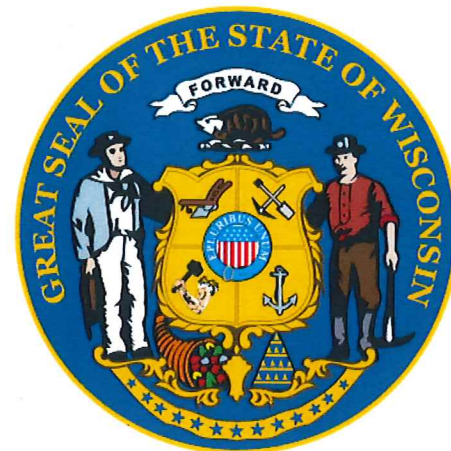


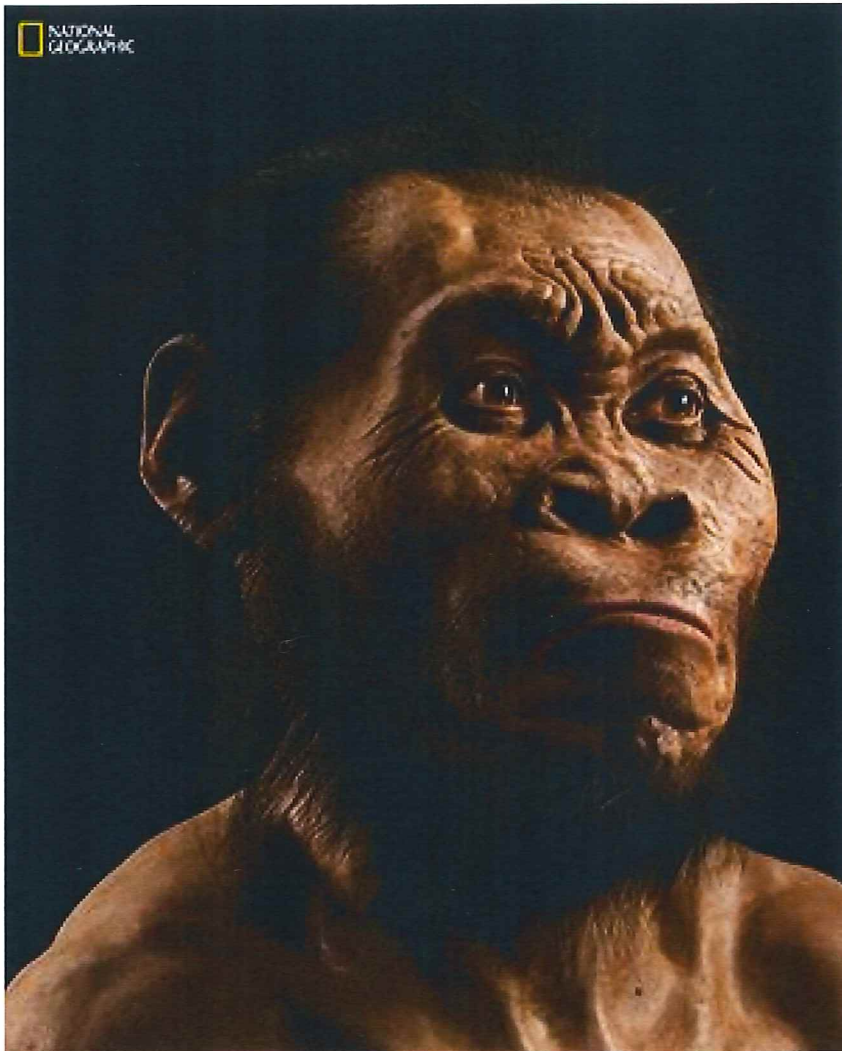


WISCONSIN
HISTORICAL
SOCIETY

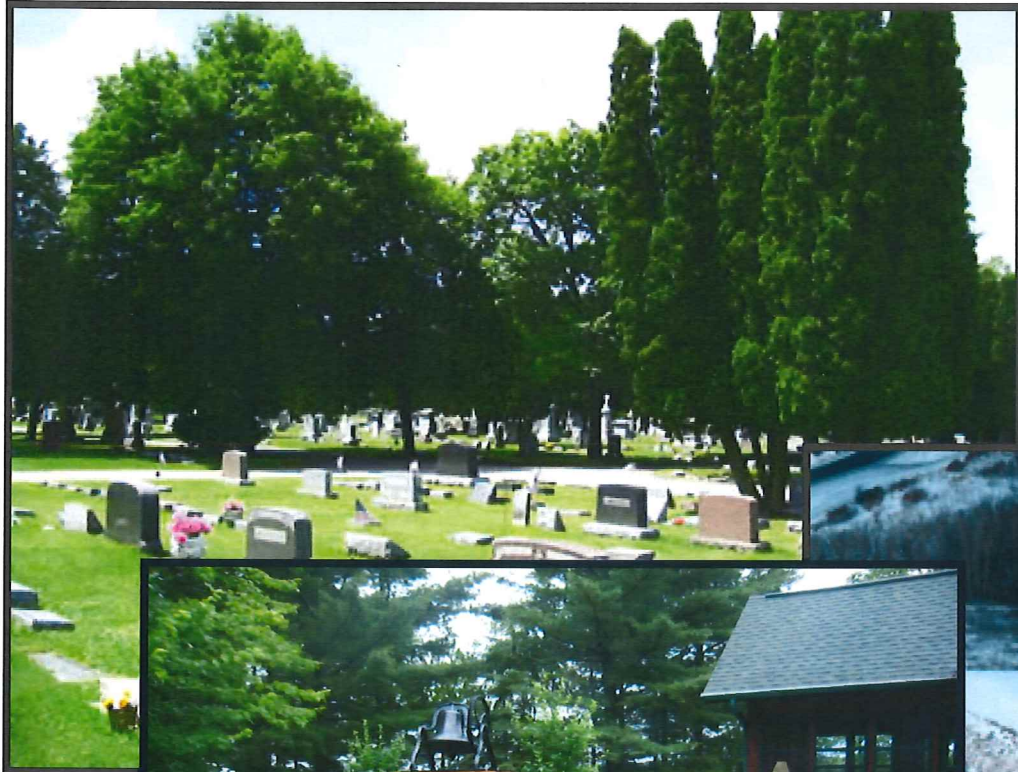


Wisconsin's Burial Site Preservation Law and The Wisconsin Historical Society

wisconsinhistory.org



Human Burial Sites Preservation: Some History



Burial Program Authority

- **1986 Wisconsin Act 316**
- **Wisconsin Statute § 157.70**
- **Wisconsin Administrative Code § HS 1**
- **Wisconsin Administrative Code § HS 2**
- **Wisconsin Statutes § 70.11 (13)**



