



Fourth Session - Thirty-Fifth Legislature
of the
Legislative Assembly of Manitoba

STANDING COMMITTEE

on

LAW AMENDMENTS

42 Elizabeth II

Chairperson
Mr. Bob Rose
Constituency of Turtle Mountain



VOL. XLII No. 16 - 7 p.m., WEDNESDAY, JULY 21, 1993

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

Members, Constituencies and Political Affiliation

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	Liberal
ASHTON, Steve	Thompson	NDP
BARRETT, Becky	Wellington	NDP
CARSTAIRS, Sharon	River Heights	Liberal
CERILLI, Marianne	Radisson	NDP
CHOMIAK, Dave	Kildonan	NDP
CUMMINGS, Glen, Hon.	Ste. Rose	PC
DACQUAY, Louise	Seine River	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DEWAR, Gregory	Selkirk	NDP
DOER, Gary	Concordia	NDP
DOWNEY, James, Hon.	Arthur-Virden	PC
DRIEDGER, Albert, Hon.	Steinbach	PC
DUCHARME, Gerry, Hon.	Riel	PC
EDWARDS, Paul	St. James	Liberal
ENNS, Harry, Hon.	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Cliff	Interlake	NDP
EVANS, Leonard S.	Brandon East	NDP
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen, Hon.	Springfield	PC
FRIESEN, Jean	Wolseley	NDP
GAUDRY, Neil	St. Boniface	Liberal
GILLESHAMMER, Harold, Hon.	Minnedosa	PC
GRAY, Avis	Crescentwood	Liberal
HELWER, Edward R.	Gimli	PC
HICKES, George	Point Douglas	NDP
LAMOUREUX, Kevin	Inkster	Liberal
LATHLIN, Oscar	The Pas	NDP
LAURENDEAU, Marcel	St. Norbert	PC
MALLOWAY, Jim	Elmwood	NDP
MANNESSE, Clayton, Hon.	Morris	PC
MARTINDALE, Doug	Burrows	NDP
McALPINE, Gerry	Sturgeon Creek	PC
McCRAE, James, Hon.	Brandon West	PC
McINTOSH, Linda, Hon.	Assiniboia	PC
MITCHELSON, Bonnie, Hon.	River East	PC
ORCHARD, Donald, Hon.	Pembina	PC
PALLISTER, Brian	Portage la Prairie	PC
PENNER, Jack	Emerson	PC
PLOHMAN, John	Dauphin	NDP
PRAZNIK, Darren, Hon.	Lac du Bonnet	PC
REID, Daryl	Transcona	NDP
REIMER, Jack	Niakwa	PC
RENDER, Shirley	St. Vital	PC
ROCAN, Denis, Hon.	Gladstone	PC
ROSE, Bob	Turtle Mountain	PC
SANTOS, Conrad	Broadway	NDP
STEFANSON, Eric, Hon.	Kirkfield Park	PC
STORIE, Jerry	Flin Flon	NDP
SVEINSON, Ben	La Verendrye	PC
VODREY, Rosemary, Hon.	Fort Garry	PC
WASYLYCIA-LEIS, Judy	St. Johns	NDP
WOWCHUK, Rosann	Swan River	NDP
<i>Vacant</i>	Rossmore	
<i>Vacant</i>	Rupertsland	
<i>Vacant</i>	The Maples	

**LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON LAW AMENDMENTS**

Wednesday, July 21, 1993

TIME — 7 p.m.

* * *

LOCATION — Winnipeg, Manitoba

CHAIRPERSON — Mr. Bob Rose (Turtle Mountain)

ATTENDANCE - 10 — QUORUM - 6

Members of the Committee present:

Hon. Messrs. Derkach, Driedger, McCrae

Ms. Barrett, Messrs. Evans (Interlake), Lamoureux, McAlpine, Pallister, Rose, Sveinson

Substitutions:

Mr. Reid for Mr. Evans (Interlake) at 9:40 p.m.

Ms. Wasylycia-Leis for Ms. Barrett at 9:40 p.m.

WITNESSES:

Bill 24—The Taxicab Amendment and Consequential Amendments Act

Baljinder Bhumber, Private Citizen

Vijay Kaushal, Private Citizen

R. Henry, Private Citizen

M. Akram Rana, Private Citizen

Neil Olukoya, Private Citizen

Reg Kambo, Private Citizen

Clement K. Betiku, Private Citizen

Dan Dydaroch, Private Citizen

Theodore D. Johnston, Private Citizen

Bill 51—The Municipal Amendment Act (2)

John Giesbrecht, Union of Manitoba Municipalities

MATTERS UNDER DISCUSSION:

Bill 24—The Taxicab Amendment and Consequential Amendments Act

Bill 26—The Expropriation Amendment Act

Bill 45—The Coat of Arms, Emblems and the Manitoba Tartan Amendment Act

Bill 51—The Municipal Amendment Act (2)

Bill 54—The Municipal Assessment Amendment Act (2)

Mr. Chairperson: Order, please. Will the committee on Law Amendments please come to order.

The following bills will be considered this evening: Bill 24, The Taxicab Amendment and Consequential Amendments Act; Bill 26, The Expropriation Amendment Act; Bill 45, The Coat of Arms, Emblems and the Manitoba Tartan Amendment Act; Bill 51, The Municipal Amendment Act (2); Bill 54, The Municipal Assessment Amendment Act. For the committee's information, copies of the bills are available at the front table.

I have a list of persons wishing to appear before this committee this evening. For the committee's benefit, copies of the presenters list have been distributed, and for the public's benefit, a list on the back table is available for your perusal.

Should anyone present wish to make a presentation to any of these bills who is not currently registered on the list, would you please identify yourself to the staff at the back of the room, and your name will be added to the presenters list.

As mentioned at the committee meeting this morning, it is my understanding that this committee will first proceed with Bills 26, 45, 51 and 54 and will revert to Bill 24 when these bills have been disposed of.

Presently, there is one presenter to Bill 51. I would suggest to the committee that we proceed with that presentation, and once that has been completed, we can proceed with clause-by-clause consideration of the other four bills. Is that agreed? [agreed]

**Bill 51—The Municipal
Amendment Act (2)**

Mr. Chairperson: Thank you. I will then call on Mr. John Giesbrecht, the Union of Manitoba Municipalities, for his presentation on Bill 51. Good evening, Mr. Giesbrecht, your written presentation

has been distributed to the committee members. You may begin when you are ready.

Mr. John Glesbrecht (Union of Manitoba Municipalities): Thank you very much. I will make this presentation on behalf of the union. The Union of Manitoba Municipalities is pleased to make a presentation before the committee of the Manitoba Legislature considering Bill 51. The Municipal Amendment Act.

The Union of Manitoba Municipalities represents 162 of the 202 municipalities in Manitoba. Included are 106 rural municipalities, 13 government districts, 23 villages, 17 towns and three cities. The mandate of our organization is to assist member municipalities in their endeavour to achieve strong and effective local government. To accomplish this goal, our organization acts on behalf of members to bring about changes, whether through legislation or otherwise, that will enhance the strength and effectiveness of municipalities.

Bill 51 contains a number of small amendments to The Municipal Act. Many of the provisions in the bill deal with issues which have been raised by the union, and we therefore appreciate the province introducing this legislation. Because our members have requested the amendments, we would like to comment on a section of most interest to us.

The most substantial section of Bill 51 will allow municipalities to hire their auditors and negotiate their audit fees. This marked change from the current process on having the Department of Rural Department conduct and tender the process and negotiate audit fees for municipalities. In 1990, a UMM resolution had requested that municipalities have input into audit tendering and process, therefore allowing municipalities to hire their own auditors and perhaps to attain, in some cases, lower costs.

In addition to outlining the report and supplementary reports which auditors are required to complete, we note that the legislation states that the auditor and treasurer of the municipalities shall provide all information, statements and reports required by local government services support services branch of the Department of Rural Development. As municipalities adjusted to negotiate their fees on auditors, it is important that they are negotiating for their own audits. It is important that they are aware of exactly what is

expected from the auditors. We ask that prior to the tendering process, the province make clear to municipalities the statements and reports which are required to complete the audit.

Another significant amendment in Bill 51 protects municipalities from liabilities for nuisance claims resulting from sewer backup. The union requested the province to introduce this protection as the result of legal cases in which municipalities were being held liable for nuisance claims. This amendment will provide municipalities with some protection that the City of Winnipeg already enjoys. It is important to note that municipalities will still be held liable in those cases where a sewage backup was caused due to negligence on the part of the municipality. Homeowners are able to purchase insurance which would cover damage caused by sewer backup in those instances when the municipality was not negligent.

Bill 51 also corrects and clarifies the section of The Municipal Act pertaining to indemnities for councillors. The amendment ensures that indemnities for elected officials, in both rural and urban municipalities, are consistent. This issue was a concern to our urban members and was the subject of the 1989 union resolution.

Finally, this legislation will allow municipalities to invest in treasury bills. This ability had been requested in a 1992 resolution which asked that treasury bills be included in the list of investments suitable for municipalities.

The union appreciates introduction of Bill 51 as this legislation resolves several matters which have been of concern to municipalities. However, there remains numerous other issues to be dealt with, and we therefore encourage the province to consider making further amendments to The Municipal Act in upcoming legislative sessions.

For instance, there are at least 12 other resolutions passed at recent conventions which request amendments to be made to various sections of the act. As an example of an outstanding issue is the collection of taxes on gas wells. Municipalities in the southwest corner of the province have experienced difficulty in this area and have been left with large amounts of unpaid taxes. A resolution passed at the 1992 convention recommended the province introduce an amendment to The Municipal Act similar to Saskatchewan's legislation which would facilitate

their collection of outstanding taxes on the plant and equipment of petroleum or gas wells.

We realize that the ongoing Municipal Act review will result in new legislation which may address many of these outstanding issues. However, the entire review process will be a lengthy process, and a new Municipal Act may not be available for three or four years. We believe that additional amendments should be made prior to the completion of the review.

Thank you very much.

Mr. Chalrperson: Thank you very much, Mr. Giesbrecht, for your presentation this evening. Do any committee members have any questions or comments on the presentation?

* (1910)

Hon. Leonard Derkach (Minister of Rural Development): Thank you, Mr. Giesbrecht. I would just like to extend to the UMM my appreciation and that of the department for your comments this evening on this particular bill. Thank you very much.

Mr. Giesbrecht: Thank you very much.

Mr. Cliff Evans (Interlake): I, too, would like to thank Mr. Giesbrecht for his presentation.

I know I have discussed the bill with the executive of UMM. I would just like to ask a few little questions, small questions with regard to the auditors.

I know I had mentioned in debate that there might be a concern with the fact that certain remote municipalities, jurisdictions may have difficulty in negotiating with auditors because of their remoteness, unavailability to get there by regular transportation if need be. Do you see a problem there with that, and what do you think we could do?

Mr. Giesbrecht: Yes, the union did see a small problem there. We would help these municipalities to maybe tender, combine with several other municipalities. The UMM office would help to negotiate some of this tendering and would try to get a bit better deal for the ones that are further out and maybe more remote. So we thought we could do it combined with a group.

Mr. Cliff Evans: If in fact then, let us say that this process does not work, the government still has the opportunity to negotiate for the municipalities that require that, I understand through the bill. Again, do you foresee a problem in the government having to

deal with tendering and with prices, if in fact the municipalities combined could not do it? Do you see a problem there?

Mr. Giesbrecht: Well, I have no guarantee that we could do it combined, but I do think that if we put our efforts together it would be easier. So if we would combine five or six, maybe 10 municipalities in the southwest corner of the province or up north to do it together, it may be more feasible for an auditor to go out there and do it.

Mr. Cliff Evans: With the amendment to the bill where it protects municipalities from liability for nuisance claims, you say here in your presentation: as a result of legal cases in which municipalities are being held liable for nuisance claims. Were there many and are there any outstanding claims now?

Mr. Giesbrecht: No, I do not think there are very many. I can speak personally for La Broquerie. We have had one in the past four or five years.

Mr. Cliff Evans: It still may end up in court regardless if the municipality is protected or not, because if the claimant feels that it is a responsibility or negligence of the municipality, and the municipality says, well, we are protected to a point, who is going to determine—I mean, is it not still going to end up in court and may not more cases end up in court?

Mr. Giesbrecht: No, I do not think so. You may have the odd case ending up in court. I have no guarantee either, but if only one house on a street has a problem, it very likely is not a municipal problem. If a person plugs his drain hole in the basement, it is fairly obvious it was plugged, and it is his fault. If he carries the proper insurance, he will not be affected adversely at all.

Mr. Cliff Evans: With regard to the indemnities, can you just explain what you mean by consistency between urban and rural municipalities? Can you give me some examples of what they are?

Mr. Giesbrecht: Yes, in the act as it is, or as it was, there was a difference between the urban and the rural. The rural could charge an hourly rate and could charge mileage for work performed, and the urban could not. Now it will all be on the same footing. It does not say the urban has to charge, but the act will accommodate if you wanted to charge. That is the only difference. It is a very small difference.

Mr. Cliff Evans: Yes, one last question. To a point, you say that there are at least 12 other resolutions

that have been passed, and there are requests from UMM and from MAUM to make some amendments to the act. Of course we know that there is a Municipal Act review going on. Can you point out one or two outstanding amendments—besides the ones that you mention here—that the government could look into changing before the review is complete?

Mr. Glesbrecht: Well, offhand I could not, no. I would have to look through our resolutions to see what there was, but I do know there are a number that we would like the government to act upon which they have not seen fit to include in this bill. We hope that they would see fit to do it in the next Legislature or shortly.

Mr. Clif Evans: Thank you very, very much.

Mr. Glesbrecht: Thank you.

Mr. Kevin Lamoureux (Inkster): Very, very briefly. I too appreciate the comments of UMM when they make presentation both to the caucus, and in fact, to committees with respect to bills.

An interesting point on this particular amendment is something that I see that the government has been moving towards. The member for Interlake (Mr. Clif Evans) had made reference to it and that is with respect to the auditors. What was being done prior to the bill? You have to excuse me being somewhat naive about it. Was it the Provincial Auditor that in fact was doing the audits?

Mr. Glesbrecht: Well, I suppose the ministry answered the question better, but in the past, the Department of Rural Development did the tendering on behalf of municipalities and we did not necessarily know always which auditor we would get. They changed. They would be here at the office for only four, five years at once, and then we would have a different auditor. It depended on the tendering process.

I think the department tried to get the best deal possible for us. They probably insisted that an auditor who took a big municipality would have to take a small one to boot, or something like that. I am sure they did the best they could, but municipalities felt they could do a better job on their own, and they wanted more flexibility. That is all.

Mr. Lamoureux: Has the UMM sought clarification in terms of, would they be able to use the Provincial Auditor in the future if one of the municipalities was wanting to do that?

Mr. Glesbrecht: I am not sure.

Mr. Lamoureux: Do you feel that there would some benefit for the municipalities at least to have that option instead of having to look for an auditor, that in fact they can go to the Provincial Auditor? Would that be of some benefit?

* (1920)

Mr. Glesbrecht: I do not believe so, no. I think the municipality probably would be able to get almost as good a deal on its own, especially if they combine their efforts with the neighbours. That is my opinion.

We, in La Broquerie, are a small municipality of just 20 million assessment, and several auditors have inquired whether they could not do our auditing for us, and we said it was not possible because of the act. So I do not think we have a problem, but we are close to Winnipeg, so it makes a difference, too.

Mr. Chairperson: If there are no further questions of the presenter, I would like to thank you again, Mr. Giesbrecht, for your presentation this evening.

Mr. Glesbrecht: That completes public presentations on Bill 51. Is it the will of the committee to complete consideration of that bill?

An Honourable Member: Yes.

Mr. Chairperson: Very well. We will move into clause-by-clause consideration of Bill 51. Does the minister or either of the official critics have any opening statement or any comments? Hearing none, we will move into clause-by-clause consideration. During the consideration of the bill, consideration of the Title and the Preamble are postponed until all other clauses have been considered in their proper order by the committee.

Clauses 1 to 18 inclusive—pass;
Preamble—pass;

Order, please. We got moving along too quickly. We are considering Bill 51, and I understand there is a proposed amendment in Clause 11. I believe we will declare a five-minute recess until we sort out what we are doing here.

The committee recessed at 7:22 p.m.

After Recess

The committee resumed at 7:25 p.m.

Mr. Chairperson: Order, please.

Mr. Cliff Evans: Will we be getting an explanation on that and will it hold this process up?

An Honourable Member: No.

Mr. Chairperson: If I may, with the unanimous consent of the committee, we will back up to the beginning of the consideration of the clauses. Is that agreed? [agreed]

Clauses 1 to 10 inclusive—pass.

Clause 11.

Mr. Derkach: Mr. Chairperson, we have an amendment here. Sometimes legal counsel gets going faster than we do, so I would have to apologize to the members here for not advising them of this particular change. It is a matter of housekeeping and making sure that the wording in the two sections are consistent with the waste management act. It has to do with the qualifications of auditors.

What I would like to do, Mr. Chairperson, is move

THAT proposed subsection 603(5), as set out in section 11 of the Bill, be struck out and the following substituted:

Qualifications of auditors

603(5) A person who is entitled to practise as an accountant under The Chartered Accountants Act, The Certified General Accountants Act or The Society of Management Accountants of Manitoba Incorporation Act, is qualified to be appointed under this section as the auditor of a municipality.

[French version]

Il est proposé que le paragraphe 603(5), énoncé à l'article 11 du projet de loi, soit remplacé par ce qui suit:

Qualité de vérificateur

603(5) Toute personne ayant le droit de pratiquer comme comptable en vertu de la Loi sur les comptables agréés, de la Loi sur les comptables généraux licenciés ou de la Loi constituant en corporation la "Society of Management Accountants of Manitoba" peut être nommée en application du présent article à titre de vérificateur d'une municipalité.

Motion presented.

Mr. Derkach: Mr. Chairperson, this makes this section consistent with the one in the waste management act that was passed earlier this year.

Mr. Chairperson: Any questions or comments? Mr. Evans? Nothing.

