:** OK, but you still would think that a municipal employee should be required to take a leave of absence during that period?

**Mr Perruzza:** If you're going to do it on a full-time basis in a big municipality where you're going to have to run, that would appear to me to be a reasonable course of action. Again, you're right. In small-town Ontario, in other parts of Ontario, they do it quite differently, as we all know, in which case they might be able to work it out some other way in terms of vacation time or those kinds of things. That would appear to be reasonable as well.

**Mr Prue:** Those are my questions, thank you.

1550

**The Chair:** Any questions from the government?

**Mr Morley Kells (Etobicoke-Lakeshore):** If I may, just a couple of observations which might get into the form of a question.

I know you mentioned a former member, Don Cousens, who is the mayor of Markham now, but I can't recall too many MPs or MPPs who have taken that move of indicating they are going to run municipally and doing so. So from that point of view, I think it's far less likely to happen; it almost never happens.

The reverse with municipal employees and teachers and board of education people: even though you might find this punitive, it would seem to me that in some cases a municipal employee could have a conflict of interest in a certain subject matter, and certainly teachers are very, very active politically, as you know, and aren't loath, regardless of whether they've been nominated or not, to be publicly vocal, to appear in MPPs' offices. So I think there's possibly more danger in what you're suggesting than what we're quite happy not to do.

**Mr Perruzza:** Conversely, an employee of the province can seek a nomination and obtain a nomination while continuing to be an employee of the province, fundraise for a provincial election campaign and continue to work as an employee of the province at almost every level, and essentially not have to remove themselves from their job until the day the writs are issued. I think the period now is 28 days prior to election day. Federally, I believe the same course of action applies. So why would it be different for a provincial employee as opposed to a municipal employee in that regard?

**Mr Kells:** Well, if that's your point, that's somewhat different than the comparison to the MP/MPP. In fact, what you are doing then is sawing off a municipal employee or board of education employee against a provincial employee.

I'll give you some credit for that point of view, but setting up the MPP and the MP as the unfair advantage I don't think carries nearly as much weight. I'd be quite willing to see what the amendment that's brought forward by the NDP reads like, but I still think there's an element of, who are we favouring and what are we doing as a government bringing in new legislation?

**The Chair:** Any further questions? Seeing none, thank you very much for coming before us here today. We appreciate your submission.

Inasmuch as that was the only expression of interest in speaking to the committee, we now move into clause-by-clause consideration of the bill.

**Mr David Caplan (Don Valley East):** Mr Chair, do the written submissions need to be formally received?

**The Chair:** No.

**Mr Caplan:** No acknowledgement of them at all?

**The Chair:** They have been circulated to all the members of the committee, and if there's anything in any of those submissions that gives rise to any observations, comments or amendments, the appropriate time to raise those would be in the relevant sections.

To that end, the clerk has suggested, and I agree, that since the bill itself makes many references to the schedules, it would be appropriate for us to start our discussions on the schedules. With the committee's indulgence, I will do just that. You'll find those referred to starting at the top of page 3. I beg your pardon, page 5. Are there any comments or amendments relating to schedule A, sections 1 through 32?

**Mr Prue:** Chair, I have a list for page 5.

**The Chair:** Page 5 of the bill itself. I beg your pardon, Mr Prue.

**Mr Prue:** OK. You're getting me confused on what you're on.

**The Chair:** The first topic before us is schedule A, sections 1 through 32. Any comments or amendments to those sections? Seeing none, I'll put the question. Shall schedule A, sections 1 through 32, carry? They are carried.

That takes us to the first government motion.

**Mr Kells:** I move that section 33 of schedule A to the bill be amended by adding the following subsection:

“(1.1) Subsection 150(8) of the act is amended by adding the following clause:

“(k) Without limiting anything in clauses (a) to (j), to require the payment by a licensed business of additional fees at any time during the terms of the licence for costs incurred by the municipality attributable to the activities of the business.”

**The Chair:** Do you wish to speak to the amendment?

**Mr Caplan:** Just a question, and maybe the parliamentary assistant can clarify. I'm not really certain of the intent of this. It sounds to me a little bit like a tax grab, potentially, for municipalities. Perhaps the parliamentary assistant could explain the reason behind this amendment.

**Mr Kells:** My understanding of it is that there are costs incurred in this regard by the municipal government and they would like to be reimbursed. It is a slight bit confusing because quite often the policing costs, for example, are incurred by the region and the drive behind this is that the municipality would like to be reimbursed. We're willing to go along, because they can argue that out, but there is definitely a cost to some of these activities. In the case of the municipality of Mississauga they would like reimbursement. We thought it was fair.

**Mr Caplan:** It seems overly broad that any costs incurred could be levied against a business. There really ought to be some firm guidelines or specificity about how this would be applied and to what extent, what the parameters are limiting a fee that's going to be charged to a business potentially. I'm quite concerned about the open-ended nature of this particular amendment. I don't wish to use a pejorative term, but “tax grab” did come to mind.