Structure of the Board

- **9 members:**
 - **WHS: State Archaeologist, State Historic Preservation Officer, Director**
 - **Tribal: 3 from federally recognized tribes or bands in Wisconsin**
 - **Archaeology: 3 members in fields of archaeology, physical anthropology, history or related field**



Duties of Burial Board

- Hears quasi-judicial appeals of Director or ALJ permit & disposition decisions
- Reviews applications to Registry of Interested Persons
- Requests AG or local DA investigation of burial law violations
- Approves sales/trades of publicly-owned burial sites
- Considers policies related to burial matters
- Meets at least quarterly

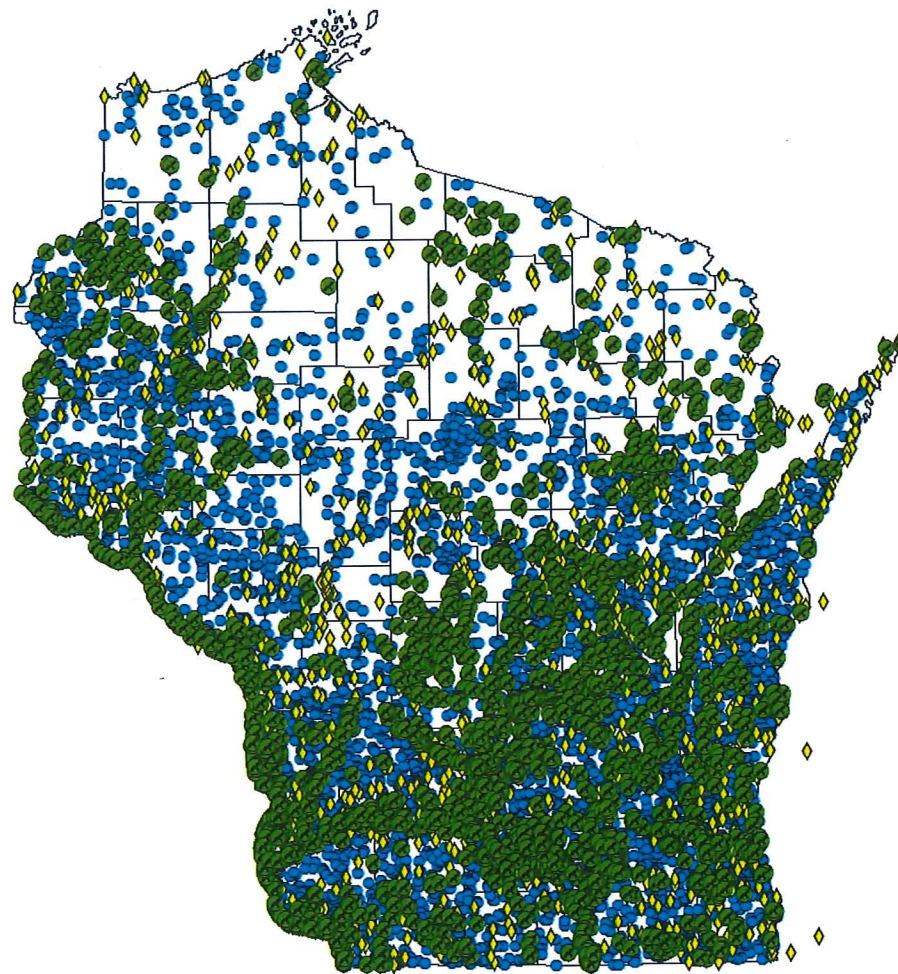
What is a Human Burial Site?

Any place where human remains are

- **Intentionally interred**
- **Accidentally buried**
- **But not exposed on the surface**



