

to think when I hear critics say that the distribution of powers was not addressed.

We have made recommendations. From now on, section 93.B will say that Quebec will have exclusive authority in cultural matters. Section 93.A will say that labour market training will be a provincial matter. Section 95.A will say that delegation of legislative authority will be possible under certain conditions. Immigration as defined in section 95.B will be enshrined in some other form. From now on, the parameters of the federal spending power will be further refined. Agreements between Ottawa and the provinces could be guaranteed in the Constitution through a new mechanism provided in the new Constitution itself. Two federal jurisdictions: inland fisheries and personal bankruptcy, will now be concurrent powers. Two federal matters will be on the table: marriage and divorce. We suggest transferring these to Quebec because of its Civil Code, which is part of the definition of the distinct society. Family policy is also on the constitutional table.

I would like to get back to the federal spending power. It has existed for half a century, or I should say since 1937 at least, as a result of a decision of the Privy Council, twice confirmed by the Supreme Court of Canada, in recent years. Including it in the Constitution means we can at the same time define its parameters and limits and allow the provinces to exercise the right to opt out with full compensation. I think this is a good way to renew Canadian federalism. I think it is very important, especially for Quebec. The federal spending power is not unique to Canada and is certainly not unique in the world. We find it in the United States and Australia, for instance. Quebec, of course, accepts equalization payments under section 36, which is quite normal.

We should also realize that from now on, the provinces will take part in developing national objectives.

I realize that for Quebec, the division of powers is the most important point.

Perhaps I may recall two passages from our report concerning the parameters of the federal spending power. They reflect our thinking in this area and which unfortunately seem to have been overlooked.

It is proposed that federal monies usually spent in a particular area (tourism, forestry, recreation, housing, urban affairs and mining) would be unconditionally turned over to the province for use in this area upon signing an agreement. Any continued use of the federal spending power in the field would be conditional on the approval of the province.

We recommend adding to these six areas those of regional development, family policy and energy, which are not mentioned in the federal proposals.

The report also says:

Any continued use of the federal spending power would be conditional on the approval of the province, subject to the ability of the federal government to maintain programs clearly identified as related to national objectives.

I am talking about interventions in provincial areas and shared costs programs.

In conclusion, what does the future hold?

It is up to the federal Cabinet to update its proposals. It can improve on the committee's report. It will be able to use two resolutions: a 7/50 formula and the unanimity rule. At the end of May, the government will be able to table its offers before the two Houses, thus providing an answer to the committee report on the renewal of Canada.

It is only from that point on that we will be able to talk about true federal offers.

Our committee made an in-depth study of parliamentarism with the Senate reform, the Canadian federalism and the division of powers. Like we said, never has a parliamentary committee had such a mandate since 1867. We did everything we could. Only the future will tell if our committee did the necessary groundwork.

There is no doubt that, ultimately, each major issue will be a determining factor: first, the division of powers; second, the aboriginal self-government; third, the elected Senate; fourth, the distinct society. To those four main issues, we must add (and that is very important) the amendment formula, as well as the presence of three judges at the Supreme Court of Canada.

Honourable senators, this is how I can summarize as briefly as possible the ten most important points in this report. I am well aware that, at times, the text is somewhat technical and there is also some legal jargon, but we had to try to be accurate and to go straight to the joint because there is little time left.

I am very pleased that, in spite of some dissenting opinions, we were at least able to present a report that was 90 percent unanimous on a topic that not only dealt directly with the division of powers but also with parliamentarism as well as with the very complex issue of aboriginal self-government. Thank you very much.

● (1740)

[English]

Senator MacEachen: Honourable senators, I propose to adjourn the debate and to speak later—possibly early next week. That will not prevent any other senator who wishes to speak in the meantime from doing so. I would not stand in anyone's way by taking the adjournment. It is not that I am not prepared to speak; it is that I am overprepared. My job is to try to reduce that preparation to manageable proportions.

Before I sit down I want to thank Senator Beaudoin for what he has presented today—namely, the summary covering so many points, which was quite useful, and also the references which he has made to members of the committee. He should be complimented for his chairmanship and for the dedication he has shown during the course of the committee hearings and the subsequent preparation of the report.

As I will indicate in my speech, Senator Beaudoin and I have somewhat different perspectives as to the meaning of the