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EDITORIAL: Don't upset the unions -- or else

[Las Vegas Review Journal](#) ^

Posted on Saturday, April 10, 2010 10:06:18 PM by [indianrightwinger](#)

EDITORIAL: Don't upset the unions -- or else

How far will they go to protect turf? Two weeks ago, we described how the town of Flint, Mich., was hit with an arson wave on the day local officials were set to lay off a few dozen firefighters in an effort to close a municipal budget gap.

Flint's angry mayor made it clear he thought the spate of fires was anything but a coincidence.

Later, when city officials sought help from fire departments in surrounding suburbs, many refused to respond.

Then there's the story Friday out of New Jersey. The state faces a multimillion-dollar budget hole, and new Gov. Chris Christie has proposed reductions in salaries for public school teachers and other public-sector workers.

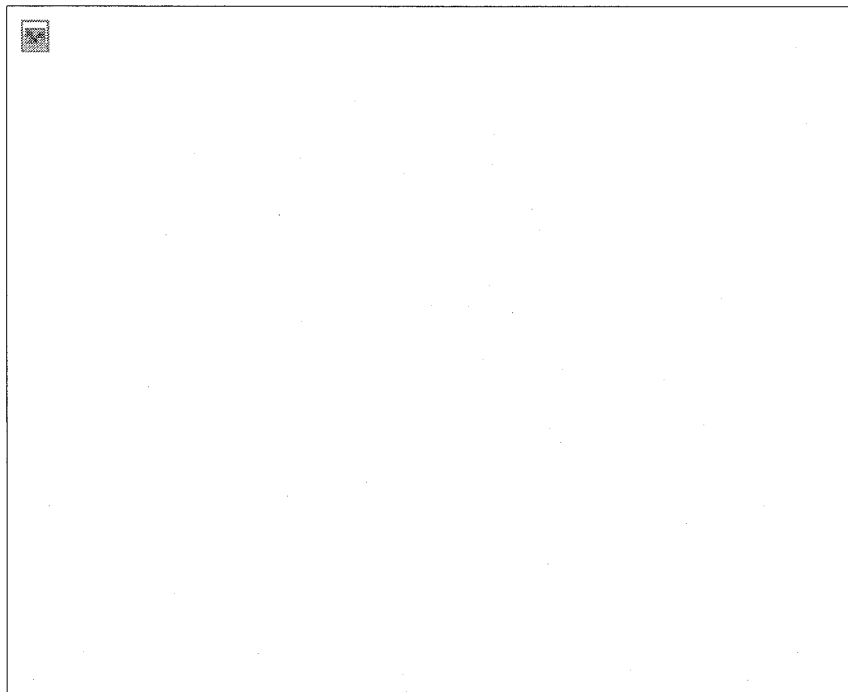
That prompted one teacher union leader to send a memo to his local affiliates. "Dear Lord," the memo read, "this year you have taken away my favorite actor, Patrick Swayze, my favorite actress, Farrah Fawcett, my favorite singer, Michael Jackson, and my favorite salesman, Billy Mays. I just wanted to let you know that Chris Christie is my favorite governor."

Nice.

(Excerpt) Read more at [lvrj.com](#) ...

TOPICS: [Government](#); [US: New Jersey](#)

KEYWORDS: [christie](#); [intimidation](#); [leftists](#); [publicsector](#); [thugs](#); [unions](#)



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1 posted on **Saturday, April 10, 2010 10:06:19 PM** by **indianrightwinger**
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To: **indianrightwinger**

Social unrest is beginning to bubble to the top. 2009 was the year that businesses downsized and got their expenses in line with revenues. It was also the year of bailouts for state and local gov'ts. In 2010, the bailouts are smaller. Local gov'ts have to align expenses with dwindling tax revenues — and it will get ugly!

2 posted on **Saturday, April 10, 2010 10:12:25 PM** by **mlocher** (USA is a sovereign nation)
[[Post Reply](#) | [Private Reply](#) | [To 1](#) | [View Replies](#)]

To: **indianrightwinger**

Remember when the air traffic controllers' union tried to strike when Reagan was president? He immediately fired all of them. We didn't have any air traffic controllers, how do you get by without air traffic controllers? And yet he did it anyway and made it stick.