Motion agreed to.

Clause 11 as amended—pass; Clauses 12 to 18 inclusive—pass; Preamble—pass; Title—pass. Bill as amended be reported.

That completes consideration of Bill 51. With the committee's agreement, we will move to consideration of Bill 54. Is that agreed? [agreed]

Bill 54—The Municipal Assessment Amendment Act (2)

Mr. Chairperson: Does the minister or the critics for either opposition party have any opening statement? Hearing none, we will move into consideration of clause by clause. As usual, the Preamble and Title are postponed until all clauses are considered in their proper order by the committee.

Clauses 1 to 3 inclusive—pass; Preamble—pass; Title—pass. Bill be reported.

That completes consideration of Bill 54.

* * *

Mr. Chairperson: I would like to thank the minister and would ask the committee if they would prefer to deal with Bill 26 or Bill 45.

An Honourable Member: Bill 26.

Mr. Chairperson: Bill 26. That is agreed.

Bill 26—The Expropriation Amendment Act

Mr. Chairperson: Does the minister or the critics for either opposition party have any opening statements or comments?

Ms. Becky Barrett (Wellington): Mr. Chairperson, I want to put on the record very briefly an outline of the concerns that I have raised in the second reading process on Bill 26, The Expropriation Amendment Act.

Basically, our concerns are that this piece of legislation gives the expropriating authority, i.e., the provincial government in this case, an unnecessary and inappropriate degree of power to go along with the expropriating power that the state already possesses. On the other side of that coin, it eliminates from the landowner a right that the landowner should have, which is to appeal directly the decision of the Land Value Appraisal Commission to the court system. We feel that this piece of legislation is flawed, inappropriate and

should be not reported to the House for third reading. We will be so voting.

Mr. Chalrperson: Are there any further opening comments or questions? Hearing none, we will move into consideration of clause by clause of Bill 26. As usual, the consideration of the Title and Preamble will be postponed until all clauses have been considered in their proper order. Is it the will of the committee that we proceed by blocks of clauses? [agreed]

Shall Clauses 1 to 21 inclusive pass?

An Honourable Member: No.

* (1930)

Mr. Chalrperson: No. All those in favour of the passage of Clauses 1 to 21 inclusive, please say yea.

Some Honourable Members: Yea.

Mr. Chalrperson: All those opposed, say nay.

Some Honourable Members: Nay.

Mr. Chalrperson: In my opinion, the Yeas have it.

Ms. Barrett: A recorded vote, please.

Mr. Chalrperson: A recorded vote has been called.

A COUNTED VOTE was taken, the result being as follows: Yeas 6, Nays 2.

Mr. Chalrperson: Yeas, 6, Nays 2. Those clauses are accordingly passed.

Shall the Preamble pass?

An Honourable Member: No.

Mr. Chalrperson: On division?

Ms. Barrett: On division. Oh no, sorry, you have to have a recorded vote.

We do not want any part of this bill to be reported back to the House.

Mr. Chalrperson: Very well.

A COUNTED VOTE was taken, the result being as follows: Yeas 5, Nays 2.

Mr. Chalrperson: The Preamble is passed. Shall the Title pass?

A COUNTED VOTE was taken, the result being as follows: Yeas 5, Nays 2.

Mr. Chalrperson: The title is accordingly passed on a vote of five to two. Is it the will of the committee that the bill be reported?

A COUNTED VOTE was taken, the result being as follows: Yeas 6, Nays 2.

Mr. Chalrperson: It is the will of the committee that the bill be reported on a vote of six Yea, Nay two. I am advised that completes consideration of Bill 26.

Bill 45—The Coat of Arms, Emblems and the Manitoba Tartan Amendment Act

Mr. Chalrperson: We will now move to consideration of Bill 45, The Coat of Arms, Emblems and the Manitoba Tartan Amendment Act. Does the minister or do the critics for the opposition have any comments or official opening statements?

Mr. Kevin Lamoureux (Inkster): Mr. Chairperson, I had an opportunity to give remarks the other day. I will forgo an opening statement, but I do have a question or two for the minister.

Hon. James McCrae (Minister of Justice and Attorney General): I will try, Mr. Chairperson.

Mr. Chalrperson: Order, please. Does anyone else have an opening statement? [interjection] I think that is the question the member is asking. Very well, Mr. Lamoureux.

Mr. Lamoureux: Yes, Mr. Chairperson, can the minister indicate—we had asked the question awhile back with respect to the artist and the cost of the augmented coat of arms. Is the minister or staff aware of either one of those two questions, answers to either one of those two questions?

Mr. McCrae: The first part was the artist?

Mr. Lamoureux: Yes, the artist who drafted it.

Mr. McCrae: I do not think I can help you, Mr. Chairperson, with the artist. I am just looking at the notes provided. The Canadian Heraldic Authority in Ottawa commissioned the art work and I do not know the name of the artist involved, but I do think I have something in here about cost. This came up.

Mr. Chairperson, there was artwork and design undertaken by Rideau Hall on behalf of Manitoba, \$2,950; provincial proclamation artwork and calligraphy, \$2,037.90; a plaque with molding and design, \$2,861; and another plaque, the monument and its installation, \$12,500.

Mr. Lamoureux: Just for clarification, did you—

Mr. McCrae: I have some more plaques too. These are related costs. The previous ones I gave were costs for production and proclamation. For an

aluminum plaque for the Department of Culture, Heritage and Citizenship, \$2,089.71. Government Services got a bronze plaque and there is a cost for that of \$3,060.20, and cost of one aluminum plaque and one bronze plaque for Executive Council, \$5,149.91.

Mr. Lamoureux: That was for Executive Council?

Mr. McCrae: For Executive Council. I guess about the amount you would pay for a car for a Leader of the Opposition or for a minister or something like that, that is about how much we are spending for this.

Mr. Lamoureux: The other question is, in terms of an artist, is there an individual—you made reference, and you will have to excuse me for not knowing—organization from Ottawa, a commission in Ottawa—was there a Manitoban who actually had input in the design of this, a Manitoban or a number of Manitobans?

Mr. McCrae: The Province of Manitoba wishes to acknowledge the contributions of the following: Robert Watt [phonetic] is the Chief Herald of Canada, Gordon MacPherson [phonetic] the heraldic artist of Rideau Hall, Joan Baumeister [phonetic], heraldic artist and calligrapher, Rideau Hall, Maurice Hogue [phonetic], calligrapher of the proclamation, Robert Letourneau [phonetic], artist of the coat of arms on the proclamation, Madeline Renaud [phonetic], sculptor of the coat of arms, Bay Bronze Industries and Brunet Monuments Inc., ceremonial trumpets courtesy of the Air Command Band.

Those are some of the costs that if the honourable member will recall, I think it was last October 23, some of the costs were associated with that ceremony as well.

Mr. Lamoureux: Finally, just a personal opinion and a suggestion. I know we have been lobbying quite heavily for that free vote inside the Chamber, noting that I believe there is in fact a majority of individuals who would not necessarily support this even from within his own caucus and would encourage the minister to take that as somewhat notice and see if he can maybe lobby to have a free vote. [interjection] There is one. In fairness to the Minister of Rural Development (Mr. Derkach), yes, there is one member in our caucus who is somewhat inclined to vote in favour of it, but I am lobbying that person.

* (1940)

Mr. McCrae: Mr. Chairperson, my colleagues and I will take the honourable member's suggestion as a representation.

Ms. Becky Barrett (Wellington): I just have a question on the cost figures that the minister gave to us earlier. Were these costs all borne by the federal government or were some of them costs that were charged against the provincial government? It was unclear to me.

Mr. McCrae: I can only answer what I think would be the case, and that any of these services undertaken by or on behalf of Manitoba ought to be, and it probably is, borne by the Province of Manitoba.

We are the eighth province, I guess, to get ourselves these augmented coats of arms.

Mr. Chairperson: Are there any further questions or comments? If not, we will move into clause-by-clause consideration. As usual, consideration of the Title and the Preamble are postponed until all other clauses have been considered in their proper order.

Clause 1 to 7 inclusive—pass; Schedule A—pass; Schedule A.1—pass; Preamble—pass; Title—pass. Bill be reported.

That completes consideration of Bill 45.

Committee Substitution

Ms. Barrett: Mr. Chairperson, I would like leave to make a couple of committee changes, if I may.

Mr. Chairperson: Is there leave to make a committee change? It is agreed.

Ms. Barrett: I would move, with the leave of the committee, that the honourable member for Transcona (Mr. Reid) replace the honourable member for Interlake (Mr. Clif Evans) as a member of the Standing Committee on Law Amendments, effective July 21, with the understanding that the same substitution will also be moved in the House to be properly recorded in the official records of the House.

I also move, with the leave of the committee, that the honourable member for St. Johns (Ms. Wasylycia-Leis) replace the honourable member for Wellington (Ms. Barrett) as the member of the Standing Committee on Law Amendments effective July 1, 1993, with the understanding that the same substitution will also be moved in the

House to be properly recorded in the official records of the House.

Mr. Chairperson: Thank you. Are those two committee changes agreed by the committee?

Mr. McCrae: Mr. Chairperson, are these motions debatable? I have some comments to put on the record. [interjection]

Well, I have a very, very high respect for the member for Transcona (Mr. Reid). When I place him side by side with the member for Interlake (Mr. Clif Evans), I have to say I think the member for Interlake has a slight edge. So do we get to vote on this?

Mr. Chairperson: I appreciate your comments, and I think we require unanimous consent, do we not, to carry this through. If we are going to have a half-hour rest to approach this, perhaps we can carry on this debate in that period of time.

Is there unanimous consent for those committee changes? [agreed]

* * *

Mr. Chairperson: Earlier today, we took a guess at what time we might complete the consideration of these four bills in order to give the presenters to Bill 24 some indication of what time we might be back. We told them it would be 8:15. So I suggest to the committee that we recess now until 8:15. Is that agreed? [agreed]

The committee recessed at 7:45 p.m.

After Recess

The committee resumed at 8:15 p.m.

Bill 24—The Taxicab Amendment and Consequential Amendments Act

Mr. Chairperson: Order, please. Will the committee on Law Amendments please come to order. We will now continue with public presentations on Bill 24. A copy of the list of presenters has been distributed to the committee members. For the public's benefit, a copy of the list of presenters is available at the table at the back.

Should anyone present wish to make a presentation to this bill and whose name is not already on that list, would they please identify themselves to staff at the back of the room and your name will be added to the list.

Before we proceed, I would like to mention that if this committee does not complete the public presentation process tonight, two additional meetings have been added. They are tomorrow, Thursday, July 22 at 9 a.m. and again at 7 p.m. in Room 254.

For the information of the presenters, at this morning's committee meeting it was moved that a 20-minute time limit be applied to the presentations and questions to this bill. So for the presenters' benefit, I will be informing them when they have two minutes remaining in their presentation. It is your choice whether you use the entire 20 minutes for your presentation or a portion of that and leave a portion of the time for questions and answers.

We will then proceed to the first presenter this evening, No. 1 on the list, Baljinder Bhumber, private citizen.

Do you have a written presentation you would like distributed, sir?

Mr. Baljinder Bhumber (Private Citizen): No, Sir, I do not have an original.

Mr. Chairperson: That is fine, it is not required. You may proceed when you are ready.

Mr. Bhumber: Okay. Good evening, gentlemen. My name is Baljinder Bhumber. I came to Canada about seven or eight years ago. Starting the first two or three years, I was working in a furniture factory that is already shut down. As you know, we have a recession going on.

Hon. Albert Driedger (Minister of Highways and Transportation): Can we get more volume, or maybe if you speak into the mike more. I am having a little trouble understanding.

Mr. Chairperson: Would you get a little closer to the microphone, please?

Mr. Bhumber: Sorry. Maybe I have to start again, what I have said you could not hear me. I was just telling a little bit about myself before I start something about this bill, who am I, why I am here, why I am in Canada.

At the start, I mentioned that I came over here about eight years ago. I did work in a furniture factory for a couple of years. That factory is now shut down. They moved to the States. There are a few reasons: free trade, a recession is going on. We do not have any economy, lots of people lose their jobs. I started this taxi business then, spent

money to buy this taxi. Still, I am paying my loan payments. It is not clear yet.

As we know, the taxi business is in big trouble now because we do not have that much economy out. The Taxi Board tried to put some more cabs—lots of, I guess, speakers already told this thing—even if we do not need more of that one. They had some public hearings, as they are telling, but nobody showed us what the survey said, what the public wants. We heard from the board that this is a necessity, the public needs luxury cars, this and that. But we never were showed anything about the survey.

* (2020)

As they appointed a chairman or any other person of the board, they never consulted with our industries, any Taxi Board. We have three companies over there. They never consulted with the board that they were going to appoint this person for the industry, and if he has any experience about this business. If somebody does not know about the taxi business, he cannot make any good rules for us. We cannot, you know, progress in this system. That is why every day we are going down.

Lots of people do not want to even drive a taxi now. I do not have an exact figure. About six, seven years ago, we had about 3,600 drivers with a taxi licence. In these days, there almost are 1,700. So that many people already quit. They decided that this job is not enough to survive, as we work every day.

Every driver I guess works a minimum of 12 hours every day, and some work more than that. We start early. There is a lot of risk in this business. There is no safety. Anybody at night can rob you, can stab you. Three or four drivers have already been killed, you know, in this city.

We now have this bill out, Bill 24. This one is showing that no person himself or agent or employee shall carry on business or keep a taxicab licence, any agencies, we have to go through the Taxi Board.

We have shareholders in Uricity. This is one unit here and if we have any problem we can fight against the board, as we were fighting for these Star cabs. We spent about \$150,000—something in this case. But if this company is broke down, we cannot afford to spend that much money. So this is

going against us and further, to my knowledge, we do not want this bill and these things in this bill.

Some point are okay like safety inspections, we are saying. Everybody wants to drive safe, but we do not want these things out. We have some problems with the Taxi Board. They never ask us, talk to us and set those down on the table.

There is no limit. If somebody is guilty, they can fine him \$100 to \$500, and there is no limit for the cost. They can ask for any cost on that one. I do not think we can afford it. We do not have enough money out there. If somebody drives your cab himself, we cannot figure out how much money we have in the market.

That is, I guess, all I want to say about that bill. This bill is just going against us. Not only will it not improve the service, it will just destroy this industry.

Mr. Chairperson: Thank you very much.

Mr. Driedger: Mr. Bhumber, I appreciate your comments. I just want to say at this time that in the last two weeks, including today in the afternoon, I have had pretty extensive discussions with members of your industry, various groups.

I have amendments that I will be bringing forward on this bill. When I met with Mr. Watson who was representing Duffy's and Uricity and members from the industry, they came forward with recommendations which I am going to be bringing forward as amendments. There are other areas of discussion that have taken place. Further amendments will be brought forward and will be discussed during the clause by clause.

I also have given an undertaking, because some of the problems and concerns in the industry are not necessarily related to the bill—there are problems that go beyond what we have in the bill here. I have undertaken that I will be discussing some of the other related problems later on in August sometime and try and see whether we can develop a working relationship between the board and the industry itself.

You have made reference to some of the concerns. The bill itself, basically, a good portion of it, is related to certain fines and fees. The chairman has indicated to me that a 1 percent increase in the fees would very easily take care of that, but he will consult on the area of fines and fees with the industry before anything is implemented.

This bill is not supposed to be an onerous bill to make it more difficult for the industry. It is suggesting certain aspects of it. There are areas of problems within the industry that this bill does not address. These are the ones that I am prepared to discuss further sometime to try and resolve some of those things. These are not problems that have developed overnight. They have been there for some time, and I think it is a matter of seeing whether we can develop and help the industry to some degree to function better.

You know, it is a regulated industry and, as such, the concerns of your industry have to be met as well as the public interest. It is a blend of doing that, and I am prepared to continue working along those lines together with the chairman to see whether we can resolve that.

I just wanted to raise those concerns with you and mention some of the things that we are looking at in having talked, even as late as this afternoon, with people from your industry as to how we can possibly set up a line of communication.

Thank you.

Mr. Daryl Reid (Transcona): Mr. Chairperson, the minister has made reference to some amendments that he is prepared to bring forward. I know, in listening to the presenters over the course of the last two and a half days, we have heard several concerns, many of which I think the minister can address fairly quickly.

I am wondering if the minister would be prepared to table copies of his amendments at this time that may facilitate the work of the committee and allow members of the industry to have a better understanding of the intent of the minister, and also as a means of showing good faith in his dealings with members of the industry to allow them to have a look at that while the presentations are continuing.

Mr. Chairperson: Before I get the minister to respond to that, we are cutting into the time of the presenter here. Perhaps we could do that between presenters.

Are there any questions or comments for the presenter?

Mr. Reid: Mr. Chairperson, I would like to thank the presenter for his comments here and his concerns.

I would like to ask, because you made reference to safety inspections during your comments, are

you aware as a result of this legislation and Bill 36 that as an owner you will be responsible for your vehicle inspection costs up to \$40 on a twice-a-year basis?

Mr. Bhumber: No. I said we want safe cars. I did not say that we agree on this bill as they want to make safety inspections. According to my income statement, we cannot afford too much expenses.

* (2030)

I think there is nothing wrong with the way MPIC checks the vehicles two times a year. Safety inspections, we want them to go as they are now.

Mr. Reid: I take it then that you are supportive of the safety inspection program, but you are concerned about the added costs that would be now attached to those inspections as a result of this legislation and Bill 36.

Mr. Bhumber: Yes, that is right. If the dealers are giving us one thing for that \$200, if I can get this thing outside for \$100 and the car is safe, if I save some money by going outside I guess we should go that way.

Mr. Reid: You mentioned safety concerns as well. We have heard from other presenters here yesterday and again this morning their concerns about safety.

Have you ever been consulted about safety concerns that you might have so that there might some improvements brought about for the safe operation of the taxi vehicles, as well as personal safety for the operators, the owners and the drivers?

Mr. Bhumber: No, I do not see anything special when they put something inside for safety. This is still going on the same as it was before. Lots of drivers have trouble, somebody robbing or stabbing them.