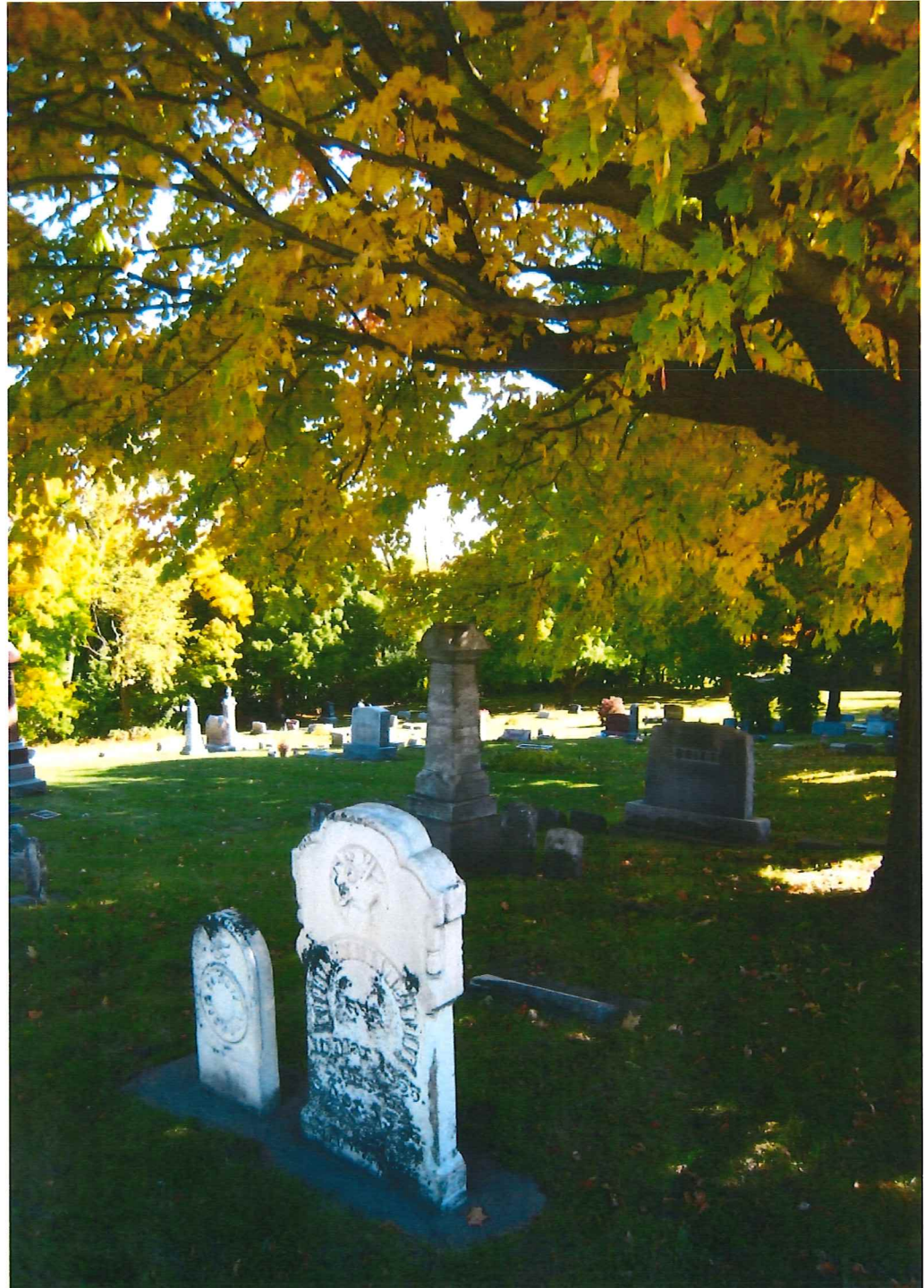
Burial Sites in Wisconsin

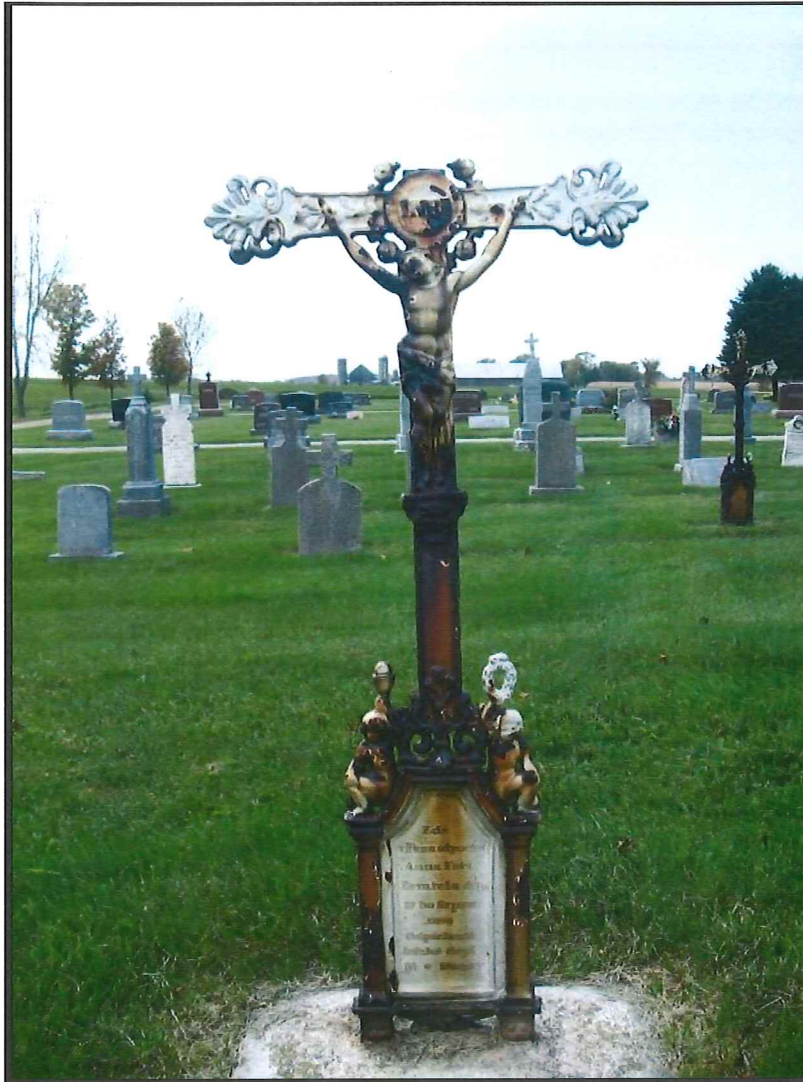


- 9682 recorded burial sites (3,109 are mounds)
- 1,421 are catalogued (930 cemeteries, 491 mounds)
- 30,000 mounds once in Wisc, now about 4,000