**Mr Kells:** I think the member has a good point and we have staff who'd be happy to address it.

**The Chair:** Perhaps you could introduce yourself for Hansard.

**Mr Peter-John Sidebottom:** I'm manager of the governance structure section of the Ministry of Municipal Affairs.

The section is broad because we can't anticipate the kinds of extra fees and charges that may occur to a municipality. There is a provision requiring municipalities to be open and transparent in the calculation of their fees. Municipalities obviously want to keep their fees as low as possible while covering all the costs that are incurred. It does not appear fair to all the businesses in a class to have to bear the legal costs associated with one particular business, so the notion is that if there are costs that are particular to a business, primarily legal or policing costs to any one particular business, then the whole class of business doesn't bear those costs at the next time of licensing, but rather they are charged for that specific one. So the fees generally are kept as low as possible for the routine issuance and inspection of licences, and where there are special costs, be they policing, enforcement or other costs associated, they would only be assessable against that particular business rather than increasing fees generally.

**1600**

**Mr Caplan:** I'll be voting against this amendment.

**The Chair:** Thank you very much. Any other comments? Seeing none, I'll put the question on the amendment. All those in favour of the amendment? Opposed? It's a tie vote. I have to vote to uphold the status quo, so the amendment is lost.

Shall section 33 carry? Section 33 is carried.

Shall sections 34 through 56 of schedule A carry?

**Mr Caplan:** Don't you have an amendment to section 46, Mr Chair?

**The Chair:** I beg your pardon. There was a supplementary. Forgive me. Too many pieces of paper.

Shall sections 34 through 45 carry? They are carried.

Section 46 is another government motion.

**Mr Kells:** I move that section 46 of schedule A of the bill be amended by adding the following subsection:

“(3) Section 283 of the act is amended by adding the following subsections:

“If bylaw passed under subsection 255(2) of old act

“(8) If the city of Mississauga, the city of Toronto or the town of Markham, as the case may be, pass a resolution under subsection 255(2) of the old act and, as of January 1, 2003, are deemed to have passed a bylaw under subsection (5), then, despite subsection (6), the bylaw shall not be repealed by the city of Mississauga, the city of Toronto or the town of Markham, as the case may be, unless the municipality proposing to repeal the bylaw first ceases to provide any pension benefits under the City of Mississauga Act, 1988, section 13 of the City of Toronto Act, 1997 (No. 2) or the Town of Markham Act, 1989, respectively.

“If bylaw not passed under subsection 255(2) of old act

“(9) If the city of Mississauga, the city of Toronto or the town of Markham, as the case may be, do not pass a resolution under subsection 255(2) of the old act,

“(a) despite the City of Mississauga Act, 1988, section 13 of the City of Toronto Act, 1997 (No. 2) or the Town of Markham Act, 1989, the city of Mississauga, the city of Toronto or the town of Markham, as the case may be, shall not provide a contribution for a pension under those provisions and no calculation of a pension or combination of a pension with another pension shall be made under those provisions in respect of service of a council member after that date; and

“(b) any pension benefit earned or accruing under those provisions with respect to service on or before December 31, 2002, shall continue.

“Regulation

“(10) The minister may, by regulation, prescribe transition rules in respect of the matters set out in subsections (8) and (9).”

**The Chair:** Any comments or questions? Seeing none, I'll put the question. All those in favour of the amendment? Opposed? The amendment is carried.

Shall section 46, as amended, carry? Section 46 as amended is carried.

Shall sections 47 through 56 carry? They are carried.

Section 57 is our next section. That would also be a government motion.

**Mr Kells:** I move that section 337.1 of the Municipal Act, 2001, as set out in section 57 of schedule A to the bill, be amended by,

“(a) striking out clause (1)(a) and substituting the following:

“(a) in the case of a deficiency of taxes for the body caused by the cancellation, reduction, refund or writing off of taxes, charge back to every such body its share of the deficiency in the same proportions as the bodies share in the revenues from taxes;

“(b) adding the following subsection:

“Retroactive commencement

“(3) This section shall be deemed to have come into force on January 1, 2001, but, for 2001 and 2002, the references to ‘part’ and ‘section 353’ in this section shall be deemed to be references to ‘part XXII.3’ and ‘section 421’ of the old act, respectively.”

**The Chair:** Any comments or questions on the section? Seeing none, I’ll put the question. All those in favour? Opposed? It’s carried.

Shall section 57, as amended, carry? It is carried.

Any comments or amendments to section 58? Seeing none, shall section 58 carry? It is carried.

Section 59, Mr Kells.

**Mr Kells:** I move that clause 345(9)(a) of the Municipal Act, 2001, as set out in section 59 of schedule A to the bill, be amended by striking out “30” and substituting “120.”

**The Chair:** Any comments or questions? Seeing none, I’ll put the question. All those in favour of the amendment? Opposed? It’s carried.

Shall section 59, as amended, carry? It is carried.

Shall sections 60 through 87 carry? Sections 60 through 87 are carried.

There is a new section, 87.1. You’ll find it in the supplementary amendments package.

**Mr Kells:** I move that schedule A of the bill be amended by adding the following section:

“87.1 Section 465 of the act is repealed and shall be deemed to have never taken effect.”

**The Chair:** Comments or questions? Seeing none, all those in favour? Opposed? It is carried.

Any comments or amendments to section 88? Seeing none, shall section 88 carry? It is carried.