Mr. Reid: Do you think that it would be advisable for the minister to appoint someone to act as a representative from the industry to sit on the Taxicab Board to provide advice and two-way dialogue between the Taxicab Board itself and members of the industry and to provide some consultation?

Mr. Bhumber: Yes, that is the way it should be. If this bill is concerned with our taxi industry, it is supposed to consult with the Taxi Board members. Lots of people did not even know when this bill came out. I guess lots of people still do not know

what is going on with this bill, why this bill is out, because we do not need that one.

Mr. Reld: We have heard from other presenters that have given us some insight into the financial difficulties that they are encountering as they attempt to earn a living driving taxicabs.

Can you provide for us some background information, your experience, what you would expect to earn on an average day of operating a taxicab?

Mr. Bhumber: These days I guess the average is about \$60. There is nothing outside after a couple of hours, when you get one trip that is \$4. I guess the average is even less than that. If you are driving for somebody else, on 50 percent of \$60 made, you take \$30 home. What are you going to do with that \$30?

If there is no economy, nobody is going to take cabs. Everybody is trying to save dollars. That is why we are also losing our business. Even extra cars are coming on the road. You know that some executive cars are on the road now, and they are also stealing our business.

Mr. Reld: Can you tell me the number of hours that you might operate your vehicle during the day?

Mr. Bhumber: As I mentioned earlier, every driver drives a minimum 12-hour shift. If there are two driving one cab, they change their shift after 12 hours. If there is somebody driving alone, he drives 14 or 15 hours. How much time is left for the family when you go home after 15 hours? You come early in the morning and go late at night there. It is pretty hard to survive if you work eight hours, 40 hours a week. I do not think anybody can survive with that many hours. We just sacrifice and drive so many hours and miss our families who are going outside. So he does nothing to make too much. It was mentioned that everybody is making \$200 or something. That is just bullshit. I do not think anybody can make \$200 outside on driving cab for six years. I have never made \$200 in one shift.

Mr. Reld: I take it then you are aware that this legislation will empower the Taxicab Board to hold hearings and to pass judgments or make decisions that would affect you personally as an owner or as a driver and that you will not therein have any appeal mechanism available to you to in any way challenge any of those decisions. Are you aware that that appeal mechanism is not there for you?

Mr. Bhumber: Yes. If anything goes wrong, they are like a dictator. They can tell us anything to do. We cannot say anything. That is why we are opposing this bill, you know. We are living in North America. This is the leader of democracy. As it is mentioned in this bill, you know, they do not need a quorum. They can pass any bill if there is no quorum, you know. I did not see anywhere it is going on if we need that. Everywhere if there is a democracy, the majority rules—whatever they want. It should not be that way. If there is no quorum, that should not be passed. It is just like a dictatorship.

Mr. Reld: What advice would you give to the government with respect to this bill? Would you like to see an amendment to this legislation or do you think that this legislation should be scrapped and start over using consultation with the industry?

Mr. Bhumber: Well, I think this should be scrapped and start again in consultation with our Taxi Board members, drivers, whoever is concerned with this business. Then maybe we can bring something good. I do not think so—little bit of amendment is enough for this bill.

Mr. Kevin Lamoureux (Inkster): Mr. Chairperson, one of the aspects of this particular bill that concerns me greatly is the fact that you have the board and the board can decide to call you forward and, whether they are going to levy a fine or maybe suspend or whatever it might be, they can call witnesses forward and you can be levied or you could actually have to foot the bill. The concern that I have is in fact what type of an impact will that have on individuals within the industry that might have quite a legitimate complaint of sorts and have to go before the board.

One of the presenters made reference to the fact that because you as an individual driver or a driver-owner can be charged all the costs to go before the board, it would intimidate some individuals. Do you feel that would intimidate you as an individual driver?

Mr. Bhumber: Yes, if they are going to charge that much cost nobody is going to go for the appeal or something like that because they cannot afford that much money.

Mr. Chairperson: Two minutes.

Mr. Lamoureux: You make reference and a number of presenters have made reference to the fact that there is no satisfaction that comes from the

board in terms of maybe inaction. Some will refer to the vans that come and they are not given licences and they take away business. Some made reference to, for example, a licence plate withdrawal. There is a general feeling from many of your colleagues within the industry that the board does not represent the industry as a whole. Do you share in that opinion? Do you feel as if the board represents your interests at all?

Mr. Bhumber: As you are talking about the vans. Some vans are already outside for business without even a commercial licence. They are doing that for a long time. Our board members I just talked to at the Taxi Board about this licence, they said they are doing this business for a long time. If you want, we can change them into commercial licences, but I do not want to stop this thing. If we are doing one thing wrong for a long time, that does not mean we should keep going on like that. We should stop when we know that this is not good.

Mr. Chairperson: Mr. Lamoureux, one quick question.

Mr. Lamoureux: In the discussions that you have, no doubt, with your colleagues and your friends from within the industry, do you feel that you have the opportunity to have input in terms of what is going on within the industry?

Mr. Bhumber: What can I say? If we do not have any opportunity we cannot do anything. They never consulted us. What can we do?

* (2040)

Mr. Chairperson: Your time has expired. Thank you very much for your presentation this evening, Mr. Bhumber.

Mr. Reid had posed a question concerning amendments to the minister. Did the honourable minister wish to respond?

Mr. Driedger: Yes, Mr. Chairperson, I had tabled the amendments on the rates and fines and basically those amendments were discussed with the lawyer and representatives from the industry. They were the ones who brought the recommendations forward and we made those adjustments accordingly.

There are two other amendments. One deals with the quorum end of it. I tabled the other ones. These two I have not tabled and one deals with item 4(1) where there is a concern about whether there is any change in the licensing. It is not.

Basically, when we bring forward legislation, the Legislative Counsel here advises that you have to make it gender neutral, so where it used to be he or him, it is now he and she. In 4(1) there is no change in the licensing process. However, there was some concern in terms of two words, "directly" or "indirectly," that members from the industry wanted removed and I have an amendment to that effect as well to remove that. Those are on top of the ones that I tabled yesterday, those two. I just wanted to mention that to members of the committee.

Mr. Chairperson: We will now call the next presenter, No. 2, Hardayan Rukhra. Number 3, James Edmonds; No. 4, Harpreet Bagri; No. 5, Tarsem Cheema; No. 6, Vijay Kaushal. Did you have a written presentation you wish to have distributed?

Mr. Vijay Kaushal (Private Citizen): No, it will be an oral presentation.

Mr. Chairperson: That is fine. You may continue.

Mr. Kaushal: First of all, I would like to thank the honourable minister who did make some of the changes or did the alterations to the bill.

I was in a see-saw position whether I should give the presentation or not. Some things I have in my mind and I wanted to express it to the committee members just for the knowledge, but at the same time, if I do not speak, these things are supposed to come in.

In this industry, the cab industry, we are having a problem. We are having a major communication problem for the last three or four years, or maybe five.

Whether those policies are constructed by the advisors to the chairman or by the chairman or it is the policies of the PC government, I do not know, but we are having major problems, and that was one of the reasons I wrote your honour a letter, to Mr. Premier and yourself, on December 23, 1991, because I was foreseeing it.

Mr. Chairperson, it is a double standard. What I would like to know right now from the chairman of the board, or to the honourable minister, is that the system we have in the taxi industry is not working by disciplining the drivers or the owners, or are we just coming up with the fine system to generate more revenue, because every letter I receive, at the end, it has threatening wording that either you do this and this and this by such-and-such a date or give us the reason why your licence will not be now

revoked or cancelled to operate as a cab driver and a cab owner.

Mr. Chairperson, if the reason is that the system is not working, there is another way of doing it. If we are just creating revenue, how much can we get pressed in? In one wording, the cab board says that we have to be self-sufficient. That is the policy of the PC government, and that is what we are trying to do in every department.

Only a couple of weeks ago, we gave the licences for \$38,000—this price was set up by this board—for free or for \$100, which everybody pays everywhere. There was ample opportunity for the department to get self-sufficient, but it did not happen. We gave it for free. At the same time now, what we are proposing is there should be a fine system from \$100 to \$1,000.

Mr. Chairperson, if I am a law-abiding citizen, and I am doing what I am told to do or what I am supposed to do, why the fines? Criminals or murderers in this city or in this province have more rights to appeal, have more rights to go to the court system, but what we were suggesting in Bill 24, was that the board have absolute authority. I appreciate the honourable minister, that he came up with some of the recommendations or some of the changes, amendments to the bill. Whosoever suggested to you to begin with, Mr. Minister? That is why we are wasting your time and our time because it is a lack of communication.

Mr. Chairperson, we are not criminals. We are well-educated, very hard-working people. We are proud to be Winnipeggers, Manitobans, and overall, Canadians. I have lived here for 22 years; I have never been so proud. Since the economy is bad, we have been pressed with the extra costs. We did give suggestions, owner-owned, to the board. I sent a copy to your honour too, my letter, later on in February, I believe, or March. I have a copy of it.

What we want is fairness. We do not want unfairness. We do not want favouritism. What we want is fairness, where we are treated as fairly as it should be. Everybody knows—well, I was watching VPW yesterday the honourable minister in Question Period, and he did admit that he realized we do not get paid that much money, but at the same time, what we are faced with, is that by some kind of numbers put together by some other people, we are going to increase 20 percent. We are going

to have an increase in the business by 20 percent. Where that increase is going to come from in the middle of a recession, I do not know, but most certainly, we were levied by 10 percent of the higher quota by issuing the new licences.

What the public hearing did bring, Mr. Minister—I do realize that there might be a need for executive or luxury cars or handivans, but since that day, within a year, what I suggested to the chairman of the board and to yourself is that here is an eight-year-old kid. You tell him either you do this or you will get spanked, or you tell the eight-year-old kid, honey, you do this, this is good for you.

We did suggest, and I suggested in my letter, that this is the way to go within one year between two companies, Unicity and Duffy's. We have over a hundred executive cars. We do provide the same service for the same rates, and here we have the findings to the board that somebody is going to pay 10 or 20 percent more to ride in the same luxury car.

I have a Cadillac. My expenses are \$300 to \$400 a month higher now, and I am providing the same service for the same price. Even then, nobody wants to ride in my cab. I do not get the extra calls from people who are asking for the luxury service.

Mr. Chairperson, Mr. Minister, even if you wanted to oblige the ideas about what should be done—we should have to create the new competition and everything—why those licences? We can give those licences for free, but why do we not put a condition on that if you are getting it for free, if you do not survive over the next five or seven years—I suggest to begin with seven years; you could amend it to five years—give it back, surrender it to the cab board.

* (2050)

It did not happen because nobody wants to get into such a business. Everybody knew how the business was outside. Those new people knew that within two years they could turn around and make a big profit, but in the meantime, 400 cab owners and their drivers are suffering. They will keep on suffering, and with this Bill 24, it is going to be more hardship. I would like, myself, to see some of the recommendations, some of the amendments you are proposing.

First of all, like I said to begin with, I appreciate—that is what we ask you, I personally ask you, with consultation with the manager of Unicity board and

Duffy's Board, that we need 15 minutes or half an hour of your time so we can explain what we are going through. I am sure a human being—it is natural that either you convince me or I convince you.

Mr. Minister, the way the politicians play ball, the way this Taxicab Board is getting their suggestions from whomsoever, we are treated like dogs, believe you me, not from outside alone, from our own industry. We should be a model. We should be welcome.

It does not matter what kind of money you spend on tourism, we do attend to, in person, 20-25 people every day. Those 20-25 people may not be tourists, maybe one or two. If I have a happy day, I could greet the people with happiness. If I have an awful day, awful month, being levied, being fined a thousand dollars, \$500, \$200, what do you think, I am going to greet the people with a smile?

Mr. Minister, the Manitoba Tourism Council did contact me, and I did work with them in creating a standard for the cab drivers. It is a book. We worked hard on it. We did not get paid. It was voluntary work. Like I said, I am proud to be a Winnipegger. I am proud to be a Manitoban. All I want is fairness and give me a chance to breathe a little bit. Do not squeeze it that much that it will blow up. Believe you me, if that is the way you keep on going, it is going to blow up. That is why we are here, Mr. Chairperson.

Thank you.

Mr. Chairperson: Thank you very much, Mr. Kaushal.

Mr. Lamoureux: Mr. Kaushal, I think you make a number of very good points. One of the reasons why the committee meeting and the public process is so very important is because you can see the facial expressions and the sincere attitude individuals bring to the table. No one can put it better than the individuals who are going to have an impact on legislation of this nature.

I detect a considerable amount of frustration, if you will. One of the questions I have been asking a lot of the presenters, and I am going to ask you the same question, is, do you feel, today or yesterday, in the last number of years, that you have access to give input in terms of the future of the industry as a whole?

Mr. Kaushal: Naturally. As a small businessman, as a small enterpriser, everybody has the future,

but we have to work together. There should be a sense of co-operation. There should be a sense of listening to each other.

I am not saying listen to me. What I am saying is, if I am wrong, then tell me I am wrong, but if I am right, for the name of the public needs, do not squeeze me so much that I am going to bust out.

Mr. Lamoureux: Mr. Kaushal, you mentioned you are an owner. Is that correct?

Mr. Kaushal: Yes, sir.

Mr. Lamoureux: Are you aware of any other owners of taxis or individuals or associations that had any input at all to Bill 24 or any advanced notice?

Obviously, you are a major stakeholder. A plate, from what I understand, costs, depending when we get the new plates issued from the board, in and around \$45,000 to \$50,000—a major stakeholder.

Do you feel that your interests are being looked after from this board through consultation?

Mr. Kaushal: We were not initially informed. I was not informed. The only thing I knew was that Monday morning, nine o'clock, there would be a meeting over here regarding the bill, and if you have something to say, you must go there and see what is going on. That is how I found out.

With regard to Bill 24, I think that is the suggestion either from the secretary of the board or the chairman of the board or the minister or their legal beagles or whomsoever they are consulting. They are the ones who suggest to them what kind of language is to be put in.

We are concerned where we will be. Now I have the right to speak, but after Bill 24, should I not be rapped with some kind of fines because I spoke against the board? Would they not be looking for an avenue to nail me down? Without the appeal, what kind of position will I be in?

Mr. Lamoureux: I guess that is really what concerns me most about it all, is that it appears on the surface that at times the board, through allegations that I have heard, is somewhat vindictive toward individuals. That causes a great deal of concern for all people. Whether you are within the industry or outside of the industry, you should feel free to be able to come before this particular committee. Most importantly, you should feel—this is your living, your life. It revolves around

the ownership of your plates—and not to have input in it.

Because we only have the 20 minutes, I did want to get to one other question because you are a licence owner. This legislation requires that you have to submit, upon request, gross and net earnings and expenses. Do you feel that the board has any right to that information?

Mr. Kaushal: Actually, I submitted that information myself to the Taxicab Board. I told the Taxicab Board at that point in time, as a friendly gesture, you can come down to my place, have a cup of coffee. I have the books for the last 15 years, whatever you want to know, receipts, whatever you want to know, you can have it, or here is the key for my car. You can put your driver on, you can work yourself, whatever you want.

If somebody tells me that either I provide it or else, my gosh, where is the Charter of Rights? Are we living in a democratic country or communist country?

Mr. Reid: Thank you, Mr. Kaushal, for your presentation here this evening.

You made reference to several points. I know time is short, so I will only be able to deal with a couple of them. You made reference to the fact that there was little or no communication between members of the industry and the Taxicab Board. Personally, that causes me concern.

The question I have on that is, do you think it would be advantageous for both members of the industry and the Taxicab Board if the industry had a representative sitting on the Taxicab Board itself, as a means of bringing forward concerns from the industry?

Mr. Kaushal: Mr. Reid, if you just put a dummy up there, if you put it in just for the name of it, I do not see it makes sense. If you have a general genuine concern, then okay, we would like to see that input. Sure it will help. It will help a great deal, but if you put just a dummy in there—okay, when we tell you to raise your hand, you raise your hand, otherwise you are voted out, it does not make sense, does it? It is just like getting in a minority government.

* (2100)

Mr. Reid: Mr. Chairperson, I sense then what you would like to have, as a member of the industry, is the opportunity to select your representative to be on the Taxicab Board and not have the government

appoint an individual to be a nameless face, as you say.

Mr. Kaushal: It does not make sense. Whether it is selected from the industry or whether it is appointed by the minister, whatever the minister feels comfortable with. But it should be a genuine concern of the minister and the board to get the input from the industry. If the genuine interest is there, then the genuine interest will be delivered. If the genuine interest is not there, we are just filling out the seat. It does not make sense.

Mr. Reid: You made reference in response to questions that were posed to you. There were some concerns about having an opportunity to put forward your concerns at hearings to the Taxicab Board for any fines or any other infractions that might be in place. Are you concerned that this legislation does not provide for an appeal mechanism for any decisions that might be made by the board that might affect your ability to earn a living?

Mr. Kaushal: Well, according to this legislation, I believe that it does not give me any appeal opportunity unless the honourable minister right now suggested that some of the recommendations or amendments should be there in the bill, and it is you guys who are going to look after that part of the bill. But at the same time we did not have an opportunity in either the public hearing or something in regard with Bill 24. I have no quarrel with the Taxicab Board or Mr. Norquay or any one of the staff at the board. No, I have a very good friendly relation.

I do not see anything wrong with it, but when we come up with some kind of those ideas out of the moon that 20 percent or 30 percent of business is going to improve or we are going to have cabs coming out for people calling from all over the place, I do not know where they are going to call from.

Mr. Chairperson: Thank you. Your time has expired.

Mr. Kaushal: Thank you, Mr. Chairperson. Thank you, ladies and gentlemen.

Mr. Chairperson: I now call presenter No. 7, John Monks; No. 8, Mr. Carrington; No. 9, R. Henry.

Did you have a written presentation?

Mr. R. Henry (Private Citizen): I have a written presentation. I have kept it brief in order to allow time for any questions.

Mr. Chairperson: Thank you. You may begin when you are ready.