Broke the union. You just have to have the will to do it. Reagan did.

3 posted on **Saturday, April 10, 2010 10:12:36 PM** by **marron**
[[Post Reply](#) | [Private Reply](#) | [To 1](#) | [View Replies](#)]

To: **marron**

Fewer than 50% quit (they agreed with Reagan) and the military supplied the rest of the ATCs.

4 posted on **Saturday, April 10, 2010 10:16:15 PM** by **buccaneer81** (ECOMCON)
[[Post Reply](#) | [Private Reply](#) | [To 3](#) | [View Replies](#)]

To: **buccaneer81**

The mayor should tell them to answer the calls or the layoffs will be permanent.

5 posted on **Saturday, April 10, 2010 10:18:08 PM** by **marron**
[[Post Reply](#) | [Private Reply](#) | [To 4](#) | [View Replies](#)]

To: **buccaneer81**

Fewer than 50% quit (they agreed with Reagan) and the military supplied the rest of the ATCs.

Thanks for the memory check. I remember them having to put supervisors on the board, and bring in military controllers, and there for a while they were recruiting like crazy for trainee controllers. I didn't remember that may of the union guys stayed on the job, but it makes sense.

There are a lot of union guys who don't like unions, they tolerate them because there's no choice.

6 posted on **Saturday, April 10, 2010 10:22:12 PM** by **marron**
[[Post Reply](#) | [Private Reply](#) | [To 4](#) | [View Replies](#)]

To: **musicman**

BFLR & BTTT !!

7 posted on **Saturday, April 10, 2010 10:24:16 PM** by **musicman** (Until I see the REAL Long Form Vault BC, he's just "PRES__ENT" Obama = Without "ID")
[[Post Reply](#) | [Private Reply](#) | [To 1](#) | [View Replies](#)]

To: **marron**

I'd bet that if the Flint, MI Mayor and city council had the will, they could do the same as RR did. There must be plenty of retired fire fighters who would like a temporary job, and plenty of qualified people from all over the USA who would hitch hike to Flint just for a real job. But this IS the same town that brought us Michael Moore. And they are lacking any proof. But isn't it a crime for gov't employees NOT to respond in cases like this?

One thing for certain, the unions are not building up good will among the army of formerly employed, proud citizens who would take a job pumping gas if they could get it.

8 posted on **Saturday, April 10, 2010 10:26:03 PM** by **ARepublicanForAllReasons** (President Zero, walking in the footsteps of Hugo Chavez)
[[Post Reply](#) | [Private Reply](#) | [To 3](#) | [View Replies](#)]

To: **indianrightwinger**

I worked as a manager at PacBell on strike duty through two strikes. The unions engaged in vandalism and the company never made any attempt to prosecute them or seek compensation for the damage. That pissed me off royally. That should have been cause for termination and criminal prosecution. Tolerating it just makes the union thugs bolder the next time.

9 posted on **Saturday, April 10, 2010 10:27:23 PM** by **Myrddin**

[[Post Reply](#) | [Private Reply](#) | [To 1](#) | [View Replies](#)]

To: **mlocher**

Let the Marxists display their malice.

10 posted on **Saturday, April 10, 2010 10:28:43 PM** by **unspun (PRAY & WORK FOR FREEDOM - investigatingobama.blogspot.com)**

[[Post Reply](#) | [Private Reply](#) | [To 2](#) | [View Replies](#)]

To: **Myrddin**

Back in Vancouver BC where I'm originally from, the unions are entrenched deeply in city and provincial govts. Everything from the liquor store, which is under the provl gov to the idiot who slings the rope to dock the ferries.