Section 89, Mr Kells.

**Mr Kells:** I move that section 474.1 of the Municipal Act, 2001, as set out in section 89 of schedule A to the bill, be amended by adding the following subsection:

“Transitional rules continued

“(2) Despite the repeal of the authority to make a regulation or any provision of a regulation by this act or by the Municipal Statute Law Amendment Act, 2002, relating to a municipal restructuring, any provision for which the authority is repealed setting out transitional rules with respect to bylaws, resolutions, official plans, agreements and assets and liabilities of a municipality, other than provisions dealing with employees, continue

to apply in the same manner as it would have applied if the authority had not been repealed.”

**The Chair:** Any comments or questions? Seeing none, all those in favour? Opposed? It is carried.

Shall section 89, as amended, carry? It is carried.

Any comments or amendments to sections 90 and 91?

**Mr Caplan:** We have a 90.1.

**The Chair:** I beg your pardon. It’s actually a new one but I should do it in sequence.

Any comments or amendments to section 90? Seeing none, shall section 90 carry? It is carried.

A new section, 90.1, Mr Kells. It’s in the supplementary package.

**Mr Kells:** I move that schedule A of the bill be amended by adding the following section:

“90.1 Paragraphs 1, 3 and 29 of subsection 484(2) of the act are repealed and shall be deemed to have never taken effect.”

**The Chair:** Any comments or questions? Seeing none, all those in favour? It is carried.

Section 91: any comments, questions or amendments? Seeing none, shall section 91 carry? It is carried.

Shall schedule A, as amended, carry? Schedule A, as amended, is carried.

Any comments or amendments to schedule B, sections 1 through 29? Seeing none, shall schedule B, sections 1 through 29, carry? Carried.

Shall schedule B carry? It is carried.

**1610**

Any comments, amendments or questions on schedule C, sections 1 through 28? Seeing none, shall schedule C, sections 1 through 28, carry? Carried.

Shall schedule C carry? It is carried.

Schedule D, section 1: any comments or amendments? Shall section 1 carry? It is carried.

The next section is actually a proposal for a new section.

**Mr Prue:** Mr Chair, first I trust it is in order.

**Mr Caplan:** I have a question on that, Mr Chair.

**The Chair:** If you’d like to move it first.

**Mr Prue:** I would like to move it, yes, and to explain the rationale behind it: it’s three-fold. First of all, the municipal elections—

**The Chair:** Sorry, Mr Prue. You have to read it into the record first.

**Mr Prue:** I move that the bill be amended by adding the following section:

“1.1 Section 5 of the act is amended by striking out ‘second Monday in November’ and substituting ‘third Thursday in October.’”

**The Chair:** Perhaps I can ask for your indulgence for just one moment, Mr Prue.

**Mr Caplan:** Chair—

**The Chair:** That would include your indulgence as well, Mr Caplan.

Mr Prue, the problem with this amendment is that section 5 of the Municipal Elections Act, 1996, is not opened by any other amendment in the act before us here today. Therefore, your motion would be out of order. It is

fair for you to seek unanimous consent from the committee members to discuss and/or approve or disapprove of your amendment, though.

**Mr Prue:** Then I would seek that unanimous consent.

**The Chair:** Is there unanimous consent? I'm afraid I hear no from both sides. So the motion is out of order.

It would appear, Mr Prue—and we might be able to save some time—that section 9 of the act is also not opened up in the bill before us here today, so the next motion is out of order as well. That would be motion number 6; it's out of order.

**Mr Prue:** Then I would like to seek unanimous consent on this one as well.

**The Chair:** Fair enough. Is there unanimous consent? Again I hear noes.

Are there any other amendments or comments or questions on schedule D, sections 2 through 10? Seeing none, shall sections 2 through 10 carry? Sections 2 through 10 are carried.

Section 11, Mr Colle.

**Mr Colle:** I move that section 11 of the bill be amended by adding the following subsections:

“(2) Clause 33(2)(c) of the act is repealed and the following substituted:

“(c) be accompanied by the prescribed nomination filing fee, which fee is non-refundable.

“(3) Section 33 of the act is amended by adding the following subsection:

“City of Toronto

“(2.1) Despite any provision of this act or the regulations, the prescribed nomination fee for the office of mayor of the city of Toronto is \$1,000 and for the office of councillor of the city of Toronto is \$500.”

This is a motion based on a request not from city of Toronto council but from the clerk of the city of Toronto, who essentially mentions that given the high cost to the municipality and the seriousness of running these elections, these nomination fees for mayor and councillors should be non-refundable.

**The Chair:** Any comments? All those in favour of the amendment? I see one hand up. All those opposed? I'm afraid the amendment is lost, Mr Colle.

The buck stops with the Chair; I will take responsibility. Actually, we'll go back to Mr Prue's last motion. It is in order, according to the new information coming forward to the Chair now.

**Mr Prue:** I couldn't figure out for the life of me why that would be out of order.

**The Chair:** Well, you're awfully indulgent, Mr Prue. I will ask for unanimous consent, but it should not be held against Mr Prue that we reopen section 9 of schedule D.