Mr. Henry: I am here in my capacity as an owner and shareholder at Duffy's Taxi and welcome the opportunity to air my concerns about the proposed legislation, although I must say, during the course of the last few days I have become skeptical about the whole procedure and our involvement in the decision making.

We have heard a number of presentations by drivers and owner-operators whose main argument is that they are in this business because, as visible minorities, they cannot work at the professions they are trained in. I have a great deal of sympathy for these people, believe me. I did volunteer work through the International Centre a number of years ago and was able to witness firsthand how disheartening it is for families fleeing Fascist regimes in Third World countries to come here with limited language skills and to have to adjust to a lower standard of living and menial work.

But I want to say that this proposed legislation will have an equal impact on those of us in the industry who are not visible minorities. I am a white Anglo-Saxon Protestant from a bourgeois background who has been subjected to threats of suspension of my plate over matters that I consider to be quite trivial and for what was perceived by the board as a bad attitude.

I have also had to deal with the 2 percent of our customers mentioned before who are drunk and violent, and on occasion have had to physically eject unruly or obnoxious types.

I have been in the business 16 years, firstly as a driver and then in 1981 as an owner, and have watched the industry change as our costs have dramatically risen and our ridership has dropped. I regret that I did not opt out of the business when timing was right, because now that I feel a lot of pressure to sell because of the changes brought about by the board, I stand to sell at a substantial loss.

It is very irksome to me to think that a few career bureaucrats and legislators can have such a dramatic effect on the lives of so many people. And that is it.

Mr. Chairperson: Thank you very much, Mr. Henry. Are there any questions or comments for the presenter?

Mr. Reid: Thank you, Mr. Henry, for your presentation. You have made reference to the fact that—as other presenters have before you—2 percent of the customers have created difficulties for you during the operation of your taxi. Have you had any occasion where you have been brought before the Taxicab Board for any of these infractions that you have had to deal with? Have you, in a sense, been charged with having to physically eject any unruly or obnoxious types, as you put it?

Mr. Henry: No. They usually deserved it; that is why. Or they always deserved it.

Mr. Reid: Have you had the opportunity to have any input into this legislation as well? Have you been consulted or are you aware of any members of the industry that have been consulted?

Mr. Henry: None whatsoever. I heard about this last week from somebody who is a lot more involved in looking into the workings of the Taxi Board in particular than I can ever be because I work so many hours, but I heard about it from him and I did not really know any of the details or even the general gist of it until Monday morning when I started hearing about what it involved.

Mr. Reid: Are you aware then that by way of this legislation the Taxicab Board will have the opportunity for broader fee-making powers, in other words, will be able to charge members of the industry fees for other areas, and in fact, in some areas increase the fees?

Mr. Henry: Yes, I am aware of that now.

Mr. Reid: Based on your experience in the industry, what impact will that have on you personally in the operation of your business?

Mr. Henry: Well, the most obvious thing is what has been mentioned countless times here in this forum before and that is that we are having a real hard time making a living right now. I work 60, 70 hours a week on the average and have very little time for my family. It is fairly thankless work.

I have been in this business, like I said in my presentation, 16 years. At one time you could make a half decent living in this business working an average 40 to 50 hours a week. Now I am just barely breaking even, and in the past month I have

written two cheques postdated because I do not have the money to cover repairs to the car. That is primarily because it is summer months and business is slow and the cash just is not there.

Mr. Reid: Do you have any advice you would like to give the government on this legislation? Do you think that it is possible to make this legislation fairer for members of the industry by way of amendments, or do you think that this legislation should be scrapped and started over using a consultation base with industry members?

Mr. Henry: I definitely think the legislation should be scrapped. I think that they should work on new legislation after consulting with people in the industry on some kind of basis. I am not prepared to say exactly how to do that, but I think it needs to be more than just one person advising the Taxi Board about what is going on or what improvements could be made.

Mr. Brian Pallster (Portage la Prairie): Thanks, Mr. Henry, for your presentation. It seems like a number of the presentations have attested to the concerns that drivers and driver-owners have with the board. Can you, for the benefit of the committee, tell us what useful purpose the board serves?

Mr. Henry: Well, they are supposed to be a regulatory body. They are supposed to control standards in the industry. In my opinion, in many ways they have failed to do that. They have been ineffective in controlling standards.

In my experience also, on some occasions I have been called in and threatened with suspension, put under pressure for, like I said in my presentation, things that to me are pretty trivial and to my customers are pretty trivial.

* (2110)

On occasion—I am not saying this happens very often or on a regular basis—they have abused their power, because the threat of suspension is something that is held over our heads all the time as owner-operators. If you do not do things the way they want you to do it and do it on their time period, then that is the word that comes out. Your plate will be suspended.

Mr. Pallster: Then, given what you have said, Mr. Henry, about the threat of suspension being over your head all the time and other things we have talked about privately, some concerns that probably are shared by other driver-owners as well,

would it not make sense to just eliminate the board entirely and not have the concern all the time about these types of fines and reprisals and the things a lot of the drivers have talked about?

Mr. Henry: Yes, I am of the opinion that the industry could regulate itself, the three major companies in town. Management of those companies could be responsible for ensuring that standards are kept up.

Personally, I do not see any need for the Taxi Board at all. From what I understand from someone I was talking to yesterday, Winnipeg is the only town in Canada that has a Taxi Board. I could be mistaken on that, but that is what someone told me.

Mr. Pallster: Can you see any downside to not having a board in existence, maybe not for you but for some of the other drivers? Are there some of the owners, some of the drivers who would express a view different from yours, do you think, about that?

Mr. Henry: Well, personally, I think that there is so little faith and confidence in the Taxi Board currently right now, right throughout the industry. I mean, that is about the only thing that unites us. We all seem to have a problem with the existing Taxi Board. I do not have any problem with the inspection staff, but it just seems to be the administration that, in my opinion, is causing a lot of problems.

Mr. Pallster: As opposed to some of the other questioners and some of the fellows, ladies too, who have been here, some of us for a number of hours, I will not ask the same questions again and again of each presenter. I just wanted to thank you and the other presenters and those who will present. I have been very impressed with the sincerity of the presentations. The information that has come forward has been very helpful to me, personally, and I know to other members of the committee, too.

Mr. Henry: Good. I hope it has some kind of impact.

Mr. Pallster: We have mentioned this before in our discussions, but I think it bears repeating: This is the only province in the country that allows this kind of forum for bills. I think many of the people who are here have expressed appreciation for this democratic society we live in, and I think they should be aware of that. If you lived in Saskatchewan, you would not have the opportunity that you have here.

So I cannot attest to the feelings of all the other committee members. I can only tell you, personally, that I have appreciated the information that has been brought forward. It has been very worthwhile for me. I can tell you that based on that, it has been worthwhile I think for you to come forward with it.

Mr. Henry: Thank you. Thank you for raising my hopes a little higher, because as you personally know, I was getting pretty skeptical about the whole procedure. Now that they say there are going to be some amendments and that, I hope we do have some kind of impact.

Mr. Lamoureux: Mr. Henry, you had made reference to the fact that you got into the industry and you come across as an individual who in fact was quite prepared to make a career out of this particular industry which I think can be a very positive thing. Now if you were able to make a decent wage—let us get a bit crazy and say \$8 an hour—as a driver in 40 to 50 hours a week, would you still be interested in continuing on? You did express some interest in terms of selling, that if you could sell at a decent price you would get out of it today, type of thing. At least, that is what you have implied. But if you could make a good job out of it, would you keep it?

Mr. Henry: I will tell you, when I started out in this business you could make a half-decent living. The reason why I continued driving even though over a period of a number of years, a decade and a half I had been in the business, my income has decreased on an annual basis dramatically, and the cost of living, of course, has gone up, the only reason why I am still in the business is I enjoy this job.

I have liked it since the first day I drove cab, even though I was pretty confused the first few days. I enjoy the contact with people. I enjoy driving. I enjoy the compliments I get about the car. It is all very, what is the word—[interjection] Yes, it is gratifying. That is the word I am looking for.

Mr. Lamoureux: I guess if you take a look at the industry as a whole—because I believe there is a significant percentage of individuals who are drivers who do enjoy or get satisfaction and believe that it is a wonderful profession or career to have.

Unfortunately, because of times and decisions that are being made, and you make reference in terms of loss of disposable income, if you will, do you believe that if you had a more proactive board,

let us say, for example, a board that would have consulted with you as an owner/operator, as to the impact of Tuxedo cabs or the increase in the number of cabs on the streets, do you think that if there had been more restrictions, if you would have had that much more contact, you could still be making some sort of a wage, because most people who have a job, they will get increases on an annual basis, generally speaking. You know, you might make \$5 an hour this year, five and a quarter next year.

There is the odd industry, being a wheat farmer is one of them, as many of the Conservatives will tell you, another industry is in fact the taxi industry, where we have seen a steady decline. Earlier I asked the question of one driver, in fact, could he tell me anyone who has made more than \$20,000?

If, in fact, you could make a good living, would you concur that you would have a much more stable and a better industry and individuals who would want to stay in the industry with a general improvement in attitude?

Mr. Henry: By all means. I mean, as one of the presenters just previous to me mentioned, he said a lot of people have left this business, and it is because of the money thing, no other reason. I am thinking of selling my car right now. I am looking for a buyer because I am fed up to the teeth with all of this.

I am fed up with working so hard that I have no time for anything else, and I am fed up with the prospect of legislation such as Bill 24 which is going to make things that much more difficult for me, or potentially difficult for me, and this whole thing that I perceive as an abuse of power on the part of the Taxi Board administrators.

Mr. Lamoureux: I guess what I see, and I have seen this over the last few years, is an industry that is being destroyed, that does not have to be destroyed if you had a more proactive board that consulted with all the stakeholders of that particular industry.

I wanted to ask a question with respect to—you made reference to threats of suspension by plate over matters that I consider trivial. In my opinion, I heard something very trivial earlier, and that was the gentleman who had the Cadillac plate.

* (2120)

Mr. Henry: The same thing happened to me. I was threatened with suspension over having a Cadillac logo on the front of my car.

I could tell you other stories that are much more blatant, too.

Mr. Lamoureux: Well, the thing that came to my mind is that one time, no doubt, when this legislation was passed a number of years ago, it was required to have two licence plates on your car. Today, that is not the case. It seems that there is legislation or regulations that the board will use to intimidate in order to do whatever it is they want to be able to accomplish, yet when it comes to doing something that is positive for the industry, they are far from taking any form of actions that would give some sort of satisfaction to the drivers or the owners of these vehicles.

You mentioned that you had a plate. Could you give another example of something that would have been trivial that the board, in your opinion, had acted on? Offhand?

Mr. Henry: Offhand? Well, the first thing that comes to mind, and I hope it does not get too lengthy because it is a long story, but I was spot-inspected by a cab inspector on a Friday afternoon. He had nothing but nice things to say about the car, and he went over it with a fine-toothed comb. He found one power window switch that did not work. It worked fine from the driver's panel. I could open the rear passenger-side door window from the driver's panel, but the passenger himself could not open it from the window where he was sitting.

The switch has never been functional in that car since the time I had it, over a year, but all of a sudden, they wanted me to fix it, which is fair enough. Like I said, I get along with the inspection staff. They tell me to fix something, I fix it, right? But I went Monday morning to order the part. It had to come from Woodstock, Ontario. So I called up the Taxi Board specifically to tell them that I had ordered the part, I had paid for it and it was on its way, but it was going to be a couple of days.

The chief inspector was the one I talked to, because that is who the receptionist put me through to. This guy does not know me from Adam. He has only been at the job at that time for three months. He tells me I have to come across town to show him the paper proving I have ordered the parts. I said, but I have been written up on it. As I

understand it, if I do not fix the thing, then my car will be suspended. He said, well, if you do not come down here immediately, then your car will be suspended.

To me, that is pretty trivial. I am not out here to say, okay, I will fix it, and then I turn around and do not fix it, and wait for them to call me, suspend me, take me off the road, and all that. I do not need that. I ordered the part, I paid for it, and he is making me come right across town to prove to him I have ordered the part. It is ludicrous and that is what I told him.

Mr. Lamoureux: Yes. The only other aspect I wanted to pick up on was something when you made reference in terms of the individuals who take the jobs, and you expressed you have a great deal of sympathy for these people, believe me.

I know that I have personally shared a number of individuals' experiences, who do come from a foreign land who have a profession and unfortunately—and this is an entirely different issue in terms of the recognition of credentials or the lack thereof, but I would suggest that even for those individuals, it can be a good industry to work within, and if, in fact, we did have that proactive board, we could see the industry start to go back up.

I am wondering if you might want to comment on the idea of having a member from the industry appointed onto the board itself. Would that help in your opinion?

Mr. Henry: No, I am not sure that an appointment on the board is the right way to go, or if it should be elected from within the industry. I am not sure of the best way to go, but there should be some kind of input from the industry on the Taxi Board. That has been mentioned here a number of times before. I am repeating myself.

Mr. Lamoureux: Finally, you have been in the industry for 16 years. Are you aware of any other advisory committees that have been there over the last number of years, with the exception of the last two or three years. We did have the president of the taxi association come before the committee. Are you aware previously of other associations, and if I can get a sup onto that question, would be, have—or, no, I will just leave it at that. Are you aware of any other associations?

Mr. Henry: No, I am not.

Mr. Chairperson: Time has expired. I thank you very much for your presentation this evening, Mr. Henry.

Mr. Henry: Thank you for the opportunity to speak.

Mr. Chairperson: I will now call presenter No. 10, M. Akram Rana. Do you have a written presentation you wish to have distributed, sir?

Mr. M. Akram Rana (Private Citizen): I will just make a little speech.

Mr. Chairperson: That is fine. You may proceed when you are ready.

Mr. Rana: Honourable Chairperson and fellow workers, I also have concern about this Bill 24, I believe. In the morning session, I heard a few things. Yesterday, I picked up something. Right now, I am listening to all the same things. I may be repeating too. For the sake of time, I will eliminate some problems.

My request is to the chairman of our Taxicab Board. When he introduced those 50 licences this year without our consent, we were all not happy at all. This is a democratic country. In this country I have spent, with the help of the Royal Bank, \$45,000 to \$50,000 to \$60,000 to buy each licence.

On the other hand, our chairman has given them under the table, all by his own God-given law—I do not know. I disagree with those types of God-given laws. If you have elected him to do that job, we honour him, we respect him, but we cannot really respect if somebody is forcing us to go bankrupt and have family problems.

I am also a shareholder with Unicity Taxi. I have been driving a taxi for 12 years. I have an educational background too, if you are interested. I do not think you are interested, but I am a mechanical technologist from back home. I came here and those papers are recognized. I worked here with Bristol Aerospace. I worked with Air Canada. I worked with different companies. Finally, I was kicked out of those fields, some racial problems, whatever.

One of our friends introduced me to the taxi industry. He is gone. May God bless that soul. I used to say that it is really better to beg than drive a taxi. Today, I am also driving a taxi. Thank God almighty that I have to pay my bills, to feed my family members, whatever.

I totally disagree and am disturbed by whatever Mr. Don Norquay did to us in the beginning of the

year. By hook, by crook, he did introduce those luxury cabs, three licences. He is picking up people from the ground—Mr. Goldberg—making them to stand on their feet, but unfortunately they could not. They surrendered. They were very sensible and smart people. They said: No, forget it, there is no business; this is a small city; we cannot afford this type according to the conditions.

Now our chairman has brought up another three people. I was sitting in that board meeting when McGregor taxi was denied and Atlantic taxi was denied because they did not qualify, according to their conditions. The Blue taxi fellow, I believe he made a presentation later on. Later on in the evening, I found out that, yes, it is final now.

I am, believe me, very much disturbed. My family works. I am working. God almighty knows how many hardships I have. My fellow members maybe do not even believe me. They say, Rana is just maybe making stories. If nobody believe me, they should phone my bank and they should find out my financial situation. This is my true story.

Unfortunately, in other industries we have a lot of job-sharing programs. We are helping this government, at the federal level and at the provincial level, introduce a lot of job-sharing programs. You pay these employees for three days and we will pay them for two days. On the other hand, in this industry, it is totally opposite. Why is it that way? Are we really kind of fools. We are not treated like human beings. This is my personal feeling.

Thanks to God almighty, I was brought up with a lot of pride and with a lot of respect. I am not ashamed in front of my fellow workers, I am going to tell you right now. I had plastic surgery on my forehead. This nose was broken three times. I have artificial teeth, broken jaws. I was stabbed once, gunned twice and have numerous cuts around my body.

I was charged once. That case was prolonged in the court for two years. Why?—because I slapped somebody in Tuxedo for the sake of \$11.65. There was three against one.

* (2130)

I said, you cannot go, the police are on the way, stay here for a second, please. The police are the ones to decide the whole dispute. No, we are in a hurry, accept the post-dated cheque, otherwise we are out. Finally, all the confrontation. The police

arrived there, too. She claimed her jaw was broken. Then, after one month, the police picked me up from my house. I said, you were there, too. No, you can go to the court. Here are the charges and you are under arrest or whatever.

I was bailed out on my own—what do you call that—recognizance. The case went through the court procedure. After two years, Rana is guilty. I used excessive force. This is a beautiful thing. Three people have broken my nose, numerous cuts and Rana used excessive force to break somebody's jaw, the poor girl. I slapped the man, and the girl was claiming her jaw was broken after one month. This was part of my fate. We believe very strongly whatever is written here we have to harvest it.

This was my life. How many troubles are we facing in this industry? People do not really respect us. We are poor cab drivers. We offer them all the compliments, all the respect. We have to, we are human beings, too. We are not really kind of special, cab owners are like anybody.

Unfortunately, you are really talking about those things which are beyond our understanding. You have introduced to us Bill 24—never mentioned, never discussed. In this world, in even one family, there is a need of consultation. You must have consulted us. We are 400 to 500 shareholders. There are 1,800 drivers, including shareholders. You must have consulted those people.

How are you people making your living? If you will come back to our living, I made \$18 yesterday. I am driving a Cadillac, okay, because there was pressure six months ago on us. I was listening to Peter Warren's program: These cabbies are dirty; they smell; their cars are dirty.