11 posted on **Saturday, April 10, 2010 10:41:59 PM** by **max americana**

[[Post Reply](#) | [Private Reply](#) | [To 9](#) | [View Replies](#)]

To: **Myrddin**

I worked as a manager at PacBell on strike duty through two strikes. The unions engaged in vandalism and the company never made any attempt to prosecute them or seek compensation for the damage. That pissed me off royally. That should have been cause for termination and criminal prosecution. Tolerating it just makes the union thugs bolder the next time. ""

Absolutely right.

12 posted on **Saturday, April 10, 2010 11:07:11 PM** by **DontTreadOnMe2009 (So stop treading on me already!)**

[[Post Reply](#) | [Private Reply](#) | [To 9](#) | [View Replies](#)]

To: **indianrightwinger**

In CT, the education unions are wrecking the state. In New Haven, there are up to 36 "administrators" who are retired principals. they perform absolutely no job, yet "double-dip", unlawfully receiving both a pension for their old job and a \$100,000+ salary for their new "job". But of course NO ONE will say a word about it. And of course 20% of the Porkulus was to make sure no teachers would be fired in Blue districts, regardless of how much they suck. And let's face it, at least 40% of union teachers are incompetent. the massive money drain from unions is staggering, and government unions are just now hitting their stride. We are headed for deep European-style union hell.

13 posted on **Saturday, April 10, 2010 11:46:29 PM** by **montag813**
[[Post Reply](#) | [Private Reply](#) | [To 1](#) | [View Replies](#)]

To: All

"We will unionize your workforce, or we will destroy your reputation." **Andrew Stern, SEIU President**

Scum. Scum. Scum. This is what Andy Stern said to The Beth Israel Deaconess Medical Center during the campaign to unionize them, which they buckled to. These SEIU are scum, Stern is the scummiest of them all, and he is in Obama's pocket (or more accurately, Obama is in his pocket)

14 posted on **Sunday, April 11, 2010 12:37:45 AM** by **rlmorel** (We are traveling "The Road to Serfdom".)
[[Post Reply](#) | [Private Reply](#) | [To 1](#) | [View Replies](#)]

To: **rlmorel**

I sincerely hope that one day andy stern meets jimmy hoffa.

15 posted on **Sunday, April 11, 2010 3:41:27 AM** by **KIDFOH**
[[Post Reply](#) | [Private Reply](#) | [To 14](#) | [View Replies](#)]

To: **indianrightwinger**

On my last job, I was an exempt employee who assisted the Union workers with "knowledge" of the systems they used to do their work. It got to the point that I just sat in my office and waited for them to call on me for assistance.

They were poisonous toward each other and lots of infighting. But as soon as there was an opportunity to grieve management. Total solidarity. It became a miserable environment to work in. Thank goodness I left and on my own terms at that!

16 posted on **Sunday, April 11, 2010 4:02:52 AM** by **The Working Man**
[[Post Reply](#) | [Private Reply](#) | [To 1](#) | [View Replies](#)]

To: **KIDFOH**

“I sincerely hope that one day andy stern meets jimmy hoffa.”

In Belleville Lake, “One of Michigans finest all sports lakes”

17 posted on **Sunday, April 11, 2010 6:05:19 AM** by **DeadFurrow** (Your rights end where mine begins.)
[[Post Reply](#) | [Private Reply](#) | [To 15](#) | [View Replies](#)]

To: **indianrightwinger**

I used to work at a hospital where many are SEIU (not me). I will never forget the one strike we endured. My faithul employees who were friendly and nice to work with changed to a cold mob who saw mgmt as the enemy. It changed the way I felt about them for good, since they could be brainwashed and used by the SEIU as puppets.

18 posted on **Sunday, April 11, 2010 6:39:06 AM** by **Moonmad27** (That government is best which governs least. - Henry Thoreau)
[[Post Reply](#) | [Private Reply](#) | [To 1](#) | [View Replies](#)]

To: **indianrightwinger**

bump

19 posted on **Sunday, April 11, 2010 10:56:31 PM** by **dcwusmc** (We need to make government so small that it can be drowned in a bathtub. III OK)
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EMINENT DOMAIN: Case divides ranchers, miners

[Las Vegas Review-Journal](#) ^ | 6/19/2010 | BENJAMIN SPILLMAN

Posted on **Saturday, June 19, 2010 11:25:55 AM** by [bruinbirdman](#)

Elko County dispute spotlights mining laws

An attempt by a Canadian-based mining company to take some Elko-area ranchland by force of eminent domain is dividing miners and ranchers in Northern Nevada and prompting talk that lawmakers should reconsider century-old, mining-friendly provisions in state law.