**German
Lutheran
Cemetery**
Dane County





St. Lawrence Cemetery

Kewaunee County





MEYER ROSENBLUM
MICHIGAN
CPL CO K 338 INFANTRY
WORLD WAR I
SEPT 16 1888 OCT 24 1965

Sons of Jacob Cemetery
Marinette County





Bonesteel Family Cemetery

Green Lake County



Kakake Family Cemetery

Sawyer County



**Wood Veterans' Cemetery
Zablocki Medical Complex, Milwaukee**





Pioneer Cemetery Lake Geneva, 1837-1880



Indian Bill Cemetery

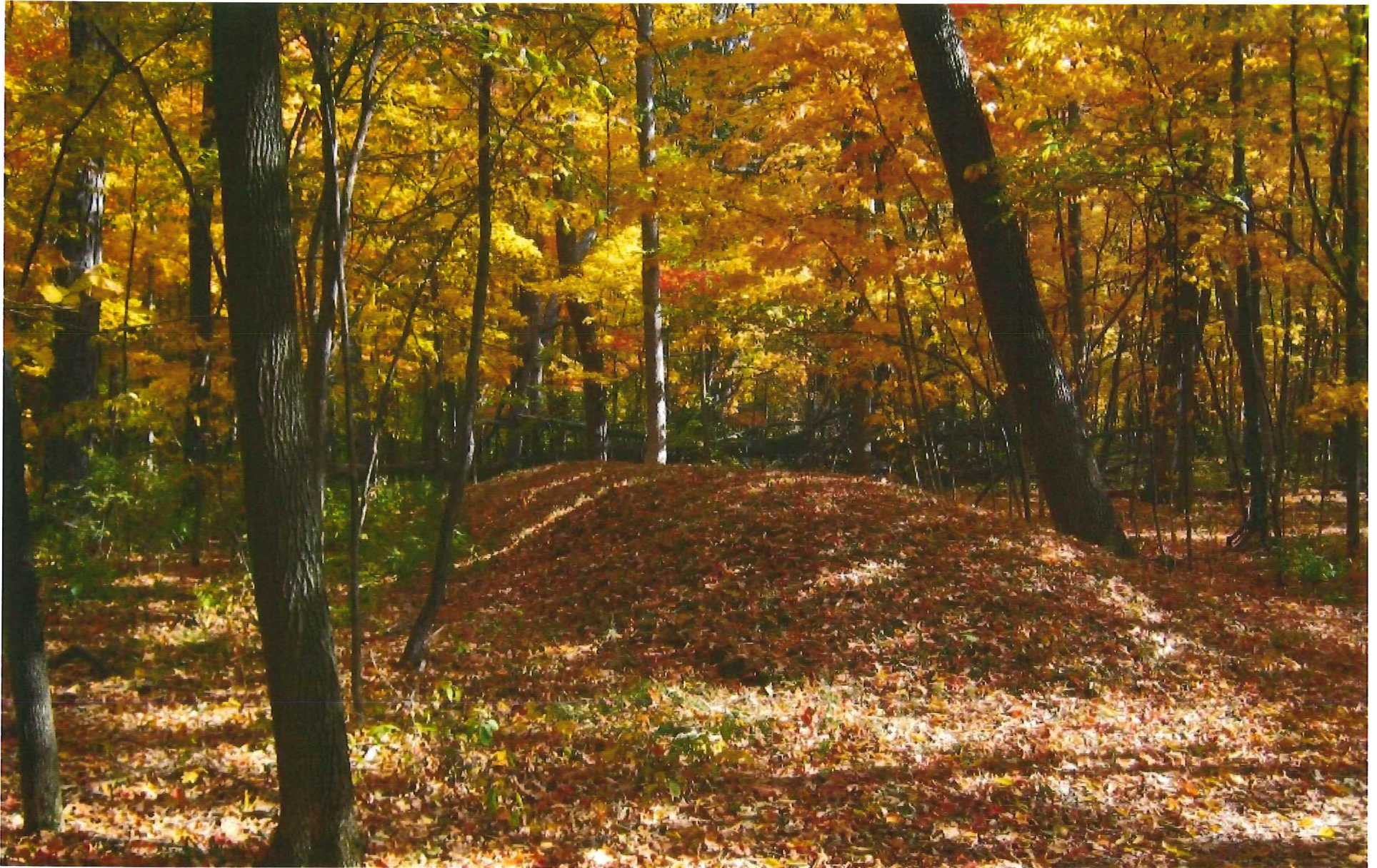
Wood County



Gottschall Shrine and Shelter

Iowa County





Lizard Mound County Park

Washington County

How Do We Catalogue a Site?

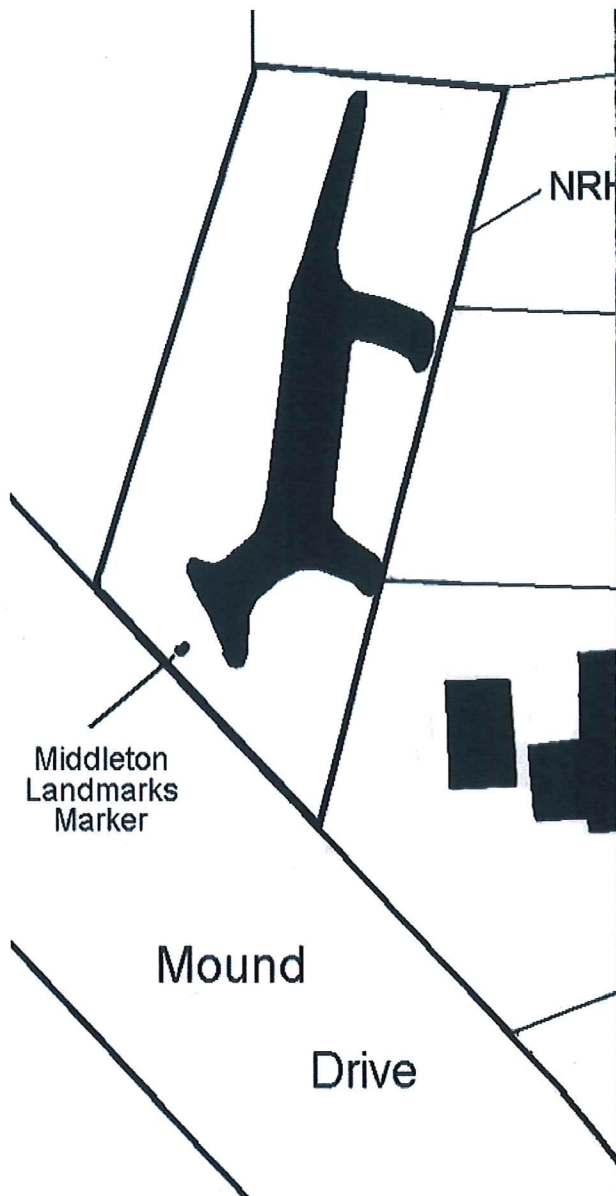
- We get a call . . .
- Conduct research
- Talk to owner
 - Visit site, confirm it
 - Attempt to convince owner to catalogue site
 - Explain sacred nature, tax advantages
 - Explain benefits of catalogued and uncatalogued
 - Explain processes to disturb



Requirements to Catalogue

- **Sufficient Information to locate site**
- **Agreement of landowner**
- **Afforded statutory protection**