**Mr Prue:** I move that section 9 of the bill be amended by adding the following subsection:

“(3) Section 30 of the act is amended by adding the following subsection:

“Vacation and overtime pay

“(3.1) Despite subsection (1), an employee of a municipality or local board is entitled to be paid out any

vacation pay owing to the employee during the period of the unpaid leave of absence and the fact that these payments may be paid on a weekly or other regular basis does not affect the unpaid leave status of the employee.”

By way of explanation, that says that if somebody who is a municipal employee or a teacher or whoever decides in the month of October that they want to go out and campaign, they are on leave of absence, and if they want to use their vacation period during that time and be paid as if it's their vacation, then they can get it. They could, in any event, in certain circumstances ask for a cash-out of their vacation pay, but this just makes it clear that one is entitled to collect vacation pay and to do that as a form of campaigning for office, as opposed to not being paid and then coming back to work and asking for a cash-out. It seems to me to be much fairer to the employee to at least let them use their vacation pay to campaign for office.

**The Chair:** Any comments or questions?

**Mr Kells:** We've chatted about this, as you may appreciate. It's sort of a murky area, but I think this is an area where, if they want to get two more weeks in and they have those benefits and want to use them up, then we as the government can't really see anything wrong with that. I think we'll support that, if that's OK.

**The Chair:** Any other comments? Seeing none, all those in favour of the amendment? It is carried.

So I will ask the new question: shall section 9, as amended, carry? Section 9, as amended, is carried.

I will now ask the question, shall section 11 of schedule D carry? It is carried.

That takes us to the Liberal amendment on page 8. I'm afraid, before you go reading it in, this time I'm told it's out of order.

**Mr Colle:** I'll withdraw.

**The Chair:** Number 8 is out of order, so that means we can ask the question, shall sections 12 through 14 carry? They are carried.

The next amendment is a government amendment.

**Mr Kells:** I move that subsection 15(1) of schedule D to the bill be struck out and the following substituted:

“15(1) Subsection 44(4) of the act is repealed and the following substituted:

“Timing

“(4) A person shall not appoint a voting proxy for an election until the time for the withdrawal of nominations has expired for all offices for which the election is being conducted and the appointment does not remain in effect after voting day of the election.”

**The Chair:** Any comments or questions? Seeing none, all those in favour of the amendment? Opposed? It is carried.

**Mr Kells:** I move that subsection 44(6) of the Municipal Elections Act, 1996, as set out in subsection 15(3) of schedule D to the bill, be amended by striking out “the clerk's office shall be open” and substituting “the clerk's office and any other place designated by the clerk shall be open.”



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**The Chair:** Comments or questions? Seeing none, all those in favour of the amendment? Opposed? It is carried.

Shall section 15, as amended, carry? It is carried.

Any comments or amendments to sections 16 through 24? Seeing none, shall sections 16 through 24 carry? They are carried.

That now takes us to page 11.

**Mr Prue:** I move that section 25 of the bill be amended by adding the following section:

“(2) Section 68 of the act is amended by adding the following subsections:

“Registration

“(4) Any person who intends to seek a nomination for an office may on any day in the year of the regular election that is before nomination day, at a time when the clerk’s office is open, register his or her intention to do so.

“Campaign period

“(5) The election campaign period for a person who has registered under subsection (4) begins on the date he or she files the registration and ends on the day he or she cancels the registration or the day provided under subsection (1) if he or she subsequently files a nomination for office under section 33.

“Contributions, expenses

“(6) The provisions of this act that apply to accepting contributions and incurring expenses by a candidate apply to a person registered under subsection (4) in the same way that they apply to a candidate and the registered person shall be deemed to be a candidate for that purpose.”

I hope this does what I intend it to do. With the indulgence of legislative counsel, if I could explain what this is intended to do—

**Mr Caplan:** It’s clear to me.

**Mr Prue:** Yes. This is in fact the request that Mr Perruzza in his earlier delegation had made. What this allows for is that a person who might otherwise not be entitled to register, in the case of a federal or a provincial member of Parliament or of the Legislature of the province of Ontario, they would have the option of registering for a position—as an example, to be the mayor of Toronto, Hamilton, London or some other large city—and would have the authority to file the application at some point in January, February or March to determine whether or not there was sufficient support to continue, that is, whether a team could be put together or the considerable amounts of money that are necessary to run at this time could be put together, without having to resign his or her seat until nomination day. It would also allow municipal or board employees to register and do the same thing—to try to put a team together, to raise the amounts of money—and they would have that period up until nomination day as well.

Forty-five clear days prior to the election, they would have to, in the case of MPs or MPPs, resign their seat as required under the statute at present, if they were to

continue. In the case of municipal or board employees, they would be required take a leave of absence from that date.

The intent—and I trust that’s what is contained here, because when I read it, none of that was contained—is the legislation would allow a level playing field for all Canadian citizens who would be otherwise eligible to seek election. They would not be disbarred from January 1 from doing the necessary groundwork in order to run. The municipal elections are quite different from both the provincial and the federal because, although there is a 28-day writ period provincially and, I think, a 37-day writ period federally, municipal elections require a great deal of work to be done in order to collect funds, register and put together teams which, by all intents and purposes in the absence of a party system, last only for that election. It would allow people an opportunity equivalent to all others in the field and especially equivalent to that of incumbents to have that opportunity, and I would therefore so move.

