

SENATOR V. JOHNSON: Mr. Speaker and members of the Legislature, I'd like to have you attend to these arguments. Senator Pappas has offered a resolution that commends the Indian Commission for its work. Senator DeCamp and I have offered an amendment to the resolution which would permit retrocession of criminal jurisdiction of Winnebago Indians to the Winnebago Tribe. The Speaker has decided that the amendment that Senator DeCamp and I have offered is not germane to the resolution and we have challenged that, or I have challenged that ruling. The only arguments that have been used to support the Speaker's ruling are the following: Number one, Senator Hoagland said what I am doing or what we are doing is politically bad because this is a sleepy afternoon when we are dealing with lots of resolutions and obviously we are trying to slip something through. Well let me tell you right now I am not attempting to slip anything through. I am attempting, however, in a traditional legislative fashion to have this body vote on an issue of very great importance to a people in our state. Nothing is being slipped through. You know full well and good that we are attempting to amend the Indian Commission resolution to allow for retrocession for the Winnebago Indians in criminal cases. There is nothing being slipped through. Secondly, Senator Beutler says that honesty demands an assessment by us in our hearts that the amendment is truly not relevant to, not germane to the resolution. Now I tell you in the end, in the end it is we, in our hearts, that decide who decides what is germane and what is not germane. We are the ultimate standard bearers. We are the arbiters of relevancy. I tell you in truth, I cannot think of an amendment more relevant, more relevant to a laudatory resolution for the Indian Commission than the retrocession amendment. I have in my hand briefing document, Public Law 280 and retrocession affecting the Winnebago Indian reservation, prepared by the Native American Rights Fund in cooperation with the Nebraska Indian Commission. If I am going to sit here this afternoon and compliment the work of the Indian Commission, which work included the resolution supporting retrocession, surely in my complimentary resolution I can actually complete a piece of their work which was to vote for retrocession. This amendment is truly germane. In the end we set our individual standards on germaneness. We violate no rules. We violate no standards. We violate no customs and usages by overruling the Speaker and allowing us to vote on this amendment to the resolution.