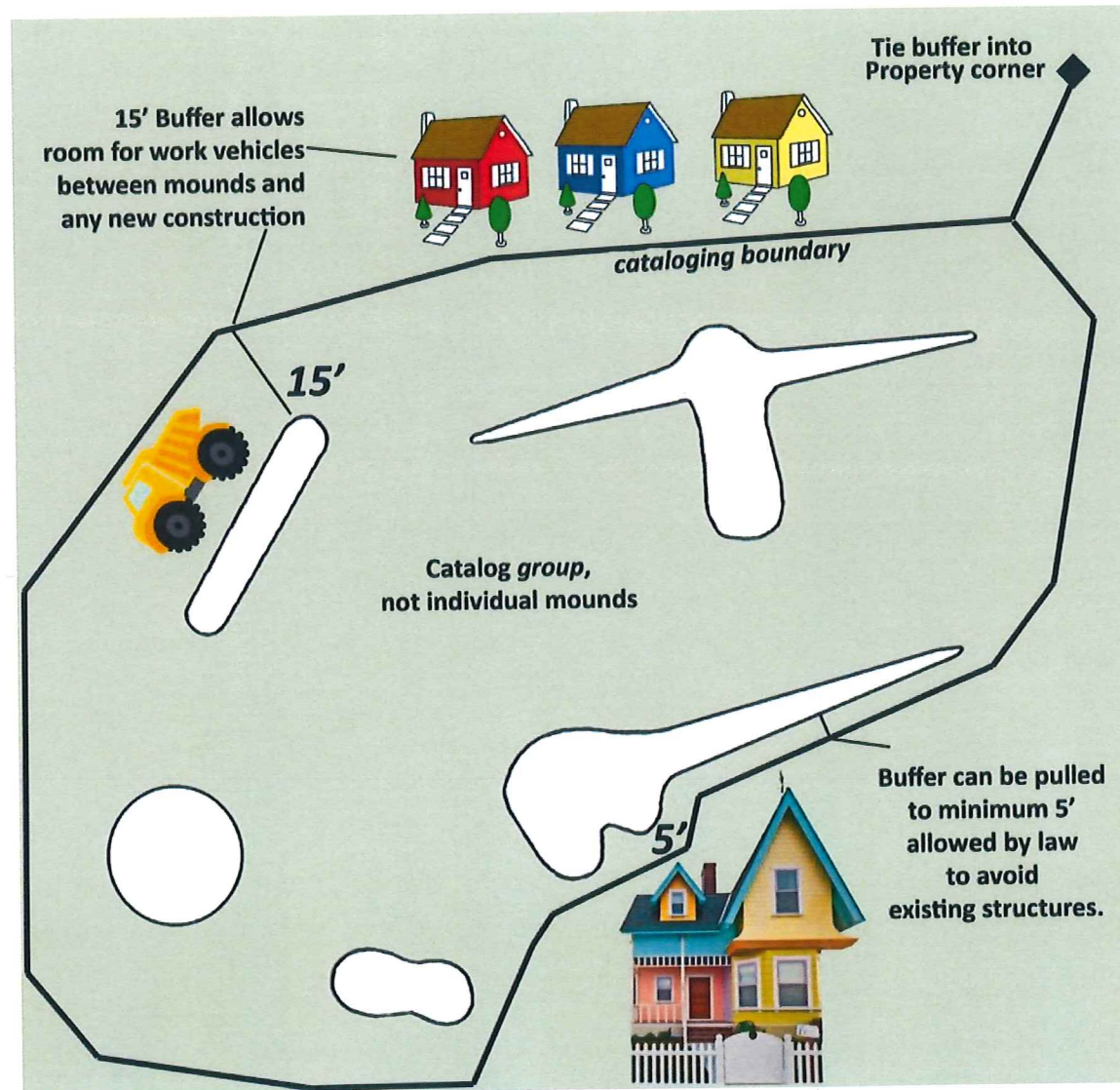




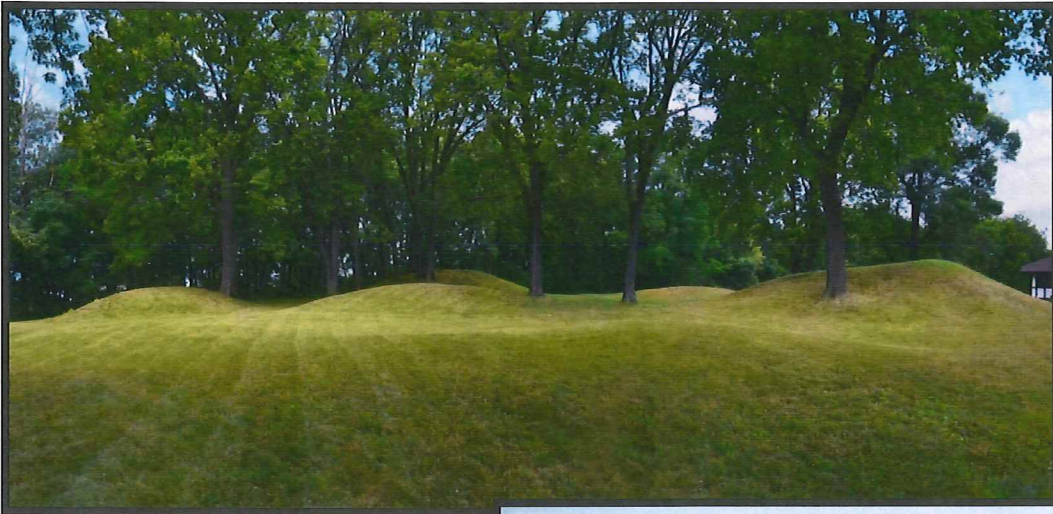
Heim Effigy
Middleton, Wisconsin



Establishing the Protective Buffer



Catalogued Burial Sites



Farwell's Point Mound Group
*Mendota Mental Health Institute,
Dane County*



Montondon Family Cemetery
Dane County



Catalogued Burial Site Disturbance Application Request

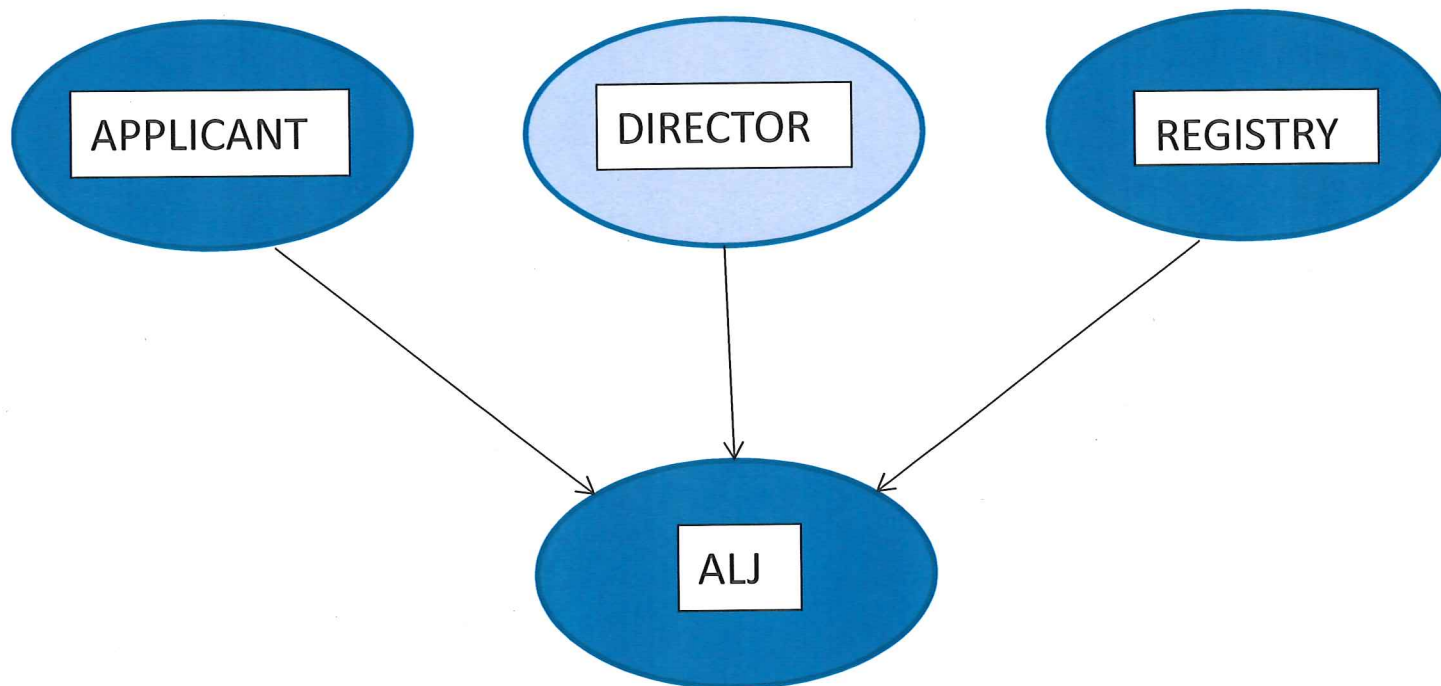
- **Application**
- **Notification of registry**
- **Decision**
- **Appeal**



