

March 31

FUEL CONTROL BILL REJECTED SECOND TIME

Toronto Legislation Meets
Barrage of Criticism
in House

GLASS IS SPONSOR

Toronto sponsored legislation seeking regulatory powers over fuel dealers, private schools and licensing; hoisted once before this session by the Ontario Legislature, was again rejected yesterday when it was re-introduced by J. J. Glass, Lib., St. Andrew, for second reading under the guise of an amendment to the Municipal Act.

City members, who on the former occasion attacked sharply provisions of the wanted legislation, again assailed it and coupled with the attack was biting criticism of the manner in which the Toronto legislation has been placed before the House.

Arthur Roebuck, K.C., Liberal, Bellwoods, and former Attorney-General, declared there was a time when City Council took the Toronto representatives of the House into their confidence on their legislation—the city law officers conferred with the members, “but now,” he added, “the first they learn of it is when it is introduced into the House.”

The rejected legislation, some of it in amended form, members pointed out, was tucked down under a clause that was designed to provide an appeal from a Police Commission's refusal to grant a license or cancellation of a license to the Municipal Board. Mr. Glass pointed out that right of appeal is now held to a Supreme Court Judge, but that the right was ineffectual, in that Judges had no jurisdiction unless the Police Commission's action involved a point of law.

Hepburn Hits Bill.

He explained also that the regulatory powers sought over private schools emanated solely from the city's desire to inspect these schools to ensure that children were protected adequately from possible fire hazards. Without regulatory power, said Mr. Strachan, the city had no way of finding out where many of the small schools were situated in residential districts.

Allan Lamport (Lib., St. David) held that legislation sought by a City Council representing 800,000 people should be given consideration “without being attacked by other Toronto members of the House.” He recommended that it be forwarded to committee.

Entire Bill Killed.

“I am not at all ashamed that we killed the bill on that occasion,” replied Mr. Roebuck. “It makes one's head swim to find it back for another killing.”

He differed with Mr. Strachan in that small dealers wanted the sections applying to them, and he held City Council had no right to “snoop” around yards to see how much coal was in them or to specify the facilities.

Hon. Leopold Macaulay, Leader of the Conservative Opposition, speaking to the first section, held that appeals from Police Commission ruling should still go to a Judge, and that machinery should be set up to give Judges jurisdiction. Fred G. McBrien (Cons., Parkdale) declared he was in favor of the amendment as given, and thought it would have a salutary effect on Police Commissions' decisions, and would make for more justice and more equitable decisions.

“Does that mean a taxi driver or any one else whose application for a license was refused could appeal to the Municipal Board?” asked Hon. Harry Nixon, Provincial Secretary.

Discussion on that point waned as members seized on the added clauses, one which asked for power to regulate and zone fuel deliveries, to define and classify fuels, to compel fuel dealers to either own or occupy a fuel yard and to specify the facilities and equipment required for carrying on such a business.

Another asked for authority to license, regulate and govern private day and boarding schools and other similar buildings in which children are housed, and finally there was sought power to levy varying license fees upon fuel dealers or their sales agents. An explanatory note said the maximum license fee was now \$5 and was held to be not commensurate with the inspection services provided, and also that the fee should vary according to the classification of the dealer, such as wholesale, retail, dock, et cetera.

The last two clauses proved to be the final undoing of the entire bill as Premier Hepburn snapped: “I don't believe any City Council is competent to license and to regulate and to govern private schools, and it is neither fitting nor proper for a City Council to levy varying fees. I suggest it lay over until next year or otherwise I will have to vote against it.”

Cites Dealers' Support.

Ian Strachan (Lib., St. George), who introduced the previous bill, claimed that it should have gone to the Municipal Laws Committee, where proper representations could be made. To claims made on that day that its powers would react unfavorably against the small fuel dealers, he answered with a letter from a small dealer, who said small dealers desired it.

Mr. Glass assented, although he suggested it referred more directly to business license applications.

The entire bill then fell on its

failure to secure reading and was withdrawn.

Second Bill Rejected.

A second measure, an amendment to the Assessment Act, which Mr. Glass at first said was a Toronto bill but later held came from the Department of Municipal Affairs, was rejected a few minutes later. The bill proposed to reduce the assessment of wholesale dealers from 75 per cent. of the assessed land value to the 25 and 35 per cent. rates applied to retail merchants.

“Why don't you, in introducing these voiceless bills for the City of Toronto, restrict them to the City of Toronto,” snapped Hon. T. B. McQuesten, who held that passage of the legislation would cost the City of Hamilton \$10,000 in lost taxes.

“It would reduce the assessment of Toronto by \$5,000,000,” added Premier Hepburn. “I don't think it should even be considered.” Mr. Glass, recollecting himself, declared “This is not a City of Toronto bill. It is a Department of Municipal Affairs bill handed to me by the Minister.”

“I challenge that statement,” returned the Premier. “It is a bill I don't believe he handed out to the minister who made the charge. It never came before Council.”

Hon. Eric Cross, Minister of Municipal Affairs, was away from the House because of illness and could not clear the situation. The bill was withdrawn.