We all decided, okay, this is the way people want to get our service. We respect their desires. We will put in better cars. We put in better cars. We improved our industry. Believe me, there was not even one single percent increase of phone calls, even day by day, they are decreasing.

I have been here for almost 18 years. I am in Canada for 22 years. I was in Ottawa many times, in Toronto. Honourable Judy Wasylycia-Leis knows me. I know her personally. I have been doing volunteer service for the sake of many communities at the human concern level, and for my community people, the Manitoba Islamic Centre level. I am going to different cities. My wife was working with

Air Canada, using free tickets doing jobs for my community people, for myself, for my own betterment.

I cannot really afford my taxi service on the outside, but deliberately, just to find out how they are making a living, I asked them in Ottawa, in Toronto, in Vancouver, what are your daily takes, daily income?—\$100 to \$150. On the other hand, in Manitoba, a beautiful place to live—believe me, I am proud of this town. It is a little town.

I used to live in England, Paris, Montreal, Toronto, bigger cities, more problems. This is the place I am most comfortable, just like my home back in the village, but unfortunately there is no money. We are making \$60 to \$70. If you do not believe, I will pick up all the sheets and put them on the table. You are the judge.

In England, United Kingdom, I took a taxi that was just like a soap dish. We were all squeezed in a small cab, and we paid the money just to find out. That was my way to survey all those problems. Over here, we have big cars, beautiful service, but unfortunately we cannot change our colour. We have a God-given accent, a very strong accent. We cannot change it. But if people do not really like us, they do not want to phone us, then you should really get mad at why this industry is going down.

So let us introduce Tuxedo Taxi. Let us introduce Bill 24. We are already in the hole. We are already crying. Believe me, I am not able to keep up my payments, okay. I will swear to that lady. I am not able to pay my payments. Are there problems every day? I am involved in a friendly service, everybody says run on this, okay. I am a very yes man. I cannot refuse to anybody. This is my nature. On the other hand, I am losing my business.

I am booked in one area for four hours to get \$4 and five cents tip. I open the door, everything that the lady says. We have a 10 percent discount in the months of July and August for seniors. I gave her 50 cents. I said what difference does it make. After four hours, I am making \$4. That is \$3.50. How can we make \$40,000 within six months time?

Earlier this morning in the session, one of the questions made by Kevin, I believe, to one of our earlier speakers was that they had an observation or readings in your books that some people are making \$40,000 after a 40-hour job. There is not such a shift in Winnipeg, especially, a 12-hour shift. Being a Winnipegger, we stay out 14 to 16 hours in

the cabs. There is no family life. There is really no time to go for holidays, to read the papers, to watch the TV. We have a TV squeezed down in the basement somewhere, I do not know, God knows. This is my personal life. If somebody would ask me, am I really reading these bills, no, they are not in the paper. I have a lot of material to read every day in my taxi. The taxi is my home. The taxi is my vehicle to move people to their destination and myself, too. We must be treated in better ways. Let us collaborate and work together if you want us to; otherwise we are not happy. This is from the heart, believe me.

There are a number of issues. How the police answer is one of them. One of the speakers this morning mentioned Charleswood. I must be stupid to stay in Charleswood and St. Vital for five hours to get one trip, believe me. Early in the morning those trips are gone to the airport; they will come back from the airport and then we will drop them. Why should I spend my five hours?

In Charleswood, three weeks ago, dispatch checked to beckon him, avenue or street, whatever, 7:22 beckon him—he picked up clean clothes, came to visit his friend in St. Boniface Hospital. He gave him the clean clothes, got the dirty clothes—his friend was stabbed—meter is running, I am waiting outside. Finally he ended up in St. Vital. He ran away. I would run, too, for the sake of myself so that I would not have a heart attack because of the stress and strain—believe me, not to chase the customers. I ran after, too. He just ran. I lost close to \$95.

I contacted the police. They said, we have no way. I said, this person is bringing the clothes from that house to the hospital and giving his clean clothes, taking his dirty clothes and finally he is ending up over here. I am phoning his parents in Charleswood. They have a beautiful English accent. I was very impressed to listen and later on that lady even used that Canadian word, too, that if you are going to harass us we are going to phone. I said the police are the ones to help you. Finally, the police said, sorry, we cannot help you.

My whole day was really gone. How can we trust that this is the industry we should be happy to make our living. There is absolutely no money. If people are saying that I am making a hundred dollars a day nowadays he must be a really lucky fellow. I really salute him. If somebody is making that he is happy, he enjoyed this service, I am not one of them. I

enjoy meeting people, but I really do not want to be treated like dirt.

Christmas Eve I was hit maybe 20 times in the head and forehead at two o'clock in the afternoon. My mistake was, I asked him where do you want to go. He said, hang on. I said, okay. After two minutes, where do you want to go? He said, never mind, you "f" Pakis, this and that. I said, this is not acceptable language to me; just tell me where you want to go. He took my hand right there behind my seat, his girlfriend held my hand and he started pounding on my head. He really bust my forehead and nose, this and that.

Three days ago, four days ago I went to court as a witness. They had a subpoena. He was fined \$300. I could not work on those busy days, Christmas Eve, New Year's Eve; those are busy days.

* (2140)

This is another—how many days we take when you guys are having a social life on New Year's Eve, Christmas Eve, Canada Day, Remembrance Day. How many taxi drivers, including myself, take a day off? We are all the time for your service. If we really do not give you service—New Year's Eve is such a day, if you put even 5,000 cars, there are still not even enough. That day everybody has a good time or whatever you call that. We feel sorry for that. Our dispatchers are pressuring us, come on, hurry up, people are waiting for you, but, unfortunately, you do not feel really bad or sad when we are lined up at the airport with 200 cars, in front of every hotel downtown and commissionaires are chasing us like dogs. Sometimes we do not even notice those tickets are being mailed to the Unicity office. By the time we see those tickets, it is already \$60. These are the basic problems. If you have really some kind of idea that this industry is a booming industry, this is totally wrong.

I have been telling people, my customers, when they ask me one of the major questions—

Mr. Chalrperson: Two minutes, sir.

Mr. Rana:—what is the population of Winnipeg? Over 650,000. Oh. I have been telling the same population for the last 10 years, 12 years. This city is expanding, thank God Almighty. There are a lot of houses, but business is not expanding. The population is not really growing. I do not know why.

You should improve this industry by different ways, introducing different bills where we can be

happy and helping you, helping our families and paying the bills, not by this, where you have to impose by hook or by crook your own way.

Mr. Chairperson: One quick question.

Mr. Reid: Thank you very much to the presenter for his presentation here tonight.

My quick question, when it comes to the end of the day and members of this committee have to decide which way to vote on this piece of legislation, based on the information you have heard here and if the government is unwilling to look at any amendments that would be agreeable to the industry, what would be your recommendation to members of this committee on which way to vote on this bill?

Mr. Rana: The vote of this House, they will decide the way they have decided already. It is deadly destructive for our industry. We are not happy. I guarantee you from my race of people, they will never collect welfare. We will go and sweep floors, but we will never knock at those doors. If you are going to squeeze us that much, believe me, personally I guarantee you, I will never collect welfare ever in my life, but I do not know how else people will react.

There is no money. I am not able to keep up my payments. I am behind, as a matter of fact, with the taxation department. But what can you do? Everyday we are telling them, tomorrow, next week, hopefully, God willing—to use that word God willing—I will make my payment next week. This is my situation.

If you will introduce to us your own supreme power, this is deadly against our desire or wish. We made a request which was not—we were never consulted, ever. You have really asked us to wipe our tears to justify it, and we are telling you our side of the story.

Nobody has—especially Mr. Don Norquay—driven a taxi ever. He does not know these things. For the sake of \$5, our clothes are ripped off. They slap our face. They walk away. This type of job we are doing, thank God Almighty, it was written in our fate that we have to do these types of things. I had a nice job too, but—

Mr. Chairperson: Order, please. Your time has expired. I thank you very much, Mr. Rana, for your presentation this evening.

We are going to take a five-minute recess to allow Hansard to change tape.

The committee recessed at 9:46 p.m.

After Recess

The committee resumed at 9:51 p.m.

Mr. Chairperson: Order, please. Will the committee come to order.

We will now call No. 11, G.S. Nirula; No. 12, Anthony and Bola Olorundare; No. 13, Emile Stelmack; No. 14, Susan Johnston; No. 15, Jasdev S. Chahal; No. 16, Gurmit Grewal; No. 17, Neil Olukoya.

Good evening, am I pronouncing your name correctly? Did you have a written presentation you wish to have distributed?

Mr. Neil Olukoya (Private Citizen): No.

Mr. Chairperson: That is fine. It is not required. You may begin when you are ready, sir.

Mr. Olukoya: Good evening, Mr. Minister. I just have a few points just to mention because I have been going through all this since May or something like that last year. I have been going through luxury cars or no luxury cars, and all that came from the Taxi Board.

I believe if Mr. Norquay knew anything about transportation, there should not be much problem now because I look at Bill 24, about the offences. If you make one offence, \$100 or \$200, something like that, and a cab driver making on a shift \$250, I do not know where he is getting that figure. To me, I think that is not right at all.

I have been driving since 5 a.m. this morning, and I bet you I only gross \$60—no time for the family, no time for anything. Like people say when they look at a taxi driver, they believe they have no life at all, no education, nothing at all. I bet you I am a well-educated fellow, my fellow colleagues too.

I believe what is going on here now—I do not understand it, it is not a taxi business. It is just like when I look at the industry today, I would say 99.5 percent are minority. That is what is happening here. I believe if somebody is doing a good job, if anybody talk to somebody like, hey, what you are doing is not right, I think this is, you know, let us call it racist.

He gets mad because I have been looking at Mr. Norquay for the past 24 hours. We are also out

there. Somebody say, oh, Mr. Norquay, why are you doing this? You know, he get mad. For what? Because he knows he is trying to destroy this industry for us, for the minority. The population, you know, we are from somewhere. This is not my country, you understand, and this is the job I am doing here.

I mean, everybody is trying to make a good living, but now when you are adding this into the constitution, how do you think we can make a living on this? That is my question to him because I do not see any reason why. In the first place, when people get into my car—I think I can recognize many faces here tonight that have been in my taxi—anytime people come to my taxi, they always say, this is a beautiful car. My car is a blue Cadillac. People get mad at me why I am using that car as a taxi. They think I am nuts.

Today, you are telling me that I am not doing a good job with my business and you are hurting my life. If any customer does something wrong to me, I cannot respond. I am not a violent person to a customer. I am always good to my customer. Okay, if somebody calls me names, I cannot say nothing if I cause and they report me to the Taxi Board it costs me for a first offence \$100. To me, that does not make sense.

You can go to Health Sciences Centre—a good friend of mine. Because now last year a very handsome person, well educated. He cannot even write his own name now. He cannot even talk. He cannot do nothing. Why? Because he is looking for something for his family, for himself, driving a cab and somebody is stabbing him just to get \$30 or \$20 from him. That is how he ended his life.

Mr. Norquay say to them, I will put something together right from the small house to the middle house to the upper house here today and everybody sitting down here just to talk to him to let him know what we are going through. We are going through lots. I mean, right now nobody here in this building nowadays is wrong, because they do not care. I do not owe any money to the bank because of this business.

Today, my bank phoned me. Look here, you are short, you know. We have not received your June payment. Why? Because there is no business here. If a customer says, hey, get lost, you asshole, and I say, you asshole, too. Run to the Taxi Board: Hey, one of your drivers called me asshole. Call

him in. A hundred dollars to \$200. Where am I going to get it. Where am I even making \$100 a day? It does not make sense. If you are good and you know something about transportation, you know what is transportation and you know what we have to go through. For a year, insurance about \$5,500. Maintenance is there. Every two months or three months you call us for inspection, any simple thing, fix it or not. So you are priced off of the road. Nobody needs that.

* (2200)

You ask a customer not to smoke in your car is trouble. If the seat gets burned, you have to fix it. All these things cost money. I mean, telling me that I make \$250 a shift, 24 hours drive, \$250. That is not even enough to make \$250 in 12 hours or else I am not even making \$60 in 24 hours. I have been driving, you can calculate it from 5 a.m. up till now I am still on the road. At 5 a.m. tomorrow morning, I am back on the road again—no time for family, no time for nothing. I want Mr. Norquay to see that, to think about this, because I will say I have education too, not that I am proud of driving taxis, because I have been looking around—no job.

I have a good family I have to support. I am married to a white woman. You know what it takes to be married to a white woman? They want everything. You have to go on vacation, you have to do this together, you have to go to the park. I have no time for her.

There was a time, she was telling me, look here, you have no time for me. Why did you marry me? I am leaving you. What do you want me to do? Hey, honey, please do not do that. I need you. You do not need me. You need your business. If she leaves, I am going to pay money, maintenance, pay the bank. Where am I going to get all this money?

So I want Mr. Norquay to see now and think about all this. Maybe, if he wants to try the business just to have the experience for only one day, I will give him my key. If he makes \$250, he can take it. Do not even bother to fill my tank. Then I will know he is doing a good job.

Thanks.

Mr. Chairperson: Thank you very much for your presentation.

Mr. Pallster: Thank you also for your presentation, especially given the fact you have been up since five, on the road since five o'clock, to come in here when you have a little bit of time. You

could be with your family. I respect that. I respect the fact that there are probably a few other people here who are in the same boat.

I also respect the fact that you speak your feelings honestly, so I want to honestly ask you a simple question. Does the board make you money?

Mr. Olukoya: It does not make me any money, no.

Mr. Pallster: So given that fact, would you care if there was a board tomorrow?

Mr. Olukoya: If I was the board tomorrow—

Mr. Pallster: If there was a board, I am sorry. Would you care if there was a board in existence tomorrow?

Mr. Olukoya: I would not care.

Mr. Pallster: You would not care. Do you own your cab?

Mr. Olukoya: Yes, sir.

Mr. Pallster: You take a lot of pride in your cab. That is obvious from your comments.

Do you feel you would do as well or better without a board than you would with a board?

Mr. Olukoya: I have to be honest with you. With the situation right now, I think I am better off without the board, because there is too much pressure with the board.

As little as you can take—and that is why a lot of people want to get away from this business. They just want to sell it, the way it costs, just to get it away, because there is too much from the board. From luxury cars to the 50-plate number, from this, all this is costing money.

You want us to upgrade the cars. I mean, a friend of mine, he came to visit me. He saw my car, and he said, are you crazy? In Alberta, we do not have anything like this. Who are you taking in this car? You are taking Queen Elizabeth, or what? I said no, but the customer needs something good, too. He said, ha, then you must be out of your mind.

Up to now, pressure, pressure. Maybe next month, the good Mr. Norquay is going to ask us, hey, we want a limousine again or we want a Jaguar now. Who cares? If he wants it, we have to please him, and we have to please the customer. All these things cost money. So right now, with the pressure, I prefer that we have no board.

Mr. Pallster: Do you feel confident that your feelings are shared by most of the owners, most of the drivers out there?

Mr. Olukoya: Exactly. They have the same feelings. Maybe in some family, the financial situation is higher than one or the other. I think that is the only difference, because my financial situation can be higher than somebody else. Maybe his is higher than mine, but I will say we are both going through these identical difficulties now.

Mr. Pallster: One of the earlier presenters, not tonight, but I think it was yesterday morning, was talking about intimidation. I just forget the specific charge. It was something about some owner pressure on some drivers. I really did not understand it. Is there some concern, do you think, that without the board in place there might be some of this intimidation exerted on some drivers, some owners—some favouritism, some manipulation, if you would?

Mr. Olukoya: You mean if the boards change.

Mr. Pallster: If there is no board, no regulations.

Mr. Olukoya: Oh, yes. I think there is no doubt there should be a regulation because there is no law down below. But when the law is getting out of hand, nobody can handle it anymore, that is no good.

Mr. Reid: I thank the presenter for his— [interjection] I hope the presenter did not hear those derogatory remarks that were directed in my direction. Please do not take offence at the member for Portage la Prairie's comments to me.

With the comments that were made by the member for Portage la Prairie, he is suggesting to you and to other members of the industry who are here tonight that it may be better if the Taxicab Board was eliminated and that the taxicab industry would be, in a sense, deregulated. Canadians are aware of the effects of deregulation on other transportation sectors of the country, and I know members opposite take offence because they support deregulation wide open.

In that sense, would you be aware that if the taxicab industry was deregulated in Winnipeg here, that would mean that anybody who chose to buy or to put a car on the road and operate it as a taxicab would be free to do so, and, in effect, would allow situations that other presenters who have come here today and yesterday have said are creating problems for the industry by the Taxicab Board currently allowing more cars, but in a limited fashion, on the road?

Are you aware that deregulation that is being proposed by my colleague on this committee here would have far-reaching ramifications for you as a member of the current industry under the current structure with a limited number of vehicles?

Mr. Olukoya: A good idea, no.

Mr. Reid: So in that sense then, you sense that deregulation and the free open market would not be in your best interests as an owner.

Mr. Olukoya: No, it will not be, because if I want to sell my car now, it will not be how much I paid for it when I am buying it. Where is the money from if I bought my car for 50-some thousand or \$40,000 and I sell it for \$20,000? Who is going to pay the rest of the money to the bank?

Mr. Reid: Since you have left us with the understanding that you would not be in favour of having a deregulated taxi industry in the city here or for the province. How would you feel then? Would it be in your interest as a member of the industry to have a representative of your industry on the current board structure to allow you to have some means of bringing forward your concerns and having your concerns addressed by that board?

* (2210)

Mr. Olukoya: I think that would be a nice idea.

Mr. Reid: Would you recommend that to this minister, to this government?

Mr. Olukoya: That is a hard question for me to answer. I do not know.

Mr. Reid: I have heard and asked that question of other presenters here. The concerns they raised are that they do not have a voice on the current board, in fact, that there was no consultation on this legislation and on other concerns that are affecting the industry. That is why I raised the question with you here.

Are you aware that this legislation by the way it is worded here will not allow you or afford you the opportunity to appeal any decisions by the board?