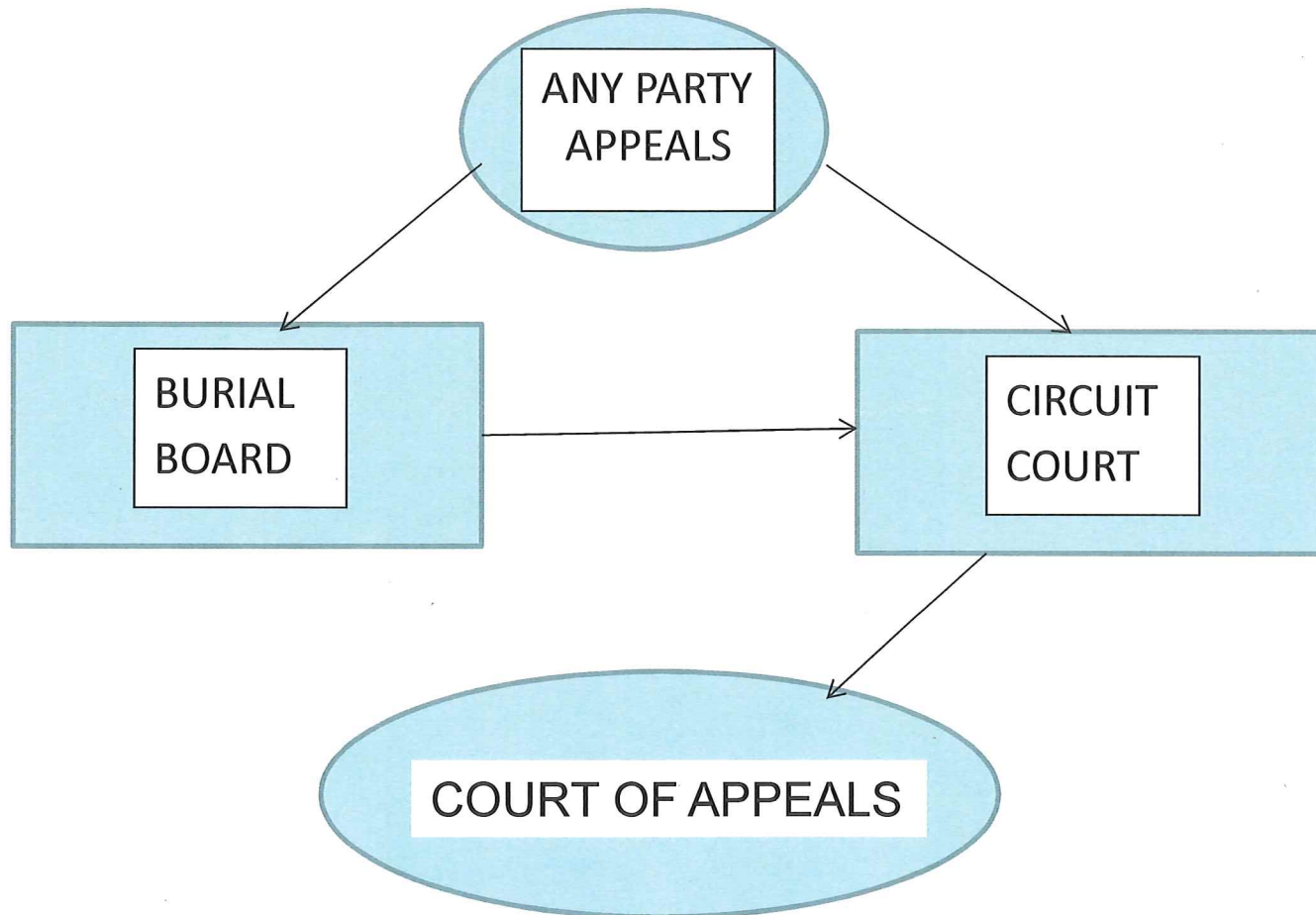
Statutory Priority Ranking of Registrants' Interests

- Direct kinship
- Cultural, tribal or religious affiliation
- Scientific, environmental or educational interest
- Historical & aesthetic significance of the site
- Land use
- Commercial purpose unrelated to land use & consistent with the purposes of the law
- Any other interest director deems to be in the public interest

Catalogued Site Permit Decision



Appellate Process Options



Uncatalogued Human Burial Site

- **Insufficient Information to Locate Site**
- **Accidental Rediscovery of Site**
- **Landowner Refusal to Catalogue Site**
- **Afforded Limited Statutory Protection**