In a case filed in Elko County District Court, Fronteer Development Inc. seeks to condemn by eminent domain nearly 1,800 acres of the Big Springs Ranch, on some of which the Vancouver, British Columbia-based mining company has mineral rights.

The case puts the spotlight on laws dating back more than 125 years that say mining is of “paramount interest” to the state and has eminent domain rights similar to governments seeking to take land for public use.

“Mining has an incredible grip on our state in terms of special deals,” said Assemblywoman Sheila Leslie, D-Reno. “I think this is a great example of that. Since when do we allow a foreign corporation to come in to our state and use eminent domain to get property for their private business interests? I don’t think that is right.”

In addition to stoking the ire of lawmakers and others who say the mining industry has too much power in Nevada, the case pits the pro-mining provisions of the state’s eminent domain statutes against legal restrictions added in 2008 due to the People’s Initiative To Stop The Taking Of Our Land, or PISTOL, initiative.

The law firm of Kermitt Waters, a prominent Las Vegas lawyer who backed the PISTOL initiative, is representing owners of Big Springs Ranch, a group that includes Las Vegas businessmen Ray Koroghli.

The parties have promised Elko District Judge Andrew Puccinelli they wouldn’t speak publicly about the case, which has a hearing scheduled July 1.

Mark Mills, Puccinelli’s law clerk, says an order setting a date for a jury trial is coming soon. The agreement by the parties to stay mum is “just a concern over tampering with the potential jury pool,” Mills said. The parties could also settle and avoid a trial altogether.

The promise by the parties to keep quiet hasn’t stopped outsiders from discussing the case, as the aggressive move by Fronteer has people statewide questioning whether mining companies should be reined in. Fronteer has its headquarters in Vancouver, but the company is registered in Delaware, traded on the American Stock Exchange and has far-flung operations in Nevada, California, Newfoundland, Labrador and Turkey.

“It looks like to me it is a dangerous precedent,” said Ron Cerri, president of the Nevada Cattlemen’s Association. “It leaves us ranchers in kind of an unsafe situation where a mining company or anyone else could come in and take your property against your will.”

Laura FitzSimmons, a Las Vegas lawyer who specializes in eminent domain cases, said if the Fronteer case proceeds the mining company will be under pressure to show why the paramount status in the law is still justified, considering in the more than 100 years since the designation was bestowed on the mining industry it has been surpassed by gambling, construction, real estate and other industries that don’t enjoy such privilege.

“Eminent domain is really supposed to be for airports and roads and hospitals,” FitzSimmons said. “It is going to be the burden of the mining company to show that this is in the public interest.”

According to court documents, Fronteer wants to use eminent domain proceedings to condemn almost 1,800 acres of Big Springs Ranch, a spread of nearly 38,000 acres about 30 miles southeast of Wells at the eastern flank of the Pequop Mountains. The land is currently leased to Dixie Valley Cattle for grazing.

Attorneys for Big Springs wrote in court documents that in spring of 2009 Fronteer offered \$12 million plus about 4 percent royalties from future mine proceeds for 8,000 acres of the ranch plus water rights for the development of its Long Canyon Project, a planned gold mine Fronteer is developing with partner AuEx Ventures, which has offices in Reno and the Vancouver area.

“Shortly thereafter, however, Fronteer Mining, devised a scheme whereby it planned to forcibly take the Landowner’s property through the power of eminent domain without having to pay the fair price it previously offered for the Landowner’s Property,” Big Springs’ attorney James Leavitt wrote.