Mr. Olukoya: Yes, I am aware of that, but I think that is not a good idea. This is a free country. You can take it to any level, if you want.

Mr. Reid: Are you aware then that if this legislation is passed, it will afford the Taxicab Board the opportunity to have a broader range of fee-making powers that will, in effect, have greater impact upon your ability to earn a living?

Mr. Olukoya: No.

Mr. Reid: What are your thoughts on this legislation now that you have had a chance, I take it, to hear some of the presenters and also to hear some of the concerns that have been raised by others? Do you think this legislation should be amended? What advice would you have for members of this committee at the end of the day when we have to make a decision, if there are no amendments to this legislation that will answer or address your concerns? What would be your advice to members of this committee?

Mr. Olukoya: My advice to this committee is I think Mr. Norquay should go. There are a lot of problems he is causing to the industry, and I believe he does not know anything about transportation, so he has to go.

Mr. Chairperson: Two minutes.

Mr. Reid: What would be your advice to members of this committee in dealing specifically with this Bill 24 when it comes to the end of the day and we have to decide which way to vote?

Mr. Olukoya: I think Bill 24 should not exist at all because there is no reason for Bill 24.

Mr. Reid: Okay. Thank you.

Mr. Lamoureux: Mr. Chairperson, I just wanted to pick up because it is the second time the member for Portage la Prairie (Mr. Pallister) actually asked a question on the whole question of deregulation, and, of course, he starts off by asking the question in terms of, do you think we would be better off if we had no board. My question to the presenter would be: Does he feel this board is currently doing a just service to the industry as a whole?

Mr. Olukoya: I do not know because I do not know what is going to be the outcome of the meeting.

Mr. Lamoureux: The current board that is there right now, if, in fact, you had new members—you made reference to the current chairperson. If you want to resolve a number of the problems that are there currently and that particular individual was removed, which I would concur would make the industry or the board that much more operational, do you feel that this particular board—the member for Portage was trying to get you to say that we would be better off if we did not have a board. That is what the member for Portage la Prairie was trying to figure out. Would you prefer to have a board or

would you prefer not to have a board, in other words, a deregulated industry.

My question to you would be: Would you prefer to have a board that is effective that represents the industry and worked for the industry as a whole or no board?

Mr. Olukoya: It would be better to have a board to work with industry that knows what this industry wants, that knows what is going on in the industry, not the board to destroy the industry.

Mr. Lamoureux: That is right.

Mr. Chairperson: Your time is expired. I thank you very much for your presentation this evening Mr. Olukoya.

Mr. Olukoya: Thank you.

Mr. Chairperson: I will now call No. 18, Reg Kambo. Good evening, sir. Do you have a written presentation you would like to have distributed?

Mr. Reg Kambo (Private Citizen): No, sir, oral, please.

Mr. Chairperson: That is fine. It is not required. You may begin when you are ready.

Mr. Kambo: Good evening, Mr. Chairperson, ladies and gentlemen, Premier, this bill started on Monday in legislation. Until this morning, we only heard four speakers. Today, there is a time limit for each speaker, maximum of 20 minutes, and now you all want to finish this tonight. Why? What is the big rush? We are all talking about the future of the cab industry, which involves our livelihood and our families, which approximately represents about 10,000 people in Winnipeg or more who are directly or indirectly affected by the final outcome of these decisions. Nothing good can come out of a rushed decision. We know that.

The whole industry must be reviewed. I strongly recommend, Mr. Chairperson, ladies and gentlemen, that these decisions be postponed or reviewed thoroughly when review of the industry is completed. I used to make lots more money in 1980, '81 and '83. I used to even make more money than today in 1986. I used to make more money for a fact before the GST came in. Right now we are all in a recession. We are all trying to make a buck and survive. We all know June, July and August are the slowest three months in the cab industry, which is right now.

Another issue we had before, that Autopac and MPIC should safety our cars. We pay \$4,500 for

our vehicles to be insured a year and I feel that if we have to go to certified large companies such as Firestone, Canadian Tire, Sears, Woolco, to get a car certified, if we do not get the work done there, they just charge you for the certification and you go somewhere else and start again from there. I feel if Autopac or MPIC did the safety, at least we would not be getting ripped off as much. Firestone has a bad name in Manitoba and Canadian Tire has a bad name in Ontario. If Autopac or MPIC needs more money to safety our cars, whenever they issue us a sticker, green or red colour that your car is safety, they can charge per car \$50 for that sticker for their cost.

While we are on Autopac, I still have not made my second installment of Autopac which was due six weeks ago. I have a registered letter right now saying if I do not pay my Autopac before the end of the month, obviously my Autopac will be cancelled. This is the first time—I have owned the cab for four and a half years—that I have never been able to make my Autopac payment.

We are all in a recession and I think this Bill 24 will kill the cab industry. If we do not have any money for our Autopac payments and so on and so forth, how are we going to pay these fines? A person should at least be able to appeal the fines. There should be one person from the taxicab driver advisory committee like Randy Delorme or somebody else should sit in on the taxicab committee and they should listen to them or they should listen to the board of directors, sit in and talk with them. There is definitely a lack of communication problem between the Taxicab Board and the industry itself.

Further, again I will say, I have been driving a taxi in Winnipeg for about the past 12 years. I have owned my taxi for the last four and a half years. For the past 12 years, I have been driving a cab. I do not have a single complaint against me, not that I want one now.

I say again to the Honourable Mr. Albert Driedger and the ladies and gentlemen, that they take these decisions very carefully, read them and postpone until a thorough review of the industry is completed. We should not have to rush through these things in two, three, four days. We can start again in August or September or next week. We all know nothing good could come out of a rushed decision.

We do need a Taxicab Board. We need some kind of enforcement. Without it, it is like saying we do not need the Winnipeg Police. We have to have some kinds of rules and regulations. I do not know their job and how much people disobey the rules. I do not disobey any rules.

This morning I got a parking ticket out here, because I thought I parked in the right spot, but I did not. When I saw the ticket I did not know why I was ticketed, so I asked the commissioner. He said, well, there was a sign there but it got taken off yesterday or the day before. So I am stuck with a ticket for now until they look into it.

If people disobey the law, sure they should be fined, but they should also get a chance to appeal. That is all I have to say. Thank you very much.

Mr. Chalrperson: Thank you very much, Mr. Kambo, for your presentation this evening.

* (2220)

Mr. Lamoureux: Mr. Kambo, you made reference to the fact that you have been driving a taxi for 12 years now. Is it safe to say that if, in fact, you could make a reasonable living, a reasonable wage at driving a taxi, you would be quite content to take this on as a career?

Mr. Kambo: It is my career. That is the only job I do. The only way I survive probably is because my wife made \$18,800 last year. I sure did not make that much.

Mr. Lamoureux: I am wondering if you could indicate to the committee why it is that you believe—you made reference when you started that you were making some money, and then in the most recent years, four or five years—

Mr. Kambo: I would say since the GST came into effect.

Mr. Lamoureux:—in particular since the GST has taken effect, your income has deteriorated considerably, I believe. I am wondering if you can give some sort of an assessment as to why that has occurred and if you could comment on the aspect of, if you had a board that reflected the will of the industry, do you believe that you would have a better wage today?

Mr. Kambo: With all the recession, there is a lot less money out there than there used to be. There used to be, six years ago, what you call a bar rush at 1:30 when the bars closed. Every bar used to have 20 or 30 people who were waiting for cabs.

Now, you are lucky you get one, two or three staff out of there. Sometimes in certain bars there are only one or two or three cars in the whole bar itself. There is not as much business as there used to be. With the premium taxis, they said it would increase 20 percent more. I think it would decrease 20 percent more.

The Taxicab Board should have some people in there assisting them or telling them—they should listen to a drivers' rep committee or an owners' rep committee person. They should have some kind of talk with the board of directors. I think there is a big lack of communication between the Taxicab Board and the taxicab industry itself.

Mr. Lamoureux: If we take a look at the industry as a whole, if we go back 30, 40 years ago, when, for example, there were no courier companies, there were no airport delivery vehicles to the local hotels, there are a number of things that have had a severe impact in terms of the number of pick-ups and drop-offs. It was at one point, no doubt, parcels; now it is, generally speaking, strictly people. At least, I would assume the majority of the rides that you get now are individuals as opposed to maybe 10, 15 years ago when you would have been doing some possible courier work.

In terms of the expansion, whether it is Tuxedo or these so-called premium cabs, do you feel that the board as a whole is informed enough to be able to make decisions relating to the industry?

Mr. Kambo: I think the board just makes its own decisions by their own way of sources, by not getting the sources from the companies or from the reps. They just have their own sources and they just make decisions on their own.

I would definitely not know how to do their work—because what kind of complaints they would probably get from other people who already saying they are just regulating.

A person should get—if I am answering your question right—an appeal if he is guilty or for anything. Even a fine of \$500 or a fine from \$200 to a thousand dollars without an appeal, I do not even think provincial courts have that.

Mr. Lamoureux: I am sure that all of the drivers and owners would agree, that, yes, part of the mandate of the board is to represent the public's interest. I think what the board has forgotten is that it is also supposed to represent the interests of the stakeholders.

Do you feel that the board represents the interests of the drivers and owners of the industry currently?

Mr. Kambo: No, I do not think so.

Mr. Lamoureux: You are an owner of a taxi now?

Mr. Kambo: Yes, I have been an owner for the past four and a half years.

Mr. Lamoureux: Presenters who have come before who were owners said, well, I am quite prepared to give you all the documentation that you might require in order to look at how much money I make, on a volunteer basis. Everyone is quite prepared to say that.

Do you feel that should be the law, that the board should be able to demand something of that nature? Is there any need for the board to have that information?

Mr. Kambo: No. If Revenue Canada wants to know anything, which they obviously know about everything, they should be able to get that information, not the Taxicab Board. That is my opinion. But I am willing to show them anything, because I have nothing to hide.

Mr. Lamoureux: That is becoming the prevailing opinion, of course. Everyone is quite prepared to show in terms of what it is they are making in order to emphasize not only to the board but in particular to the committee members—because the committee members can in fact change and make the industry that much better because of the dissatisfaction.

I have seen a number of presenters and we are going to continue to see presenters until who knows when. There generally seems to be a lot of frustration towards the board itself, a lack of confidence in the board.

Mr. Kambo: That is probably because of lack of communication between the board, between the drivers, between the owners, between the industry itself. The board has their own way of running things.

If, for example, I have a burnt-out headlight on my taxi, I would not drive around for two, three, four, five or six days with a burnt-out headlight. I would change it as soon as I knew about it. I have established that kind of relationship with the Taxicab Board inspectors for the last 12 years, that if you are told something, you do it, but, obviously, some people might ignore it. But like the

significance of missing a hubcap or something, drive from Transcona to come to the Taxicab Board to show him that you are missing a hubcap, which is cosmetic, which is not very dangerous to a cab, not having a hubcap, but to Mr. Don Norquay, it is.

Mr. Lamoureux: I know there are other committee members who do want to ask questions, so I am just going to ask one final question, and that is the question of intimidation. Now, as an owner or a driver, you could be called before the committee and assessed all sorts of costs, do you feel that this bill can, in fact, and will intimidate drivers or owners in the future if it is passed and administered through this current board?

Mr. Kambo: Sure, definitely. If a human being is pushed so far that he has to eventually claw back, or fight back, or something, it might erupt into a violent situation. It might cost—

Mr. Ben Svelnson (La Verendrye): Mr. Kambo, is it?

Mr. Kambo: Yes, sir.

Mr. Svelnson: Thank you for your presentation. There are just a couple of short questions that I have.

Right the way it is today, if, for example, there was something wrong with your car, mechanically let us say, for safety's sake, or if in fact you had treated some customer or a fare badly, your car could be suspended. Is that right?

Mr. Kambo: Definitely, yes, not even a customer. It could be another vehicle that cut me off and if I give him a finger or something, he reports it. It is his word against my belief and my judgment against the Taxicab Board inspectors.

Mr. Svelnson: Okay, so your car and you, as such, could be suspended for a day, two, three, whatever.

Mr. Kambo: Yes. I hope it never comes to that for me, but—

Mr. Svelnson: You said you have driven for 12 years. In those 12 years how many times have you or your car been suspended?

Mr. Kambo: None.

Mr. Svelnson: Never?

Mr. Kambo: Maybe once. It was not very long ago that somebody threw a beer bottle at the car and cracked the windshield and Al Ford himself saw it. I took it down. It was Friday, two o'clock, and he said,

you have to get it fixed before 4:30, or else you cannot work.

I said, could I at least have till Monday? I would have it fixed before Monday. At nine o'clock, I would be sitting here with a new windshield. No, it is a cracked windshield, you have to get it fixed; otherwise you are suspended. It was a long weekend.

Mr. Sveinson: How badly was the window smashed?

Mr. Kambo: It was not smashed. It just had a few cracks in it.

Mr. Sveinson: Was it on your side of the windshield?

Mr. Kambo: It was on the driver's side, yes.

Mr. Sveinson: So, then, in fact it could have been blocking your vision to some extent.

Mr. Kambo: I guess in their view, yes, not in my view. But I still—

* (2230)

Mr. Sveinson: The point that I am trying to get at here is this: We have heard many presenters who have come forward and are very worried about this fine, when in fact a suspension could be double, maybe even three times as much as a so-called fine—which we have heard a number of ideas of how much would be there—might be.

I am just trying to figure out or to ask you, why that feeling of the fine is a terrible thing, when in fact—

Mr. Kambo: Because it says—

Mr. Sveinson: Just a minute, sir—when in fact, in 12 years, you have only been suspended once.

Mr. Kambo: Yes.

Mr. Sveinson: What would be that fear of a fine then?

Mr. Kambo: Well, I have no fear of that fine, myself, because you do the crime, you pay the time, or whatever the saying goes. If you do not disobey, you follow the rules, you have nothing to worry about.

But in yesterday's Free Press, it says: The reform and design to replace the government's current annual \$330,000 subsidy of the board's operation which—now, the cab drivers are upset and worried about the potential financial implications of having the board become self-funding from fines and

levies of drivers as a result of changes. Maybe that is why. The board wants to get self-sufficient, that there will be no burden on the government from the fines.

Mr. Sveinson: One last question. If a car is in bad shape safety wise, mechanically, or if, in fact, I was the driver and I was not very nice or very polite to the person at all, and, in fact, maybe I pushed a person, do you think that I should receive a fine or be suspended for a certain length of time? Do you think it would be appropriate?

Mr. Kambo: You cannot push a person first, definitely not, unless the—

Mr. Sveinson: So in fact then—

Mr. Chairperson: Mr. Sveinson, I wonder if you would let the presenter finish his answer.

Mr. Sveinson: I am sorry. So in fact then it is like you said. If you do the crime, you pay the time. In fact, if you do not do wrong, if you drive a very nice clean car, if you treat the customers properly, there should not be a problem, as you have not seen in 12 years. Is that true?

Mr. Kambo: Yes.

Mr. Chairperson: The presenter's time has expired. I thank you very much for your presentation this evening, Mr. Kambo.

Point of Order

Ms. Judy Wasylycia-Lels (St. Johns): On a point or order, Mr. Chairperson, I think it is important since the presenter mentioned the time limits that have been placed on this committee and the appearance that we are trying to rush things through, I want the presenter to know it was the government that imposed the time limits.

We in opposition felt that was out of line, and we also are prepared to take our time in hearing presenters.

Mr. Chairperson: Order, please. The member does not have a point of order.

* * *

Mr. Chairperson: I call No. 19, Clement K. Betiku. Good evening, sir. Have you a presentation you wish to have distributed, a written presentation?

Mr. Clement K. Betiku (Private Citizen): No.

Mr. Chairperson: Very well, you may proceed.

Mr. Betlku: Good evening, honourable minister, Mr. Chairperson, members of the Manitoba Legislative Assembly and the public. I come here tonight to express my heartfelt feeling about Bill 24.

The government of this province, a couple of years ago, told us when we attended a rally at the Legislative Building that a taxi driver is an ambassador of this province and especially an ambassador of this city.

When a visitor comes to this province or to this city, the first people who meet them at the airport or the train station or the bus station happen to be the taxi drivers. They take them to their hotels. They take them to their friends. We transport them from point A to point B. So from us they can get an insight as to what is going on in this city, how friendly this city is. This province is supposed to be a friendly province. We call it Friendly Manitoba. So we are the first people that tell our visitors that this is Friendly Manitoba. We have to behave friendly to them. We have to treat them well before they ever see our ministers.

It is very, very shameful, and I repeat again, it is very shameful for this government and especially the Manitoba Taxicab Board to treat taxicab drivers as garbage. It is very, very shameful. I do not understand the rationale behind this, and the only reason I could advance is whether the Taxi Board thinks that the taxicab drivers are uneducated; they do not have to give an input to the taxi industry. But I am telling you tonight that is not true.

I came to this country 22 years ago. I, like most of my friends—there are many that came before me—have a very good education. I attended the University of Manitoba and the University of Winnipeg, and I attended Red River Community College where I have a diploma in chemical technology. So you will not tell me that I do not have an education. At my age, 43 years old, I can be the Premier of this province. I can be a minister. I can even be the chairman of the Manitoba Taxi Board. I am not even sure that the chairman of the Manitoba Taxi Board is much older than I, if he is older at all. But would I be treated like the Taxi Board chairman is treated? No.

* (2240)

I am happy to be a taxi driver in one sense, but in another sense, I do not want to be a taxi driver. I would rather be able to do my job in the discipline—I mean, I graduated to be a productive

citizen for the province of Manitoba, but when I cannot get a job, I have a family to support. I do not want to go on welfare and be a body to the government. Then I bought a job for myself. I am telling you I bought this job for me and for my family. I pay taxes to the government. So I think taxi drivers should be respected for what they do.

There is a notion of the taxis in the government and also in the Manitoba Taxi Board, and I find this very, very often that taxi drivers make a lot of money. I heard that they make \$200 every shift. Everybody would agree with me that if I make \$200 every shift and I happen to have a taxi, so in one whole day I am making \$300. So, after I pay my taxes, after I pay my bills, after I pay the government for Autopac on my car, then I should be able to have \$150 in my pocket, but today I do not. So how am I making \$200 on a lousy shift?

