By Charlie Litton
Nebraska News Service

The first day of a special legislative session aimed at debating the state's authority over oil pipelines lasted all of 16 minutes Tuesday, Nov. 6.

It was long enough for Fullerton Sen. Annette Dubas to introduce LB1–a 25-page bill that would give the state routing authority over oil pipelines.

Dubas has been a vocal opponent of the proposed pipeline route, working with legal experts in recent weeks to draft a bill that was only ready about 30 minutes before the special session began.

Because of the time crunch, Dubas said she didn't have time to get any co-sponsors for the bill, but she expects a few colleagues to sign in the next few days, she said.

"I talked to senators who are willing to support it, but this is pretty big legislation," she said after. "I didn't want to put them on the spot five minutes before I introduce it."

The Dubas bill would give the Public Service Commission authority over major oil pipeline routes with a review process that would include everyone from state citizens to the companies planning the route.

Governor Dave Heineman called for the special session by executive order with the purpose of examining a proposed oil pipeline that has steadily grown more controversial over recent months.

TransCanada's Keystone XL pipeline project proposes to pump tar sand oil 1,700 miles from fields in Canada to the U.S. Gulf Coast.

Along the way, the pipeline would course through the heart of Nebraska, through the fragile Sand Hills and the Ogallala Aquifer, a key water source for the Midwest.

Environmental groups object to the project because, they say, the mining process itself harms the environment and they are concerned about the potential damage done to the Nebraska landscape and its natural resources.

Political objections to the pipeline have been predominantly to the route, not the pipeline itself, with the governor and legislators calling for the proposed route be moved away from the Sand Hills and the aquifer.

Recent news accounts have reported that the state could be at risk of "billions" in lawsuits as a result of special legislation aimed at stopping Keystone XL so late in the process.

Because the pipeline crosses an international border, the U.S. State Department is reviewing whether the pipeline is in the national interest, and is expected to release its decision by the end of the year.

Dubas said her bill would not subject the state to costly lawsuits because it is aimed at all oil pipelines of a certain size, is not based on safety issues, and does not violate interstate commerce.

Sen. John Wightman of Lexington introduced the only other legislation of the session, an appropriations bill that proposes to pay for the special session.

Dubas said she has no plans to introduce additional legislation and expects her bill will be reviewed by the Natural Resources Committee.

Tuesday's special session began with comments from Sen. Lavon Heidemann of Elk Creek.

"What an opportunity we have over the next several days and probably weeks to serve the Nebraska people," he told the Unicameral before opening the session with a brief prayer. "I

believe we were sent by the 1.8 million people of Nebraska to do the right thing."

The special legislative session resumed Wednesday (Nov. 2) at 11 a.m. and is expected to continue for at least another two weeks. Dubas was cautious about the possible final result of the session.

"Even if we pass this legislation, there's no guarantee the route changes," she said. "We're putting a process in place. We can't guarantee any outcome of the process."