

Promise of heritage bill fades under scrutiny - It Could harm Property owners, researchers

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March 3 column by Rep. Reginald Meeks: "Crack down on heritage thieves; legislature has chance to put public's interest first."

I read with considerable interest Rep. Reginald Meeks' recent column. In it Meeks slams those individuals and organizations who opposed his House Bill 114 and House Bills 115. I think it appropriate to share why I and others have opposed his bills for the last four or five sessions. He continues to reintroduce this legislation, apparently not getting the message that most consider these bills bad for Kentucky.

Meeks speaks at length about **Indian Head Rock**. Since this subject has nothing to do with the bills, I will only say, as a Kentuckian, I would like to see this rock in Kentucky. The shame of the matter is that a group of individuals, who happened to live on the Ohio side of the river, took the initiative, spent the effort and money to retrieve this rock (actually a boulder) from the Ohio River.

As soon as it was retrieved, the work done and the money spent, another group of individuals, who had shown no hint of initiative and led by Meeks jumped in to claim the rock.

Enough said.

Meeks' HB 114 begins with all kinds of rhetoric about protecting graves and human remains. Nobody can disagree with protecting graves and human remains but the fact is there are already multiple statutes addressing this subject on both the state and federal levels. The grave and human remains language in HB 114 is nothing more than a smoke screen to disguise the real intent of the bill.

HB 114 requires a permit issued by the Kentucky Heritage Council to excavate any historical site. I own a farming operation in Madison County which dates back several generations of my family. Under HB 114, I would have to obtain a permit to metal detect and dig up an old bottle or coin left by my ancestors on my property. Digging up my great-grandfather's old outhouse is just not being a heritage thief.

HB 114 requires a landowner to provide access to anyone claiming to be the descendant of an individual buried on their property. My ancestors came to Kentucky with Boone and I have ancestors buried all over the state. I have never been denied access to any of their grave sites. Similarly, I have two old cemeteries on my farms. I have never denied access to anyone wanting to visit those cemeteries. I don't need a law requiring me to open my property to anyone, possible undesirables, and take on the potential liabilities associated with that access.

HB 114 essentially makes it illegal to own a "burial object." This attacks every farm boy or girl who has ever picked up an Indian arrowhead in a tobacco patch.

Meeks claims HB 114 doesn't stop surface hunting for artifacts, but the facts are that many artifacts found on the surface were at one time in a shallow grave and plowed out, perhaps 200 years ago. Any, absolutely any, Native American artifact, from the most common flint chip to the most exquisite

effigy pipe, can be a burial object and it can be found on the surface.

In the last 10 years, there have been more articles and papers published by non-paid individuals who have a deep interest in Kentucky's heritage (Meeks' "heritage thieves") than have been written by the paid professionals. In fact, one member of the Kentucky Heritage Council actually refers to HB 114 and HB 115 as anti-science. Meeks' column may sound like "God, motherhood and apple pie" but the devil is in the details.

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