The government in their own way thinks amending this bill is a just cause. They want to do it so bad, and they want to do it tonight. Why is the hurry? We have been at this for a long time. So why do you want to do it now? Why do you want to finish it tonight? What is the hurry?

If you pass this bill, I can tell you, it is one of the most regressive bills that will be passed by the Manitoba Legislative Assembly. I am happy that the honourable Minister of Justice is here tonight, the Honourable James McCrae. I am sure you would not want to live in a province where the citizens of this province are not treated equally or are not being given the chance to appeal a penalty.

You have always been a very honest minister. I have seen you talk to Peter Warren. I have seen you talk to people. I have seen you on TV. I have seen you in Ottawa, how you represent this great province. If you allow, as the Minister of Justice, this government to pass this regressive bill in which they can penalize the taxi driver and they do not have any avenue to appeal, then this is not a province I want to live in. This is not a province I want to bring up my kids in.

If a taxi driver, for one reason or another, is fined \$250 for committing an offence, the Taxicab Board is the court. The chairman of the Manitoba Taxicab Board is the judge. They can impose anything they want on you. If you try to appeal, what do you get? You have to pay their costs, then pay your own costs, and whether you are right or you are wrong, there is no redress, so where is the justice? Where

is the presumption of innocence? Not with the Manitoba Taxi Board, not with the government. They do not want you to do anything, just accept it as it comes, whether it is right or it is wrong. That is not the Manitoba I want to live in, and that is not the Manitoba I want to bring up my kids in.

Last year, I had an accident. Somebody hit my car and my car was towed to Plessis Road. It was there for 10 days. I went to Autopac to file a claim for my down time, and they told me, well, you are only going to get \$35. I said, why am I going to get \$35 for my down time? They said, taxi drivers do not make money. You have already forgotten these are the taxi drivers who are making \$200 a shift. When it comes to paying me for my down time, no, Clement does not make money. He is a taxi driver, so we pay him \$35 a day.

If he happens to have a driver, then we want to know the name of that driver, and then we can pay him \$65 a day. But you forgot that these are taxi drivers who are making \$300 a day if they are the owner of their taxis.

So the government, oh, no, we do not want to give you that money because, you know, you are a taxi driver, and you do not make money. You know, you charge every taxi driver—for instance, when they have to ask for Autopac and they are supposed to encompass everything about insurance, safety and everything. We get two periodic safety checks by the Manitoba Taxi Board. If this legislation is passed, we have to do our own safety checks and pay for it. Why are taxi drivers different?

If you call in Mr. B. who happens to not be a taxi driver, he takes his car for inspection by Autopac. He does not have to pay. Why do we have to pay? Why do taxi drivers have to be the exception? Why do you have to treat us differently?

The chairman of the Manitoba Taxi Board has always maintained that the interest of the public must be supreme, but the taxi drivers are not part of this public, so their interests are not supreme. We do not have to care about them because they are taxi drivers.

We are all citizens of this province, so why do we have to be different? Why do we have to be treated like slaves and the government or the Manitoba Taxi Board is the lord? I think that is not fair.

With this bill—I mean this proposed amendment, you can call me into your office and ask me to show

cause if the public I pick up on the streets reports me to the Taxi Board. If he reports me 100 percent wrong or 100 percent right, if you happen to investigate this, then I will have to pay for the investigation up front. For all your investigation, I would have to pay for it, because you are the court.

But for the average public, if you go to the courts, if the police make their investigations, they make it for the government. The person they are investigating does not have to pay. If the court finds him guilty, then it is the right of the court to impose any punishment, but there is always a presumption of innocence.

Under this bill, no, you are not innocent. You are always guilty first. That is what Mr. Norquay, the Manitoba Taxi Board and the government want to impose on taxi drivers. This is not right.

* (2250)

Three years ago, I happened to be in an outfit called Handi-Helper Transit. I was there for five and a half years. I had two vans with Handi-Helper Transit. It is this same confrontation that we get with the Manitoba Taxi Board, because Handi-Helper Transit is under the Manitoba Taxi Board.

Three years ago, they asked us for a financial statement which is a copy of our income tax. They said they want it and if they do not get it, then we cannot operate. I do not think the Manitoba Taxi Board has the right, has the authority, to ask for my income tax. I do not think the government has the right to ask for the Honourable Mr. McCrae's income tax, so why would they ask for mine? Because I drive a taxi.

You are supposed to give me service because I pay taxes. What you are asking me to do is, no, you have to give us money. You have to do this. We do not have to give you service. All the service has to be produced by you. You have to pay for it. Why do we pay taxes then?

The farmers pay taxes too, but if they have a bad year, yes, the government gets into its purse and gives them money. If the taxi driver has a bad year, well, that is none of our business. You have to fend for yourself; you have to mend for yourself. Farmers are treated differently because they vote for the government. Taxi drivers, they are immigrants, most of them, at least 95 percent of them, so they do not deserve any respect. They do not deserve to be a good member of this province.

Please, you can make good the harm that has been done in the past to taxi drivers, and all you have to do is not pass this bill. We want to be regulated. Fine, we have to have a Taxi Board, but not a Taxi Board that imposes and imposes and imposes and threatens all the time.

Last week, on Peter Warren's show in the morning—I mean, on Friday, he was talking to the Premier (Mr. Filmon) of the province. He asked the Premier of the province, Mr. Premier, I heard this is the only province in Canada that has a Manitoba Taxi Board. Premier Filmon said, yes, we have been wanting to drop it on the feet of the city for a long time, but they do not want it. Why do they not want it?

Mr. Chairperson: Two minutes, sir.

Mr. Betlku: As I said, this is a unique province. We would like to keep our taxi industry, and we want to show it as an example to the general public or to the other provinces, but this is not true. Shortly after that, Bill 24 comes in.

Please, in the interest of justice, please do not pass this bill. Thank you very much.

Mr. Chairperson: Thank you.

Mr. Reid: I thank the presenter for his presentation—very well put. I hope the government listens to the comments and takes to heart your suggestions.

I want to deal, because time is very short, with a specific area that I think will have a significant impact upon you and other members of the industry, and that is dealing with the cost of proceedings.

Would you, as a member of the industry—I take it that you are an owner of your cab—

Mr. Betlku: Yes, sir.

Mr. Reid:—if you have to go before the board in a show-cause hearing for what an inspector or someone on the board has deemed to be a contravention of the act, it says here in this legislation that you would be responsible for

- (a) all or part of the costs of another person with respect of the hearing or proceeding;
- (b) all or part of the costs of the board in respect of the hearing or proceeding,
- (c) security for costs may be ordered under clauses (a) and (b).

In other words, going to—

Mr. Betlku: That is right.

Mr. Reid: How, as an owner and a member of the industry, would you feel intimidated by this legislation here, this clause and this legislation here, from going before the board on any matter that you thought that it was going to cost you in a significant fashion?

Mr. Betlku: Oh, yes, sure I do, and I am sure the Honourable Mr. Jim McCrae would do the same thing because if it happens that Honourable McCrae should be responsible for everything that goes round in the Department of Justice. If he is called, if he is subpoenaed by the court, I am sure he would not want to pay for the courts because he is the Minister of Justice. He would not want to pay; I know the Honourable Jim McCrae.

So why do we have to pay? If you want an investigation, you pick up the tab. Please do not let me pick up the tab because I do not have the money, and I am not going to pay it. If you are going to do an investigation, you do it at your own time, and you pay for it.

Mr. Chairperson: Thank you very much for your presentation this evening, Mr. Betlku.

Order, please. I would seek some direction from the committee. Do you wish to set a time of adjournment for this evening?

Mr. Driedger: Mr. Chairperson, I think in the interest of the amount of presenters we have that we should adjourn at midnight.

Mr. Chairperson: It has been suggested we adjourn the committee meeting this evening at midnight. Is that agreed? [agreed]

We will assume, then, that we have time for three more presenters. I will identify the three next on the list just for the sake of seeing if they are here or not. If they are, of course, then most others can go home if they wish.

The next three are Dan Dydaroch, Narinder Dhanjoon and Bob Watson. Are those three presenters here?

Again for the information of the public, the committee has decided to adjourn at twelve o'clock. That will allow us time for three more presenters. We will call the names if they are present. As you have noticed in the past, if they are not here, we move on to the next name.

I will call No. 20 now, Dan Dydaroch.

Before you begin, Mr. Dydaroch, again for the information of the presenters, this committee has been called for nine o'clock tomorrow morning.

Mr. Lamoureux and the Minister of Justice (Mr. McCrae), would you please come to order. We are trying to impart some information here to the committee members and the general public. This committee has again been called for nine o'clock tomorrow morning, but again we have the same situation as we had this evening. We have other responsibilities that have been given to us which we will have to deal with first.

I apologize, but at this time we cannot give you an exact time when we will be moving back to consideration of Bill 24. So it is quite possible it will be sometime tomorrow morning, but it will not be right at nine o'clock. Again I apologize for not being able to be more specific than that.

Again, if the presentations are not completed in the morning, the committee will be sitting again tomorrow night at seven o'clock to further consider the presenters on Bill 24. I thank you for your attention.

You may now begin, Mr. Dydaroch.

* (2300)

Mr. Dan Dydaroch (Private Citizen): Mr. Chairperson, I would like to thank the ladies and gentlemen of the committee for allowing me to speak tonight. Several of the speakers have covered some of the points earlier. I would just like to reiterate that the rights of a regulatory body are not the issue. One would have to look at the purpose of this new legislation.

A great deal of time and money apparently has been spent in drafting and arranging for its passage. I think the members of the committee would be in a good position to ask themselves again what the purpose of this legislation is. The Taxi Board is possessed at present with certain broad-based powers which allow it to, I think, effectively regulate the operation of taxis in the city as it is.

My greatest concern is the effective removal of the right of appeal to actions of the board and the subjectivity that could result in what would amount to very restrictive practices on what amounts to a group of small businessmen.

As it is, I may have a couple of examples that would illustrate some things that have happened in

the recent past. One of my drivers this week was called in about a window-door regulator. The regulator was repaired and taken back to the Taxi Board. The chief inspector himself spoke to the driver, said that the driver told him the work had been done. He came down in person.

The driver rolled up the window and rolled it down again, and the chief inspector said, well that is not good enough. I will try it myself. He tried it himself. The window went up and down. He said, well, it does not seem right to me.

Now this illustrates a subjective lack of respect, a subjective mistrust on the part of these people. Is this artificial? What is it a result of? What is the purpose of this? It does not seem like a demonstration of reasonableness, a demonstration of what a public regulatory body should be doing.

(Mr. Ben Sveinson, Acting Chairperson, in the Chair)

I think there is an onus on the regulatory body to demonstrate reasonableness, to demonstrate fairness, if you will. These elements seem to be lacking at present. You have heard several stories that may or may not illustrate that to you. I am sure that several stories will go untold.

But the legislation as it is proposed, I think, in a democratic country, borders on the shameful. If the purpose of this legislation is simply to recover costs for a certain department, perhaps there is a better way to do this: to actually revise the regulations of this department, to audit its operations, and to see if really it is being operated effectively.

Actually, that is pretty well all I had to say about that.

Ms. Wasylycia-Lels: I would like to thank the presenter for that excellent overview of the bill.

You gave us a good example or one example that illustrates the relationship between the board and the industry, and I heard someone around the table make the comment or the suggestion that this was just one individual within the board, one inspector, but we have heard from many over the course of the last few days, giving different examples and different illustrations.

Mr. Dydaroch: I have another illustration that may help to illustrate that. We are all familiar with the climate in Winnipeg and the conditions we endure around springtime with melting snow and sand on the streets.

One spring, one of the drivers was called in. This particular car had a cloth carpet. The inspector inspected the car, looked at the carpet and told the driver, you have sand on your carpets. He forced the driver to take the car to an auto cleaning shop to have the carpet cleaned. That is probably not unreasonable, but the fact is at that time of the year, within 60 minutes, the carpet was in the same condition after the \$45-cleanup. Now that to me is a lack of reasonableness.

Ms. Wasylycia-Lels: Would you suggest, in fact, that there is a fairly widespread problem at the Taxicab Board level in terms of, you mentioned the word "mistrust". Is it a widespread and serious situation?

Mr. Dydaroch: Well, these are all incidents reported to me by drivers. You may use the word "mistrust". It is certainly indicative of that, but it also indicates a lack of respect.

Ms. Wasylycia-Lels: You raised the question rhetorically, what is the purpose of this bill and suggested one answer might be to recover costs, but you seemed to question that.

Can you think of any other reasons for this bill? It had been suggested to us over the course of these presentations that perhaps the government through this bill is trying to actually kill the industry entirely, clear out the existing industry and create a situation where it is free to promote the interests and individuals it wants in the industry.

Is that a fair assessment, or is that reflective at all of your experience?

Mr. Dydaroch: I would say that was fair. Certainly, if you were trying to do something like that, that would be an effective way of doing it.

Ms. Wasylycia-Lels: Can you give us any help at all why anyone would want to wipe out the industry as it is today? Is there a problem with the make-up of the industry? Do you sense any kind of racial overtones in terms of this whole agenda?

Mr. Dydaroch: There may be an element of racial overtones to it. Certainly, this would be pure speculation. I think if there was hard evidence of this, it should be brought out.

Ms. Wasylycia-Lels: I want to ask a question, and this is to get your opinion on a question that was asked by one of the members around this table, Mr. Sveinson, who is the Conservative member for La Verendrye.

In questioning of Mr. Kambo, one of the earlier presenters, he tried to suggest that why should anyone be afraid of the fines proposed in this act if that person never or hardly ever experienced a fine and if that person was an upstanding, decent, honest person in society, why was that person worried about a fine?

Yet there seems to be other parts to this bill that give cause for that kind of fear, and I refer specifically to Section 14(1) in Bill 24 where it lists the types of contravention that would apply, and the last one, point (d), is: "acted in a manner that is contrary to the public interest in relation to the taxicab industry."

* (2310)

Is that not reason itself to be fearful and worried about this bill from the point of view of someone in the industry? Is it not a subjective matter, and where are the objective criteria in terms of defining public interest?

Mr. Dydaroch: That, I think, is probably the most excellent point that has been raised tonight, just for the fact that a lot of this is subjective with this new bill. The board would have effective powers of levying fines on just about anyone for whatever subjective reason they could come up with. They would have the means and the power to collect these fines without any effective appeal against them.

So a person who had never been fined in 12 years, for instance, could receive one of these notices, be fined, and the cost of appealing this fine, if it was, say, an unsubstantiated fine, just for the sake of argument, he probably would wind up paying the fine since it was cheaper than appealing it, just from a purely business point of view.

Ms. Wasylycia-Lels: Just a last quick question in the interest of passing the mike onto another member of the committee.

What is your advice to us in this committee? Should we try to amend the bill? Should we try to get it scrapped altogether, or should we try to convince the government to at least take it off the table and rethink the bill and bring it back another time?

Mr. Dydaroch: My advice to every member on the committee would be to put yourself in the place of a small businessman who would be subjected to a piece of legislation that could—could, I emphasize—be put to misuse, let us say.

If you can vote on it with a clear conscience and say, I would not mind living with a piece of legislation like that, then by all means, vote for it. Vote your conscience.

Ms. Wasylycla-Lels: Thank you very much.

Mr. Lamoureux: Just to continue on that, and I guess it is a question of a general perception, if I may. Earlier we had a presenter who made reference to the farming industry, and quite frankly, I concur, in part, in terms of what it was he was saying; that is, if you had in the industry the same sort of actions that were going on within the farming industry, many would believe, and I would be disappointed in government if they did not act on it and do something to rectify the problem.

Every presenter who has come before this committee has made reference to problems within the board, and this government has the power to change that.

Do you feel there is a double standard, that because it is the taxi industry, they are not prepared to deal with this issue, knowing full well that if the government wanted to, we could actually implement the changes that are necessary in order to make more peace and harmony throughout the industry.

Mr. Dydaroch: That is another good point. Since the government has the power to make these changes, it may be a good idea to create a more, say, professional Taxi Board where the opportunity for subjectivity is removed. There are probably many ways to do it. One would be as was suggested by several other presenters, to have members of the industry present to eliminate the possibility of too much subjectivity in these regulations.

Mr. Lamoureux: One of those ways would be to have a driver-owner on the board itself. Do you perceive that as a conflict? I know some people have. Some people, in particular government members, believe that it is a conflict. I disagree. I do not believe it is a conflict. We could argue conflicts from—you know, the government passes a budget in which, I am sure, you can count on them receiving some monies of some sorts down the line, yet we pass the budget and budgets introduced. There is virtually a conflict in everything.

Do you believe there is a conflict or that that particular conflict would override the interests of the

industry should that board have someone from the industry directly on it, in your opinion?

Mr. Dydaroch: You certainly cannot deny the possibility that a conflict could exist, but that conflict could be countered by the other members of the board. For instance, if you had two members from the industry and five members from the general public or other interests, I am sure that conflict would not be all pervasive in the operation of the board.

Mr. Lamoureux: Again, so this is your opinion on—do you feel, and not only for yourself but other colleagues no doubt that you associate with within the industry, that the current board is in fact acting not only in the best interests of the public but the best interests of the current drivers and owners? Do you feel that your interests are being looked after, not only your particular, your personal interests, but of the individuals, your colleagues that are with you?

Mr. Dydaroch: I think there is a great problem with the subjectivity of the board. Our interests are not being protected at all, I do not believe.

Mr. Reid: Mr. Acting Chairperson, I am happy to see that my colleague from Inkster is agreeing that there is a strong need to have industry representation on the Taxicab Board. We have been asking most of our presenters that have come before us here if that would be in the best interests of the industry members, so I am happy to see that my colleague here is now joining that.

Not to dwell on that—

The Acting Chairperson (Mr. Sveinsson): Order, please.