Filings from Fronteer indicate there are about 3,732 acres in the approximately 12,000-acre Long Canyon project area in which the mining company has mineral rights and the ranch owners hold surface rights. The mineral rights bolster the mining company’s claims to access the property.

“For more than a year, Fronteer has attempted, in good faith, to purchase land and water rights from the (ranch) for Project related use at a price well in excess of fair market value,” Fronteer attorney Laura Granier of Lionel Sawyer and Collins wrote. “Pursuant to Chapter 37 of Nevada Revised Statutes, Fronteer has the power to exercise the right of eminent domain to acquire property for use in mining and related activities which are recognized as the ‘paramount interest’ of this State.”

The statute Granier referenced includes a section covering “public uses for which eminent domain may be exercised.”

In addition to listing projects such as roads, schools, reservoirs, pipelines, railways and utilities, the law also includes “mining, smelting and related activities.”

Retired state archivist and historian Guy Rocha says the mining provision dates back to 1875 when there was little to Nevada beyond the mining industry.

“That is a great deal of power vested in a mining company,” said Rocha, who supports changing the law. “It is basically saying they are in control.”

In earlier decades mines mostly exercised eminent domain to acquire other mining property that wasn’t being utilized by its owners, Rocha said

As recently as the 1980s mining companies pushing eminent domain generated resistance that made headlines.

In 1989 Horizon Gold Shares of Denver sought to take over and raze about half of the community of Tuscarora in order to dig a pit mine.

Residents waged a public campaign against the plan and it never came to fruition.

In 1979 Houston Oil and Minerals Corp., sought to use the law to acquire private property in Gold Hill in Storey County for a mining project.

Again, there was public outcry from residents and in 1981 the Legislature amended the law to require notification in the event a mining company sought to use eminent domain to take land in an area of historical significance, Rocha said.

But the Houston mine ultimately died not because of public pressure but because the price of gold and silver dropped and sapped profit potential from the proposal.

Mark Amodei, formerly a state senator from Carson City and president of the Nevada Mining Association from 2007-09, said eminent domain as a means for mining companies to acquire property is impractical in large part because it prompts such strong opposition from the public.

“Having a law on the books is one thing, trying to use it 130 ... years later is another,” said Amodei, currently chairman of the Nevada State Republican Party. “If that is really part of your acquisition plan maybe you ought to get a new plan.” He called the law “something that probably needs to be revisited.”

FitzSimmons said the law is especially ripe for a challenge in the wake of the PISTOL initiative, which greatly restricted the ability of government to use eminent domain for the benefit of private companies in Nevada.

Many of the PISTOL changes are now written in the same law that gives mining companies their eminent domain privileges, meaning there are contradictions that, if challenged in court, would need to be resolved.

The mining rights are only two lines of the eminent domain law and the PISTOL restrictions cover 12 paragraphs.

“I’m almost certain no one was thinking about mining condemnation,” when PISTOL was enacted, FitzSimmons said. “So now the courts are going to have to figure it out.”

TOPICS: [Business/Economy](#); [Culture/Society](#); [Government](#); [News/Current Events](#)
KEYWORDS:

I posted on **Saturday, June 19, 2010 11:25:55 AM** by **bruinbirdman**
[[Post Reply](#) | [Private Reply](#) | [View Replies](#)]

To: **bruinbirdman**

Case divides ranchers, miners

Case divides citizens, greedy politicians. Once again.

2 posted on **Saturday, June 19, 2010 11:28:15 AM** by **the invisible hand**
[[Post Reply](#) | [Private Reply](#) | [To 1](#) | [View Replies](#)]

To: **bruinbirdman**

Pathetic. No private entity should ever be allowed to use eminent domain under any circumstances. If a property owner won't sell at any price, then tough.

Of course, that stupid Kelo decision will probably be used to uphold this injustice.

3 posted on **Saturday, June 19, 2010 11:32:09 AM** by **pnh102** (Regarding liberalism, always attribute to malice what you think can be explained by stupidity. - Me)
[[Post Reply](#) | [Private Reply](#) | [To 1](#) | [View Replies](#)]

To: **pnh102**

Kelo will be used to uphold this injustice. It is inevitable.