**The Chair:** Any comments?

**Mr Caplan:** I’ll be supporting this amendment proposed by my colleague Mr Prue.

**The Chair:** Any further comments? Seeing none, all those in favour of Mr Prue’s amendment? Opposed? The amendment fails.

Shall section 25 carry? Section 25 is carried.

Section 26: any comments or amendments? Seeing none, shall section 26 carry? It is carried.

New section 26.1 is unfortunately out of order. It refers to a section that was not opened up.

The next amendment is annotated as number 13.

**Mr Kells:** We’re dealing with schedule D, section 27 of the bill, clause 77(c) of the Municipal Elections Act, 1996.

I move that clause 77(c) of the Municipal Elections Act, 1996, as set out in section 27 of schedule D to the bill, be amended by striking out “in the year” in two places and substituting “in the 12-month period” in each place.

**Mr Caplan:** Is this to reflect the concern for the need to have a much more defined period of time as outlined by the Association of Municipal Managers, Clerks and Treasurers of Ontario? Is that what this is?

**Mr Kells:** There’s a possibility of ending up with two years if we don’t change—

**Mr Caplan:** They said a year, and there was some confusion. They just wanted some clarification of that. That’s what this is? Yes?

**Interjection:** Yes.

**Mr Caplan:** Thank you. I’ll be supporting this.

**The Chair:** Any other comments? Seeing none, all those in favour? Opposed? It is carried.

Shall section 27, as amended, carry? It is carried.

Any comments or amendments to sections 28 through 30? Seeing none, shall sections 28 through 30 carry? They are carried.

Section 31: the first amendment is number 14.

**Mr Prue:** I move that section 31 of the bill be struck out and the following substituted:

“31. Section 81 of the act is repealed and the following substituted:

“Appointment and role of commissioner

“81(1) There shall be appointed, as an officer of the Legislature, a Municipal Elections Finance Commissioner to exercise the powers and perform the duties set out in this section.

“Appointment

“(2) The Municipal Elections Finance Commissioner shall be appointed by the Lieutenant Governor in Council on the address of the assembly.

“Term

“(3) The commissioner shall hold office for a term of five years and may be reappointed for a further term or terms, but is removable at any time for cause by the Lieutenant Governor in Council on the address of the assembly.

“Compliance audit

“(4) An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of this act relating to election campaign finances may apply to the commissioner for a determination of the matter.

“Requirements

“(5) The application shall be made to the commissioner, within 90 days after the filing date or the candidate’s supplementary filing date, if any; it shall be in writing and shall set out the reasons for the elector’s belief.

“Response from candidate who is the subject of the complaint

“(6) Unless the commissioner considers the complaint to be frivolous or vexatious, the commissioner shall notify the candidate who is the subject of the complaint of the particulars of the complaint and give him or her an opportunity to respond to the complaint in writing.

“Hearing

“(7) Within 30 days after giving notice under subsection (6), the commissioner shall hold a hearing on the matter and members of the public shall be given an opportunity to make representations at the hearing.

“Assistance

“(8) The commissioner may call upon any person for advice in making a decision on the matter, including appointing an auditor licensed under the Public Accountancy Act.

“Documents to be public

“(9) All documents filed with the commissioner shall be made available to the public for inspection upon request.

“Decision binding

“(10) The commissioner shall determine whether or not the candidate who is the subject of the complaint has contravened the act and may impose any penalty authorized under this act.

“Decision in writing

“(11) A decision of the commissioner under subsection (10) shall be in writing.

“Appeal on question of law

“(12) The decision of the commissioner under subsection (10) may be appealed to the Ontario Court of Justice, on a question of law only, within 15 days after the decision is made.”

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**The Chair:** Any comments?

**Mr Prue:** If I could, by way of background, we have started to see that the section which was previously in the act is causing some considerable problems in municipal councils in Ontario. The two most famous cases probably are those that involve the city of Mississauga and the city of Toronto.

In the case of the city of Mississauga, upon looking at the case of a person the council believed may have contravened the act, they set about a process, the hiring of an auditor, to get to the bottom of the case. It involved some \$100,000 of the city of Mississauga’s tax money. They then voted as a council near unanimously to take the alleged offender to court. That has so far resulted in about another \$100,000 in legal fees, and it probably will not be finalized before the next election. So in effect you have a person serving the full three-year term of office whom the auditor, the city council, the mayor, everyone, believe probably has contravened the Municipal Elections Act to get there.

Alternately, you have the case of the city of Toronto, which had two clearly well-documented cases of alleged improprieties against two of the members of the Toronto council. Upon the advice of the council and the mayor, who chose to do nothing, the aggrieved people are still before the courts nearly some two years later trying to get redress and to get people to listen to the complaint. Obviously, it is not working.

So in the case where a city does something, there is a \$200,000 bill attached to it; in the case where a city does nothing, the citizens get no redress.

What this is attempting to do is set out an arm’s-length body to the Legislature that would handle all 480 municipalities, where a citizen could come in a one-on-one and make the complaint, and if the commissioner believed something has gone wrong he or she could conduct an investigation. It would not be costly to the cities, the province, nor to the people involved who could make their legitimate complaints and have it adjudicated in short order.