Uncatalogued Burial Site



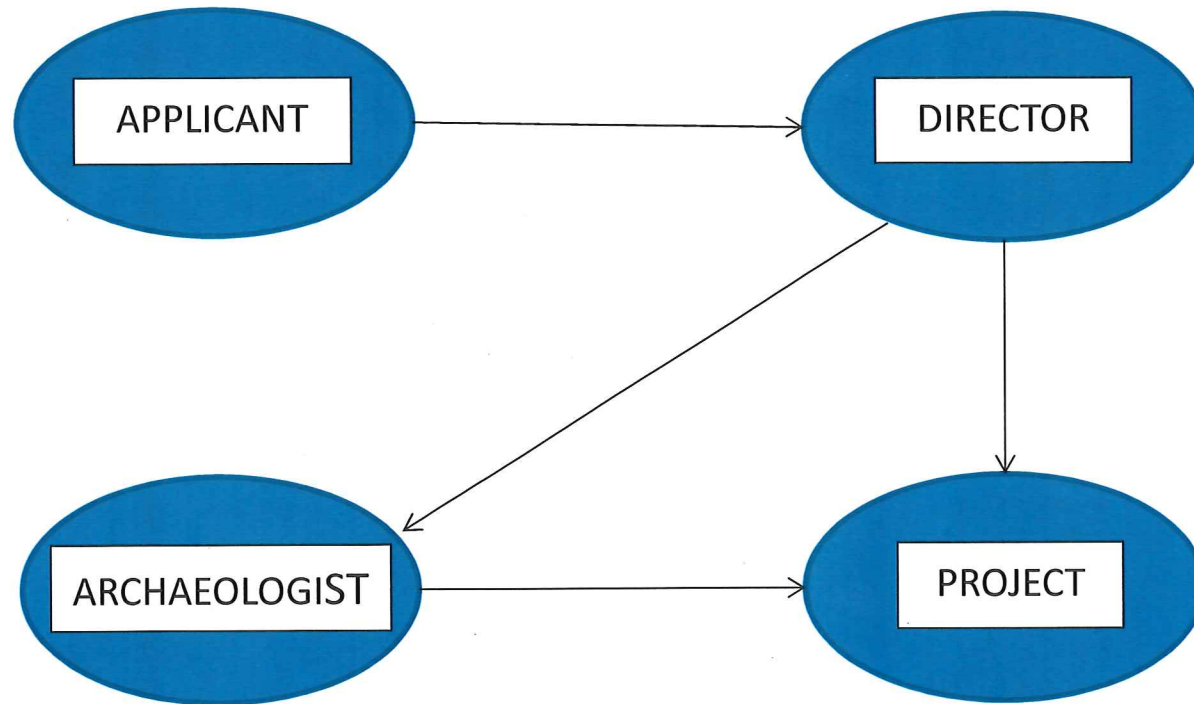
Unnamed Burial Site *Jefferson County*

Uncatalogued Human Burial Site

- **Insufficient Information to Locate Site**
- **Accidental Rediscovery of Site**
- **Landowner Refusal to Catalogue Site**
- **Afforded Limited Statutory Protection**



Uncataloged Site Disturbance Authorization



Disposition

- **Registry Notification/Solicitation**
- **Registry Application(s)**
- **Director Determination**
- **Review (if necessary)**

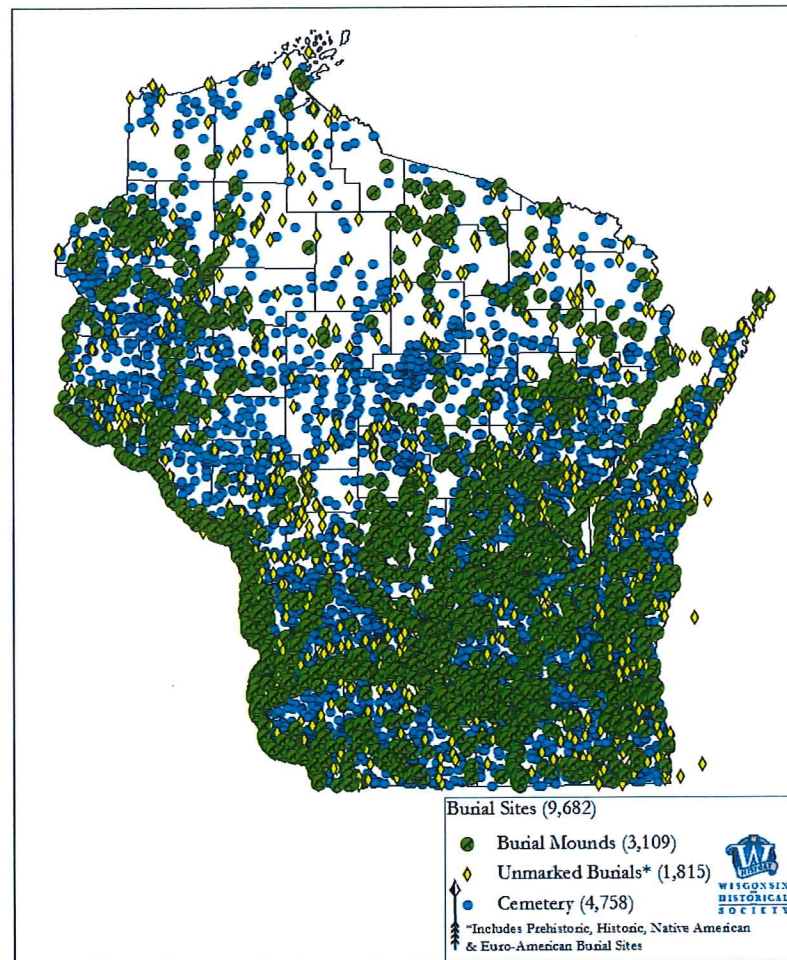


Proposed Modifications

- **Create or authorize Native American organization to determine disposition of Native remains**
- **Clarify or expand definitions including: burial site, human remains, analysis, registry of interested persons**
- **Include time-frames for review process steps in the law**



Burial Sites in Wisconsin



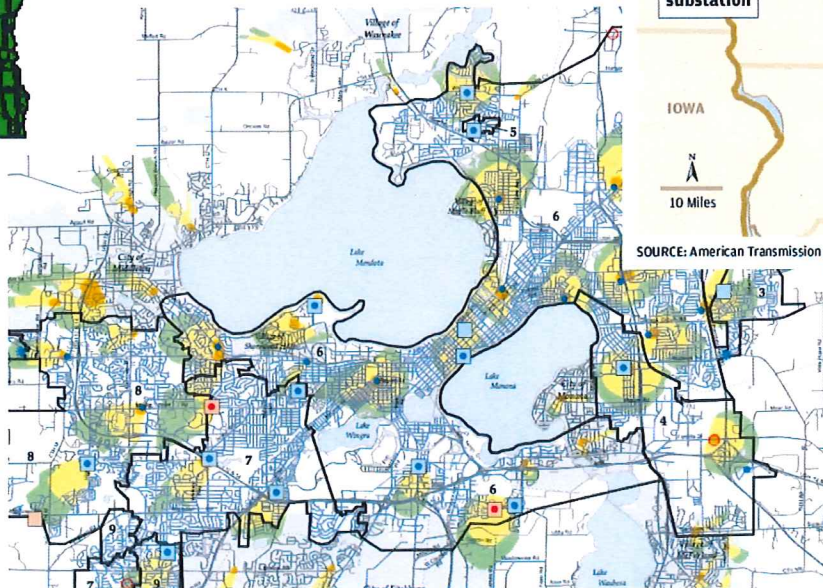
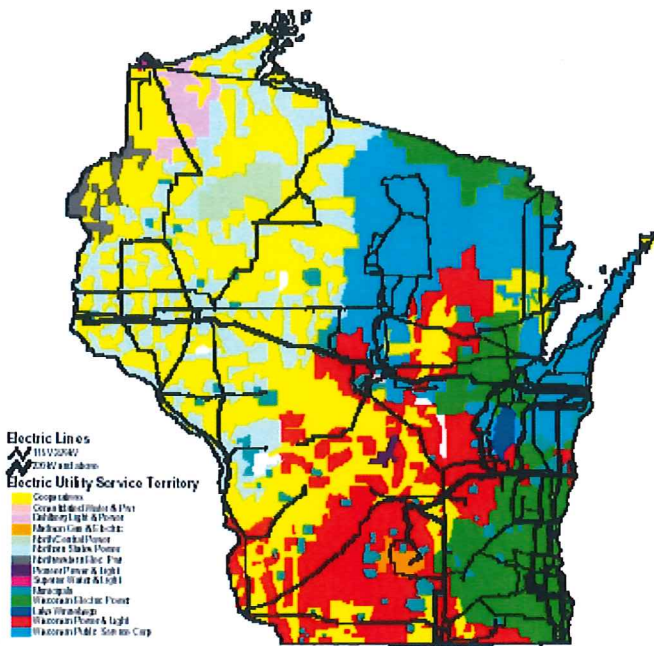
Sources: Wisconsin Historical Society, Historic Preservation Office
ESRI