Point of Order

Mr. Lamoureux: On a point of order, Mr. Acting Chairperson, I have been suggesting that for the last four years, that someone from the industry should be—

The Acting Chairperson (Mr. Sveinsson): Mr. Lamoureux, you do not have a point of order.

The Acting Chairperson (Mr. Sveinsson): Mr. Reid, do you have any more questions? Mr. Reid? Mr. Reid, I have recognized you four times. Do you have a question?

Mr. Reid: Mr. Acting Chairperson, I appreciate that. I thought the point of order had not been ruled on yet.

Do you think, in your opinion, that the role, the responsibility and the mandate that is given to the Taxicab Board currently is the wrong role in the sense that it is now a quasi-judicial body that would bring punitive measures in place, in other words dispense justice, versus a body that would form not only that role but be expanded to be an advocate on behalf of the industry to address the concerns of the industry and to further its interaction with the community and with society at large? Do you think it would be better if the role and the mandate of the board was expanded?

Mr. Dydaroch: Do you mean expanded into the judicial part?

Mr. Reid: No, in the sense—and we have heard other presenters here talk about the board interacting with other government agencies or with other levels of government in the sense where their concerns or suggestions brought forward from industry members, such as yourself and others, that the board could then go to these other governments or other agencies and take those good ideas and run with them and try and implement them because it is in the best interests of the province and the Taxicab Board and the industry itself.

That is the type of role I am looking at as an expanded role.

Mr. Dydaroch: I do not see anything wrong with those principles, but, again, you are assuming that the board will act in good faith on these matters.

Mr. Reid: I sense then you do not have confidence in the board to act in good faith on that. I sense there is no perception of respect or credibility that the current board has.

Mr. Dydaroch: That is correct. I have not seen in the past few years the respect necessary from the board for the industry.

Mr. Reid: So then on this legislation, what would your advice be for myself and other members of the committee, knowing what you know about this bill, its provisions that do not allow for an appeal mechanism and other costs that will be transferred to you by broader fee-making powers?

What would be your advice to members of this committee with respect to this legislation?

Mr. Dydaroch: My advice again would be if you must pass this, then please remove the section that denies our right to appeal.

Mr. Reid: That would be your major underlying concern with this piece of legislation?

Mr. Dydaroch: That is right. I think in this country we should have a right to appeal, and the entire financial burden should not be placed on us.

Mr. Reid: I thank the presenter for his concerns and his comments here this evening.

The Acting Chairperson (Mr. Sveinson): Mr. Dydaroch, thank you for your presentation.

Mr. Dydaroch: Thank you, ladies and gentlemen.

The Acting Chairperson (Mr. Sveinson): No. 21, Mr. Narinder Dhanjoon; No. 22, Bob Watson, No. 23, Theodore D. Johnston.

Mr. Johnston, do you have a written presentation?

* (2320)

Mr. Theodore Johnston (Private Citizen): No, I do not. It is oral.

The Acting Chairperson (Mr. Sveinson): Proceed, please.

Mr. Johnston: I would like to ask one thing, gentlemen. Why is Mr. Norquay not paying attention to the rest of the speakers? Please, if we are going to be good enough to be here to lose money, the least you could do is listen to us.

I am just a new owner in the business, and I will tell you, it is a disgrace what they are trying to push at us. It is. It is a total disgrace.

We have three regulating boards. We have the public. We have our managers and our companies, and now the Taxi Board or the government is trying to get in and regulate our business. Sir, you tell me any other business that the government is in and is trying to regulate, and I will eat your shirt right here. Now, you tell me what other business that the government is in regulating.

Sir, you were head of the transportation in 1982—I am speaking to Mr. Norquay—when it deregulated the trucks. The trucking companies now have lost a total of 16 companies out here because of your deregulation.

Sir, you should not and will not bring this bill in because, first of all, why do you feel as a government that you have the right to tell me as a private citizen or as a businessman the right to fine

me. No, sir, you do not. I am sorry to say you do not. You are a representative, the Minister of Transportation, of the people, not here to turn around and tell us what we have to do. I am sorry, sir, but you should not be in your business if that is the way that you have to do it.

I am fifty-two years old. I have seen the PC government in Ontario; they did a hell of a good job; but here all they are doing is running us into the ground. Why? Because they are trying to stick their nose into some place where they do not know what they are doing. Mr. Norquay turned around, he is putting on 40 luxury cabs. Why? We do not need them. We have no reason for them. [applause]

The Acting Chairperson (Mr. Sveinsson): Order, please. Could we hold it down just a little bit, and, in fact, in the back, the presenters who are waiting, could you just cut out your applause? Let us hear the presenter.

Mr. Johnston: The point that I am getting at is right now they are putting on luxury cabs. There is no other city in Canada that has luxury cabs, that is more money than what we are paying. I owned two cabs in Red Deer, Alberta. They were a Lincoln and a Cadillac; No. 7 and No. 3 were the associate taxis. I could afford it, because my Autopac, and it did not cost me \$30,000 a year to own that car, not operate it.

If you want me to bring what the industry is making, I will bring you my last month's statement, the month before that's statement, and I will tell you we are not making \$5 an hour. If you want to buy my cab, there are the keys. You give me what I paid for it, and I will come to work in your office tomorrow morning at \$5 an hour and I will be making more money.

Why would you not listen to us and turn around—we do not need more cabs. We do not need more regulations. We do not need you people turning around and fining us because, first of all, you are not in the industry. You do not know the industry. What authority do any of you people have, know about it? [applause]

The Acting Chairperson (Mr. Sveinsson): Order, please. I asked you once, back in the crowd there, not to do that. I do not want to ask security to move the person out. Just hold it down, please.

Mr. Johnston: There are certain things that the cab board does that are excellent. They keep our cars clean and they try and keep us safe. They try

and keep the meters right. They try and look after—now, this I agree with. They do not specify safety enough and cleanliness. That is one thing that I say that they should do more of.

But where do they have the authoritative gall to turn around and say, well, if I am not right, to fine me—when I got to answer to my company, then I have to turn around and answer to the public. Why should you have the authoritative gall to turn around and take money out of my pocket when I cannot afford it? Can you answer me that, Mr. Norquay? Please, answer me. Can you, sir, as the minister, answer that?

If any one of you people here feel that we are making—now, I heard through the grapevine that somebody said we are supposed to make \$200 per shift. Sir, if you can make \$200 per shift, there are the keys to my car. I will give you 75 percent commission to do it. In fact, I will tell you, I will even make it better than that. I will kiss your rear end on City Hall steps any day at high noon hour if you can make it. You cannot make it in the wintertime. Our Autopac is \$5,000 a year. We have no coverage, \$450 deductible. Our writeoff is \$7,000. Go to Alberta, you have twice the coverage and it costs you \$1,300.

Please tell me where. You have vans running from the Holiday Inn, from the Airliner, from all these places, Thunderbird—kids. They do not have an LVA plate. They pay private insurance, and yet you want to put on more cabs and turn around and put us out of business.

I know the next election that the PCs are gone, but that is neither here nor there. In fact, I will tell you, I was raised a PC, and gentlemen, I am ashamed to turn around and stand here in front and say that the PC government is doing this to us.

Mr. Norquay, you should resign. They should ask for your resignation when you turn around and offer to put on more cab licences when we cannot afford it. I cannot even afford to take my wife out for dinner. She drives in the daytime and I drive at night. I cannot even afford to hire a driver. And then you want to put on more cabs? I am sorry, sir, but you had better turn around and get your—you sent a Terry Smith, whomever he is, down into the States to study this. As I said, there is not another city in Canada that has luxury cabs at more rates.

If you want to deregulate them like you did it in Alberta, go ahead. If you want to, deregulate them

tomorrow morning, but you give me \$50,000 for my cab. If you want to put on more cabs then turn around. If you would have wanted to put on more cabs 20 years ago it would have been fine, and brought them up as according to the city grew, but not now because there is no business, because you have turned around and drove us out of business with all your regulations. Our rates are too damned high. The front end, \$2.25 is too high. Let us drop it back to \$1.75 and raise the back end where people are not afraid to get into a car.

Let us make it so at least we have got an industry. Give us some incentive, not deregulate us, not fine us. Why should a cab board have the authority to fine anybody? Now if they turn around as a body, they take both companies or three companies, four companies, take one from each company and take a driver from each company and turn around and say, okay fine, here gentlemen is the board that you are going to answer to. Then it takes the company away that they cannot fine you or anybody else. Let us have a one-tier system, not a three-tier system. This is what is wrong with the industry because the government will not work with us.

I will tell you, Mr. Norquay, you would not even meet me on the street. You would not even speak. I will tell you right now if you want some information and some input, you come and ride in my cab for 12 hours and I will give you all the information you want with no problem, no struggle or anything.

If the minister feels that he should regulate it, no. The city act in 1945 gave these licences to veterans, not to the goddamned province. You are trying to take away a way of life that people are trying to make. Now I will say that the cabs are too high in price. Yes, the licences are too high in price, but why is the government trying to tell us how much it should be or how they should regulate it? No. You go out to Tim Horton's Donuts, you do not go out and regulate them, do you? Do you? Does the government regulate Tim Horton's Donuts? Do they regulate anybody else? Then why are they regulating us? Answer me that, gentlemen, and I will turn around and I will give you some more answers. But none of you hear can answer that question for me.

* (2330)

Do you, Mr. Norquay, know that they regulate Robin's Donuts? No reaction. You cannot answer

that for me, and why? I will tell you. As far as I am concerned, NDP, PCs and everybody should have Mr. Norquay impeached. Either that, or if he wants to run the cab board, then run the whole province not the city of Winnipeg. Go to Brandon, there are no regulations in Brandon. Go to Thompson, there are no regulations. Go to The Pas, there are no regulations. There are no regulations in Portage, there is none out in Selkirk. Then why are you trying to regulate us here? Can you answer that question for me, sir? I will tell you right now, no, you cannot. I am not calling you a stupid man, but I tell you, you are a very stupid man if you try and pass that bill—a very stupid man. You are going to have a lot of problems on your hands with a lot of cab drivers that are going to be putting the keys on your desk and you are going to have to pay for it because somebody is going to sue you.

Gentlemen, I will tell you right now, what we need is a board that has got guts enough to turn around, regulate it, safety the vehicles, make sure that they are ready for the road, but to hell with this trying to fine us because nobody has got the authority. Either that or else get a representative from each company on the board and a cab driver—even as dumb as we are supposed to be—get one of them up there to help you make the decision.

I think, gentlemen, maybe we might be able to sit down instead of sitting here to an ungodly hour of twelve o'clock. What for? Sitting here arguing among ourselves? No, each one of us should be able to walk up and face each other in the morning or look in the mirror and say, we are doing an industry, a business, not turning around and putting them out of business.

Like Thunderbird, they are running around, they are hauling 12 to 15 people in their vans. You phone the Taxi Board and do you know what they tell you? We do not regulate them. Blueline, one of your new ones had seven people over here in front of St. Regis, picked up seven people in the cab, there is supposed to be four. That is your rules and regulations. But do you know what they told us? We have no jurisdiction over them. Well now, what good, Mr. Norquay, is your Taxi Board then?

They want you to send in a written copy. Well, we need it in three duplicates. No, we do not need it in three duplicates. Get out there and get your inspectors looking. If they want to get paid, then get them out there instead of sitting in the office over there on 301 Weston. You know, get them out

doing some work. I will tell you, I can take an eight-year-old kid and do what that Taxi Board does. It is a disgrace because half of the cabs running around are not fit to be in. I do not care if the owners are here or not, they are not fit to be in. They are unsafe, they are dirty.

Well, why will the cab board not get out there and turn around and see that our industry is regulated and run right, but not fined. Not take more money out of it. Put some money into our pockets. Give us something that we can go out there and be proud to be a cab owner, not be a damned fool that everybody says, oh well, you are just a cab owner, you do not know anything anyway.

Yes, hang your head, because I will tell you something. If you had any guts—and I will say this in front of all of them—you would turn around and go out into the industry and find out what it is about.

I had a friend up here today that turned around and walked out because you would not pay any attention to him. Well, sir, I will tell you, you will pay attention to me because I will talk loud enough so you can hear me.

Minister of Transport, if you keep this man on as head of the Taxi Board, I hope to God that you can sleep right tonight because I do. I know I am out there and I do a good job. My cab is clean. Anybody can go out there and you can take my car anytime. It is clean. It is presentable.

But the more cabs that they put on, the more that they screw us, the more money it costs us, the less we have that we cannot keep the nice cars. So give us a chance to get rid of the cabs, get rid of this bloody bill. This bill is a disgrace to anybody.

Now I can say if somebody rapes or if somebody molests a customer, that guy should not be given a hearing. He should be out of the business altogether. If a man has a criminal record, then get him the hell out of the industry if he is going to make bad names for it. But do not give the board the power to turn around and fine us with no appeal. That is not right. That is not even democratic.

You can go to the court systems here, even a murderer, you go to the court system here and they will turn around and at least they will give you an appeal. But this bill here says we have no appeal, we have nothing.

I have been licensed in the cab industry since 1975. I started out, I used to own my own trucking business. I used to drive part time. I can make

money. In fact, in 1984 when I sold my last truck, I worked at it full time. As a driver I made money, at 50 percent I made good money.

Today as an owner, I will tell you, I might be able to make ends meet until winter. Once winter comes then you put on extra Christmas cars, you want to put on extra cars, and you know something, poor are still in the same business—down, down, down. If you want to put on more cars, fine, put them on, but then turn around and make the Holiday Inn, the Sheraton, the Thunderbird, all these people put an LVA plate on their bloody vehicle. If they start doing the same, make them put meters in, the same as we have, and make them pay the same insurance, and, gentlemen, they will be out of business within five minutes. Then we can take your luxury cars, but we cannot, not with 400 competitors against the 400 cabs.

We are in the city. Anything we have here—a year ago, two years ago, we had the Olympics here. We should have made millions on it. Do you know what we made on it? I will tell you what I made. I made one trip, and that was because the guy missed his bloody van down at Crescentwood golf course going to the Holiday Inn South, because the city turned around and leased them buses.

If I am going to pay \$5,000 a year for insurance, another \$5,000 for this, another \$5,000 for that, another \$400 for this, plus fines and all this, then turn around, make these other guys pay, too. Make them come in under the same law as we are, and give us a bloody chance so we can make a dollar.

If you can sit there in a suit—I will tell you, you are making \$70,000 a year. You do not give a damn. I am not. I am trying to make a living that should be a good-paying industry. It should be a good service industry. The people who come here, the tourists, the first people they see are us. If I walk up to somebody with a sour face and say, oh, Norquay is the head of the cab board. He is running the asses off of us, or Mr. Jones there or Mr. Somebody Else.

We should be able to walk in—and I will tell you, every bit of bad publicity we get, our business goes down for three months, because nobody has any input into it that gives us a boost. They always run us down. Why? Nobody can answer that for me.

We are sitting here tonight. We are arguing about a bill, a bill that should not even be presented. None

of it should even be on the board, let alone anything else. Yet, we are sitting here arguing. I will tell you, tomorrow morning, we will go out and we will read the Sun or read something else, well, the cab board is doing this. The little Joe in the corner says, well, the taxicab driver must be a son of a bitch. I do not want to ride in his cab. I might as well take the bus.

The Acting Chairperson (Mr. Sveinsson): Mr. Johnston, you have two minutes.

Mr. Johnston: If anybody has any questions, go ahead and ask me, but I mean, I tell you, I think it is a total and complete disgrace, the whole thing.

Mr. Pallster: Thank you, Mr. Johnston, for your presentation.

You feel there should be some regulation. Is that true?

Mr. Johnston: Definitely. [interjection]

The Acting Chairperson (Mr. Sveinsson): Order, please.

Mr. Pallster: This is the kind of bullshit you have to deal with, Mr. Johnston.

Floor Comment: Unparliamentary.

The Acting Chairperson (Mr. Sveinsson): Order, please. Could we all watch our wording.

Mr. Pallster: Mr. Johnston, forgive my language, but the fact is the same.

Regulation, for what reason?

* (2340)

Mr. Johnston: We should have regulation for safety, for the cab industry itself, for the appearance. When I say regulations, we should have it for the safety of the customer. If a customer has a complaint against me, he should be able to phone, and there should be no questions. If the complaint is serious enough and I cannot defend myself through an appeal, there should be no fine, there should be no questions. I should not be in the business.

For the safety of the cabs, yes, there should be an inspection, instead of twice, I would say three times a year.

The Acting Chairperson (Mr. Sveinsson): Mr. Johnston, your time is up. I thank you for your presentation.

Mr. Johnston: Thank you.

Point of Order

Mr. Reid: Mr. Acting Chairperson, on a point of order, I believe when the Chair had called for the next three presenters, the names were called, and I think Mr. Dhanjoon has not had the opportunity. His name may have been passed. I believe he is in the audience here if I am correct.

The Acting Chairperson (Mr. Sveinsson): Is Mr. Narinder Dhanjoon here?

Mr. Reid, you did not have a point of order.

Mr. Reid: Thank you, Mr. Acting Chairperson, for the opportunity. It was a good point.

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The Acting Chairperson (Mr. Sveinsson): Number 24, Sukhdeu Garcha.

Point of Order

Mr. Lamoureux: On a point of order, Mr. Acting Chairperson, I think in fairness, the Chair had indicated at eleven o'clock that we would likely only be having three more presenters. Two of them we did have. The third one disappeared. The individual whom you just called might have left presuming that, in fact, he would not be coming because the Chair, the committee, had implied to that particular individual that we were only going to be having three more presenters.

I do not believe it would be appropriate to start reading through the list at this time, in fairness to that.

The Acting Chairperson (Mr. Sveinsson): Mr. Lamoureux, I do not believe that you have an outright point of order, but I would ask what the will of the committee is.

Mr. Bob Rose (Turtle Mountain): Committee rise.

Mr. Lamoureux: Committee rise.

The Acting Chairperson (Mr. Sveinsson): Is it the will of the committee? [agreed]

The time being 11:45 p.m., committee rise.

COMMITTEE ROSE AT: 11:45 p.m.