We think this is a far more sensible rationale on how to proceed than is located in the present act or the proposed amendment, and that is why we are moving it. We do so with, I think, the considerable concurrence of the mayor of Mississauga, who feels really raked over the coals on this whole issue. It probably will not get redress in an entire term of that council. I so move.

**Mr Caplan:** By way of a question to Mr Prue, the Association of Municipalities of Ontario recommended utilizing Elections Ontario for this process of compliance audits. Perhaps you could shed some light on why you

chose to go this route as opposed to what was proposed by AMO.

**Mr Prue:** What AMO proposed I have never read, to tell you the truth. I have never seen it. I am not in disagreement with that, but this was the best advice given to my staff by legislative counsel, and it was drafted this way. I am not opposed to Elections Ontario having within its ambit or responsibility the opportunity to adjudicate on municipal elections. It seems to me clearly a matter that should be taken out of the individual councils' responsibility both due to cost and in some cases the reluctance of councils to police their own. It seems fairer to all persons that there be an independent body such as Elections Ontario or what we are proposing here, an independent commissioner for all of the 480 municipalities, one person or one group of people to do the job rather than have every municipality set up their own.

**The Chair:** Any further comments? Seeing none, all those in favour of the amendment? Opposed? It fails.

The next amendment to the same section.

**Mr Kells:** I move that subsection 31(1) of schedule D to the bill (amending section 81 of the Municipal Elections Act, 1996) be struck out and the following substituted:

“31(1) Subsection 81(2) of the act is amended by striking out ‘the filing date or the candidate’s supplementary filing date, if any’ and substituting ‘the later of the filing date, the candidate’s last supplementary filing date, if any, or the end of the candidate’s extension for filing granted under subsection 80(6), if any.’

“(1.1) Section 81 of the act is amended by adding the following subsections:

“Delegation to committee

“(3.1) A council or local board may, before voting day in an election, establish a committee and delegate its powers and functions under subsection (3) alone or under subsections (3), (4), (7), (10) and (11) with respect to applications received under subsection (2) and the council or local board, as the case may be, shall pay all costs in relation to the operation and activities of the committee.

“Powers and limitations

“(3.2) A committee established under subsection (3.1),

“(a) shall exercise the powers and duties delegated to it under that subsection with respect to all applications received under subsection (2) in relation to the election for which it is established; and

“(b) shall not include employees or officers of the municipality or local board, as the case may be, or members of the council or local board, as the case may be.

“Appeal

“(3.3) The decision of the council or local board under subsection (3) and of a committee under subsection (3) pursuant to a delegation under subsection (3.1) may be appealed to the Ontario Court of Justice within 15 days after the decision is made and the court may make any decision the council, local board or committee could have made.”

**The Chair:** Questions or comments?

**Mr Caplan:** Yes, a question: is this amendment to the same effect of the one that was just voted on, allowing the municipality to set up one of these arm’s-length committees to be able to, essentially, do compliance audits, that kind of thing?

**Mr Kells:** It’s similar to the responsibilities the opposition member suggested in his amendment.

**Mr Caplan:** Right, but just having a municipality set up its own committee, as was outlined—

**Mr Kells:** An arm’s-length committee—

**Mr Caplan:** —by the city of Mississauga.

**Mr Kells:** The main difference is that it’s a municipal cost, as opposed to a provincial cost under Elections Ontario.

**Mr Caplan:** I wonder if I might ask as well, is there any reason the government didn’t decide to go with the proposal that was brought up by the Association of Municipalities of Ontario to have Elections Ontario assume this kind of role or be this kind of tool?

**Mr Kells:** I think I tried to answer that in answering your first question. I think what we’re suggesting is more dramatic, or democratic—it might be dramatic too—and leaves the problem where it began, in the hands of the municipal committee, which is likely to be much closer to the details of what took place and what they are going to be making a judgment upon.

**Mr Caplan:** OK. I do support municipalities having this tool. I would encourage the government to seek having Elections Ontario be another tool available to municipalities, but I will be supporting this amendment.

**Mr Kells:** We think the courts are not a bad alternative.

**The Chair:** Further comments? Seeing none, all those in favour of the amendment? Opposed? It is carried.

Shall section 31, as amended, carry? It is carried.

Section 32.

**Mr Colle:** Schedule D, section 32 of the bill, subsection 82(5) of the Municipal Elections Act, 1996:

I move that section 32 of the bill be amended by adding the following subsection:

“(5) Subsection 82(5) of the act is amended by striking out ‘may provide that all or part’ and substituting ‘must provide that all’.”

It’s one of the concerns raised by the clerk of the city of Toronto with regard to surpluses and giving incumbent candidates access to surpluses where new candidates do not have access. It’s connected with the fact that there are some excluded expenses. I’ll give you an example of two. For instance, there is the traditional fundraising brochure which is excluded from the election expenses act.

As the clerk says, for example, “A candidate may attempt to write off the entire cost of a brochure as a fundraising expense if it included a section requesting contributions, even though the primary purpose of the brochure is candidate promotion.”

