

the HERALD

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Act now

We can certainly understand the frustration those who are fighting for changes to the Young Offenders Act are feeling.

A group calling itself the Citizen's Coalition Favoring More Effective Criminal Sentences presented Halton-Peel MP Garth Turner with a 6,000-name petition Friday demanding changes in the act.

We're optimistic because Mr. Turner said he has "no problem" with tightening the Young Offenders Act.

Yet we're pessimistic because he wouldn't promise the government will heed the request to make sweeping changes.

He said that's for the new minister of justice, Kim Campbell, to deal with.

We hope Ms. Campbell will sit down and have a serious look at some of the laws incorporated in the act. As most people know, the maximum penalty for a murderer who is tried under the Young Offenders Act is three years in jail. Three years. There is an amendment before parliament to up that sentence to five years. That's not good enough.

While we can understand a certain amount of leniency for young offenders, when they kill at the age of 16, they know what they do.

The coalition group's co-ordinator, Gordon Domm, has consistently said the Young Offenders Act "is an incentive for young people to commit crimes."

It's difficult to call a jail term an incentive, but the act very definitely isn't any deterrent to young offenders.

In the past, all we've heard from politicians is that the current act is better than the previous law. Fine, let's take it one step further.

Let's stop the buck-passing and design an act that will penalize young offenders appropriately for their crimes.

Only then can we watch justice served.

Late sounds



Brian MacLeod
Editor's Notebook

If you've already scanned the story in our Entertainment Section on page 22 this week you'll know that Club 2000 manager ran into just a few difficulties in performances by rap artists Young MC and Maestro Fresh Wes Sunday. Well, shortly before our deadline Tuesday, Bob Spence of Band World Sound and Lighting, the production company supplying the equipment, sent a letter to John Fisher explaining the delays.

One of the reasons Young MC cited for his lengthy delay was a problem with the production equipment - namely it wasn't there.

In his letter Mr. Spence says his equipment got bogged down after its use at the concert at Nathan Phillips Square in Toronto the night before the date at Club 2000. "We experienced a severe weather and snow problem and most, if not all, our equipment was buried in the snow," Mr. Spence writes.

The equipment was returned to the shop to be cleaned and dried for Sunday's show, he said.

Somewhere along the way the gas line on the truck used by Band

World froze, continued Mr. Spence.

"All of the above added together to cause Band World to be several hours late and the show to be delayed."

"To our business these are called 'acts of God' and although they rarely happen they always constitute a possibility," writes Mr. Spence.

He apologized for any inconvenience to Club 2000 and the public. No word yet of an apology from Young MC.

If you've already flipped through the pages of the Herald this week you've probably read some not-so-good news items. The Halton Board of education, now considering a budget increase of 12.25 per cent, is desperately trying to shave that number down to something more in tune with the rate of inflation.

And Dufferin Aggregates wants to put a landfill site that would dwarf the proposed site in Acton in their quarry on the southern edge of Halton Hills bordering with Milton.

You may as well get used to both of these pieces of bad news. The board of education's budget has been over the 10 per cent mark for a number of years now and there's no sign of that changing. And, with all of the quarries in the area, including some on the Niagara Escarpment, aggregate companies have found out that it is much more profitable to fill a hole with garbage and collect money than it is to stick to a rehabilitation plan and pay for it.

Hagersville - what can you say?

Derek Nelson

Queen's Park
Thomson News Service



A Thomson News Service colleague has been haranguing me to write about the Hagersville tire fire.

I've been reluctant, mainly because I doubt there is little to say beyond the eloquent statement the smoke plume itself makes.

And a denunciation of the end-of-worlders who prefer to scare people into stress attacks rather than try to handle problems rationally. My colleague's argument is that the province should have moved faster before the incident.

After all, the dump, which is the graveyard for 70 per cent of Ontario's car and truck tires, is such an unsightly mess that it prompted Treasurer Bob Nixon to bring in special \$4 a tire recycling tax in last year's budget.

And the Environment Ministry so disliked the way owner Ed Straza was keeping the dump that, in 1987, it ordered him to subdivide the four piles that held 13 million tires, to fence the area and to pro-

vide access to a water reservoir for firefighting purposes.

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Straza appealed the order to the Environmental Appeal Board and lost. His appeal is now at divisional court level.