4 posted on **Saturday, June 19, 2010 11:35:01 AM** by **K-oneTexas** (I'm not a judge and there ain't enough of me to be a jury. (Zell Miller, A National Party No More))
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To: **bruinbirdman**

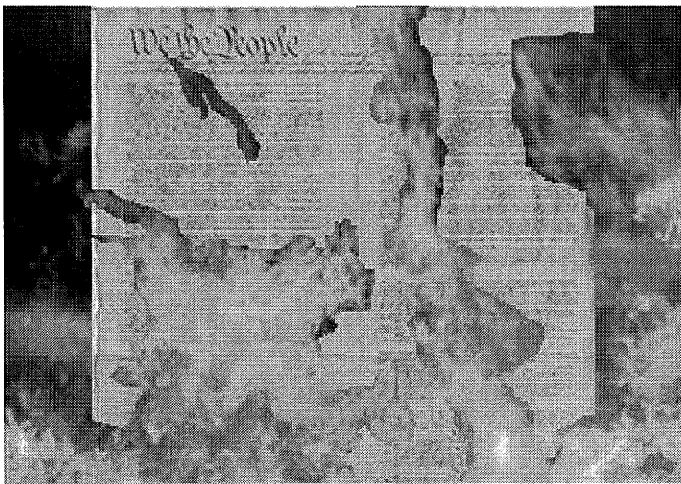
"Eminent domain is really supposed to be for airports and roads and hospitals," FitzSimmons said...

LOL! Where has this guy been?

5 posted on **Saturday, June 19, 2010 11:35:15 AM** by **ladyvet** (WOLVERINES!!!!!!)
[[Post Reply](#) | [Private Reply](#) | [To 1](#) | [View Replies](#)]

To: **Abathar; Abcdefg; Abram; Abundy; akatel; albertp; AlexandriaDuke; Alexander Rubin; Allerious; ...**

"Eminent domain is really supposed to be for airports and roads and hospitals...It is going to be the burden of the mining company to show that this is in the public interest."



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6 posted on **Saturday, June 19, 2010 12:03:27 PM** by **bamahead** (Few men desire liberty; most men wish only for a just master. -- Sallust)

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To: **bruinbirdman**

When you or your predecessor in interest sells off the mineral rights this is a matter of contract law . Supporting private property rights includes mineral rights . Supporting freedom of contract and the use of state law to enforce the rights so acquired, is as conservative-libertarian as you can get .

7 posted on **Saturday, June 19, 2010 12:18:28 PM** by **kbennke** (For those who have fought for it freedom has a flavor the protected will never know .F Trp 8th Cav)

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To: **pnh102**

Who sold the mineral rights to them for hard cash though? I hate the idea of eminent domain when it's used like this, but if you are stupid enough to buy a piece of property and not hold water and mineral rights to it then you are just a fool.

This is not just about a company coming in and deciding they want to put a mine there and seize the land, follow the money trail and you will see somewhere that the owners of the land knew full well that this was a possibility.

8 posted on **Saturday, June 19, 2010 12:37:28 PM** by **Abathar** (Proudly posting without reading the article carefully since 2004)

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To: **kbennke**

Exactly, at sometime or other the owners of that land got a big fat check for selling those rights. I hate to say it, but the mining company is in the right here.

9 posted on **Saturday, June 19, 2010 12:40:40 PM** by **Abathar** (Proudly posting without reading the article carefully since 2004)

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To: **Abathar**

Being interested in moving to WV, a state which has virtually all its property rights divided, I've learned quite about the subject.

If mineral rights include the ability to destroy the property above (such as with a pit/strip mine) then surface rights essentially do not exist. There has to be a balance between the rights of the surface rights holder, and the rights of the mineral rights holder to access whatever they think is of value below.

Most mineral rights in this country were sold off 50-125 years ago. Whoever made the money from the sale (and generally they didn't get much) is dead and buried. Often these sales were coerced with the aid of corrupt local LEOs and paid off judges and the landowner had no recourse.