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So what happens is the candidates issue all these brochures all over the place and on page 6 of the

brochure they have a line that says, "Please contribute to the campaign." So because they have that one line included, the cost of those brochures are not included in the expenses. What happens to those dollars is they basically end up being supposedly not under the regulations and they end up in the candidate surplus fund which he or she can use in the next election.

The second part of that is that what happens also with more and more frequency in the city of Toronto is post-election parties. There has been a case in the city of Toronto where a candidate will spend \$14,000 for a whole campaign and then you'll see at the election party they spend \$28,000. Try and figure out: why would they do that? Well, you know why they would do that: because that means that that \$28,000 basically is not able to be included as expenses and it's also a great way of rewarding their campaign workers.

The city of Toronto's clerk in his comments says, "The city clerk is requesting an amendment be considered to Bill 177 to provide that the candidates' surpluses automatically become the property of the municipality if the municipality has adopted a contribution rebate program. Not only will this offset the cost of providing a contribution rebate program but it will also put all candidates on a level playing field at the start of the campaign period."

These were the concerns raised by the clerks. They've seen this happen in the city, especially with excluded expenses and then these lavish campaign parties at the end which cost twice as much as the whole campaign cost. They are suggesting that we look at that, and that's why I put this amendment forward.

**The Chair:** Any comment?

**Mr Kells:** You used a figure, I believe it was \$14,000 for the campaign and \$28,000 for the party. To your own knowledge, are those figures real?

**Mr Colle:** I recall—this is anecdotal—but I recall in the expenses submitted by certain candidates that there was, as I said, more money spent on the campaign party than there was on the election.

**Interjection:** Name names.

**Mr Colle:** You can look at them and see, but I was astonished. I had tried to find out why they would do this, but it seemed to be some candidates' practice—

**Mr Kells:** I don't really want to get into a great debate about it. You quoted a huge difference—

**Mr Colle:** The figures were in that range—

**Mr Kells:** I do know people who have had minor opposition and spent very little money to the tune of maybe a couple thousand dollars and might have had a \$2,500 party, but I don't ever recall the kind of numbers you're throwing around there about the \$14,000 to \$28,000. That's a pretty good party to have \$28,000 to blow. Anyway, I hear you.

**Mr Prue:** My question is, this, I take it, is not the city of Toronto council position?

**Mr Colle:** No, it's the city clerk's. I've mentioned that repeatedly. The councillors voted against it. They want to have the parties. The clerk said, "Don't have the parties."

**Mr Prue:** So the councillors have voted against it?

**Mr Colle:** Yes, they want to have the parties, obviously.

**Mr Prue:** The problem I have—and I don't know what all the debate was. I certainly am not going to vote with this if the city of Toronto council has opposed it, but there are councillors who raised upwards of \$100,000 in the last campaign who did not spend it and it sits there waiting for the next campaign. One can say, "Well, I guess that's fair," but then one can also say that it is completely destroying of democracy should anyone want to challenge them, knowing full well that they've already raised more money than they can possibly spend before the election period even opens.

I do have some problem with amassing those huge amounts of money way in excess of what can possibly be spent. I don't know that this particular motion deals with it.

**Mr Colle:** They want the surpluses to—

**Mr Prue:** Yes, but that isn't what this does. This talks about the parties, and again, I don't know how widespread that is. But the surpluses, quite frankly, and there isn't a motion to that effect—that's what really troubles me.

**The Chair:** Any further comments? Seeing none, all those in favour of the amendment? Opposed? The amendment fails.

Shall section 32 of schedule D carry? Carried.

Any comments or amendments to sections 33 or 34? Seeing none, shall sections 33 and 34 carry? They are carried.

A new section 34.1 is out of order as proposed on page 17, so we will go to number 18.

Sorry. Before we do that, section 35, any comments or amendments? Seeing none, shall section 35 carry? Carried.

Section 36, Mr Kells.

**Mr Kells:** I move that subsection 36(1) of schedule D to the bill be struck out.

**The Chair:** Comments? Seeing none, all those in favour?

**Mr Prue:** Can you just tell me what that does?

**The Chair:** Sorry, Mr Prue.

**Mr Prue:** I'd just like to find out what that does—because there's no explanation—before I vote for it.

**Mr Kells:** I'll turn it over to Peter. It has to do with the Education Act and the timing of a leave of absence.

**Mr Sidebottom:** The same provision is provided for in both the government efficiency bill and in Bill 177 that's before you. Just to clarify that we don't have competing pieces of legislation before the House at the same time, the decision was to move it from this bill and allow it to continue as part of the government efficiency bill where the Ministry of Education is making a series of changes to the election process for school trustees.

**Mr Prue:** If I disagree with it, my proper place to argue against it is with the government efficiency bill, not here?

**Mr Kells:** You could argue twice.

**The Chair:** All those in favour? Carried.

Shall section 36, as amended, carry? Carried.

Section 37, comments, amendments? Seeing none, shall it carry? It's carried.

Shall schedule D, as amended, carry? It is carried.

Schedule E, sections 1 through 6, any comments or amendments? Seeing none, shall sections 1 through 6 carry? Carried.

Shall schedule E carry? It is carried.