Highway Construction

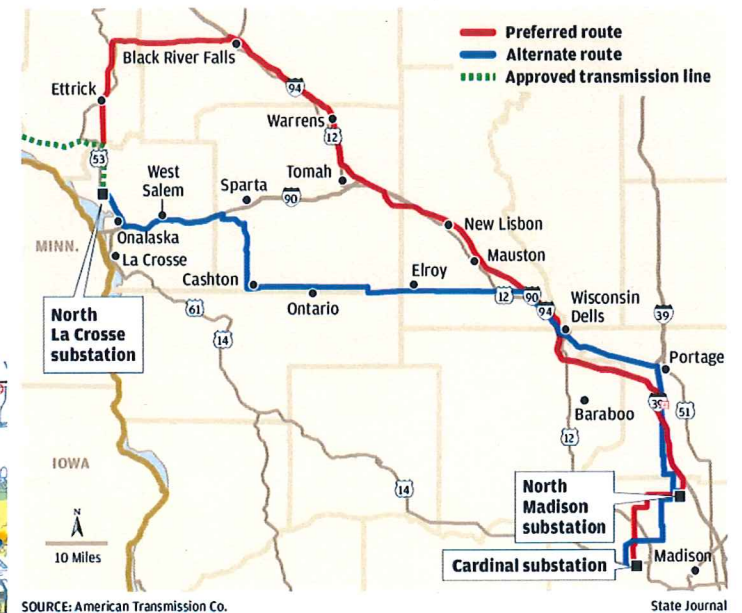


Utility Construction and Repair



Possible routes of the Madison to La Crosse transmission line

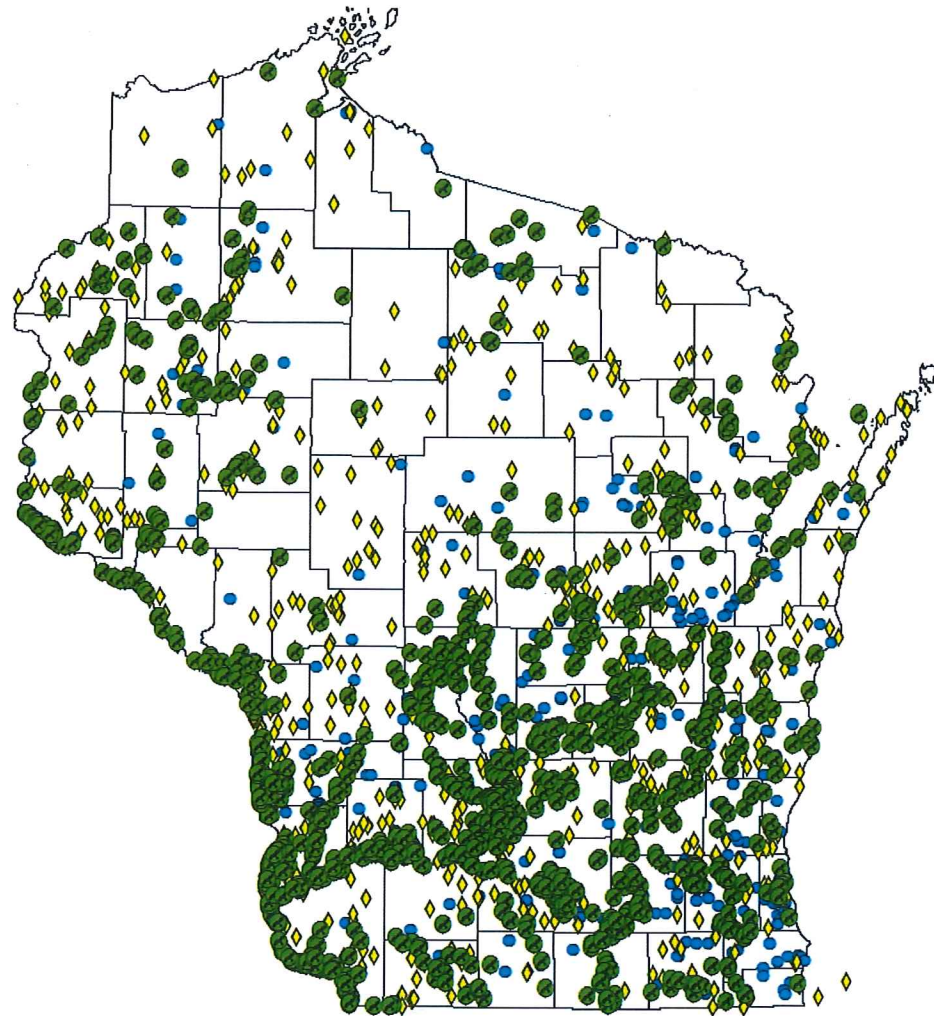
American Transmission Co. has narrowed the list of potential routes to two for the proposed Badger Coulee high-voltage transmission line, which would carry electricity from north of La Crosse to the Madison area. The lines show the routes under consideration for the 150-mile to 170-mile line.



Home Construction



Burial Disturbance Projects in Wisconsin



- Since 1988, 3,543 projects reviewed:
- 1377 mounds
- 355 Cemeteries
- 811 Other burial sites





WISCONSIN
HISTORICAL
SOCIETY

Thank You!

Collecting, Preserving and Sharing Stories Since 1846

wisconsinhistory.org