For most people who want to live in WV and some of the nearby states, you either live without owning the mineral rights, or you live somewhere else.

10 posted on **Saturday, June 19, 2010 1:02:34 PM** by **chrissr** (Starve the Monkeys!)
[[Post Reply](#) | [Private Reply](#) | [To 8](#) | [View Replies](#)]

To: **pnh102**

It used to be established law that mining rights trumped surface rights to the land. What you have here are two property owners, one sitting on top of the other.

11 posted on **Saturday, June 19, 2010 1:05:17 PM** by **marktwain**
[[Post Reply](#) | [Private Reply](#) | [To 3](#) | [View Replies](#)]

To: **bruinbirdman**

The misunderstanding here runs deep. Mining is not just a State priority but a national priority, since it is the sole determining factor in history and the economics of prosperity. Nations that mine are on the upswing. Nations that reduce or stop mining lose their dominance in the world. America **must** mine to stay strong.

For this reason was created the General Mining Act of 1872.

http://en.wikipedia.org/wiki/General_Mining_Act_of_1872

In short, the idea was that anyone can stake a claim about anywhere unclaimed for mineral rights, but they must "improve" that claim on an annual basis, or profit by it to the tune of \$500 each year.

This was done because huge tracts of land were being bought, then exorbitant prices were being charged for mineral rights.

The government put its foot down and said that mining is important to the United States. So important that nobody should be able to put land "off limits" to mining. While they agree to a fair price for the use of land, and to get a percentage of the profits, they cannot just deny mining companies access to minerals.

And this is what these ranchers tried to do. They were offered fair compensation, by several accounts, but they refused for the land to be mined. They cannot do this, or they are subject to eminent domain.

Importantly, the issue of this being a Canadian company is of some concern, and might be addressed by the NV State legislature. They could legitimately demand that the Canadian company set up a major US subsidiary, registered in NV, and many other restrictions besides the environmental ones forced on mines by the EPA.

But if there are minerals in that land, they need to be mined.

12 posted on **Saturday, June 19, 2010 1:32:51 PM** by **yefragetuwrabrumuy** (Two New Episodes of 'Futurama', this June 24th, on Comedy Central)

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To: **marktwain**

"It used to be established law that mining rights trumped surface rights to the land."

And this is what was set in stone in the Nevada statutes. The law is 130 years old. It's not as if no one knew about it. Nevada is a mining state.

These guys were offered \$12 million bucks and 4% for the inconvenience of not grazing cattle. And they turned it down? Methinks they did not turn down the bucks because the law was old.

yitbos

13 posted on **Saturday, June 19, 2010 1:34:23 PM** by **bruinbirdman** (GET RID OF REID ! !)

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To: **Abathar**

I wonder how long the mining company has owned the mineral rights. Did they own the surface rights at one time?

14 posted on **Saturday, June 19, 2010 3:53:06 PM** by **Landbaron**

[[Post Reply](#) | [Private Reply](#) | [To 8](#) | [View Replies](#)]

To: **bruinbirdman**

I would like to know why in a supposedly free country, we can have "ownership" of a piece of land. Be taxed on it....that should be illegal too.....and have another person hold the rights to the air above it, the minerals, water or oil below it. It is fragrant Horse shi'ite, I think I mean flagrant...but both.

15 posted on **Sunday, June 20, 2010 4:52:02 PM** by **runninglips** (Don't support the Republican party, work to "fundamentally change" it...conservative would be nice)

[[Post Reply](#) | [Private Reply](#) | [To 1](#) | [View Replies](#)]

To: **runninglips**

One would suppose the original owner of the land legally possessed all that. Since it was his, he decided to sell the mineral rights separate from the grazing rights. Someone agreed to pay for each, knowing fullwell what he was purchasing.

yitbos

16 posted on **Sunday, June 20, 2010 5:33:21 PM** by **bruinbirdman** (GET RID OF REID ! !)

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