Schedule F, any comments or amendments to sections 1 or 2? Seeing none, shall sections 1 and 2 carry? They shall carry.

The table: the first amendment is number 19, Mr Kells.

**Mr Kells:** I move that the amendment to the English version of subsection 11(1) of the Municipal Elections Act, 1996, as set out in columns III and IV of the table to schedule F to the bill, be struck out and the following substituted:

On the left, I've got III,

"11(1) par/disp 2, 3"—whatever that means.

Over under IV I have,

"Repeal and substitute the following:

"2. The clerks specified in section 11.1 are responsible for certain aspects of the election of members of the council of an upper-tier municipality, as provided for in that section."

**The Chair:** Comments? All those in favour? That's carried.

**Mr Caplan:** I had no idea what this was, I must admit.

**Mr Kells:** We're putting the tables in the act is what we're doing.

**Mr Caplan:** Yes. I had a lot of trouble finding it.

**The Chair:** OK. Your hand went up, so it is approved.

**Mr Caplan:** No, no. It's the tyranny of government majority.

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**The Chair:** Number 20, Mr Kells.

**Mr Kells:** I move that the English version of sections 11.1 and 11.2 of the Municipal Elections Act, 1996, as set out in columns III and IV of the table to schedule F to the bill, be struck out and the following substituted:

Under IV, add the following section:

"Special case

"11.1(1) Subject to subsection (2), this section applies to an upper-tier municipality if a member of the council of the upper-tier municipality is to be elected to the council by the electors of all or part of one or more lower-tier municipalities within the upper-tier municipality.

"Exception

"(2) This section and section 11.2 do not apply if the member mentioned in subsection (1) is to be elected also to the council of a lower-tier municipality within the upper-tier municipality.

"Responsibility of upper-tier clerk

"(3) Subject to subsection (5), the clerk of the upper-tier municipality is the person responsible for conducting

an election for the office of a member mentioned in subsection (1).

"Filing of nominations

"(4) Nomination for the office shall be filed with the clerk of the upper-tier municipality who shall send the names of the candidates by registered mail within 48 hours after the closing of nominations to the clerk of each lower-tier municipality in which the election is to be held.

"Responsibility of lower-tier clerk

"(5) The clerk of each lower-tier municipality in which an election is to be held for the office of a member mentioned in subsection (1) is the person responsible for conducting the election in the lower-tier municipality and shall promptly report the vote recorded to the clerk of the upper-tier municipality who shall prepare the final summary and announce the result of the vote."

Now over in 11.2 we add the following section:

"Regulations

"11.2(1) Despite this act, the minister may by regulation provide for those matters which, in the opinion of the minister, are necessary or expedient to conduct the election of the members of the council of an upper-tier municipality that is mentioned in section 11.1 and the members of the councils of its lower-tier municipalities.

"Scope

"(2) A regulation under subsection (1) may be general or specific in its application."

**Mr Caplan:** I'd ask the parliamentary assistant to explain it, but—

**Mr Kells:** I'm going to ask my learned friend.

**Mr Sidebottom:** With the consolidation of a number of acts into the new Municipal Act, what it resulted in was that there were provisions related to the election of the upper tier in both Halton and Waterloo being brought forward into the Municipal Elections Act and providing a role for the upper-tier clerk. However, as we looked at it further, there is a general authority in the new Municipal Act that allows all upper tiers to consider the method of election, but the election provisions themselves were limited to simply Waterloo and Halton.

What was done was, we took the provisions that applied to Waterloo and Halton and generalized them so that they would apply to any upper-tier that chose to change the method of election for the head of upper-tier council or other members of upper-tier council.

**The Chair:** Seeing no further comments, all those in favour? It's carried.

Shall the table, as amended, carry? The table, as amended, is carried.

Shall schedule F, as amended, carry? It is carried.

We will go back to the sections now. Are there any comments or amendments to sections 1 through 9 of the act?

**Mr Kells:** I don't know if I'm out of order, Mr Chair, and you would help me, I'm sure. We're wondering if there's unanimous consent to reopen; I don't even know if we can do that. Let's try it again. Section 33 of

schedule A to the bill was defeated by the opposition. Is there unanimous consent to reopen?

**Mr Prue:** Is this motion number 1?

**Mr Kells:** It was (1.1), subsection 150(8) of the act.

**Clerk of the Committee (Ms Tonia Grannum):** Yes, motion number 1.

**Mr Colle:** I'll move unanimous consent.

**The Chair:** Do we have unanimous consent? It's agreed.

**Mr Kells:** Thank you very much.

**The Chair:** Since it's been put before, why don't I simply ask the question? All those in favour of amendment number 1, which was section 33? Opposed? It is carried.

Shall section 33, as amended, carry? Section 33, as amended, is carried.

That takes us back to the bill itself. Any comments or amendments to sections 1 through 9? Seeing none, shall sections 1 through 9 carry? Sections 1 through 9 are carried.

Shall the long title of the bill carry? Carried.

Shall Bill 177, as amended, carry? Carried.

Shall I report the bill, as amended, to the House? Agreed.

With that, we have completed our clause-by-clause consideration of Bill 177. Thank you to members of the committee. The committee stands adjourned until Wednesday.

*The committee adjourned at 1655.*



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