The question my co-worker asked is why the ministry just couldn't go in two years ago, clean up the site and then bill Straza?

The answer is that something has to happen before emergency operations can be conducted. Legally, a potential hazard isn't enough. That's understandable, frankly, in that the definition of "potential environmental hazard" would include, for example, every gasoline station in the province.

It seems clear that under normal conditions, Straza's tire dump would have been safe, if unsightly. As Nixon said: "I'm disappointed we didn't have a chance to get our (tire recycling) program in gear before some twit set it on fire."

Arson aside, though, is it possible to make governments move faster when dealing with potential environmental hazards?

The answer has to be both yes and no.

It's no in that we have set up extremely complex and convoluted systems in this province to protect people's rights, including those of polluters or potential polluters. As governments increasingly make decisions affecting private actions and private property, the only

safeguard left to the citizen is the ability to appeal through various legal and quasi-legal systems. It's called due process.

The alternative would be to allow bureaucrats free rein over people's lives and businesses—and Eastern Europe is living proof of the horrible environmental consequences of giving government total control.

STILL WAITING

On the other hand, there is no doubt the current system of orders and appeals is cumbersome—as, in fact, is so much else that has to do with environmental protection. It is more than 10 years since the process began to find a site for liquid waste disposal in Ontario—and there are probably three years of environmental assessment hearings still in front of us.

One suggestion is a one-stop supercourt where the government could seek authority to have a potential environmental hazard removed or altered by convincing the court to issue an environmental stop order, which would be used like an injunction.

However, the most likely result of such a court would simply be to add another level of appeal.

But whatever lessons are learned from Hagersville, whatever suggestions are made for changes in rules and enforcement, the simple truth remains that in a rule-by-law, industrial-based society such as ours, some things will never happen fast enough and others will inevitably go wrong.



Language tensions high in US

News Service, examines the bilingualism issue in the U.S.

Canada's bilingual battle may dwarf any language tensions in the United States, but the rapid growth of the Hispanic population here has spurred a campaign to stem the demand for bilingual government services.

Because the United States is dominantly unilingual, many people assume English is the official language.

In fact, the United States has no official language. But numerous groups have begun lobbying the federal and state governments to adopt English as the official language and to stop the spread of bilingualism.

So far, 17 states have passed laws or constitutional amendments making English the official state language.

However, a little-noticed ruling in Arizona has dealt a severe blow to the forces that want to make English the only language of government.

While Canada's leaders were trading sharp insults over bilingualism earlier this month, an Arizona judge struck down a 1988 state constitutional amendment that had made English the official language of Arizona. The judge ruled it violated the First Amendment to the U.S. constitution, which guarantees the right to free speech.

The ruling was made after a bilingual state employee complained she could be fired if she spoke Spanish on the job. The amendment made it illegal for state and local government workers to perform any official duties in any language other than English.

What rankles the anti-bilingualism forces is the refusal by Arizona Gov. Rose Mofford to appeal the ruling despite the fact the state amendment had been approved in a referendum during the last presidential election.

U.S. English, an organization trying to make English the official language throughout the United States, acknowledges that the ruling could set a precedent for the defeat of English-only laws in the other 16 states that have such laws. It is planning to challenge the ruling in court.

English First, another lobby organization that wants to stamp out bilingual government services throughout the United States, reacted bitterly to the ruling.

"This really is an outrage on the people of Arizona," fumed executive director George Tryllates. "I think it's simply wrong," he said in an interview, "that the government should be providing bilingual services. They (Hispanics) should go to class to learn English instead of reading bilingual pamphlets."

(Continued on Page 7)

Kevin Bell

Washington Bureau
Thomson News Service



EDITOR'S NOTE: While heated arguments over language issues threaten to tear Canada apart, bilingualism is not a major issue in the United States - yet. Various groups, however, have been urging state and federal officials to adopt English as the official language and to curtail the spread of bilingual services.

Seventeen states have passed laws making English the official state language. Earlier this month, an Arizona judge struck down the language law passed by Arizona. The judge ruled it violated the First Amendment of the U.S. constitution - which guarantees the right to free speech.

Much of the ammunition used by anti-bilingualism forces in the U.S. comes from the divisive language battle in Canada.

In a two-part series, Kevin Bell, Washington Bureau, Thomson