



# THE GENEALOGICAL SOCIETY OF NEW JERSEY

*publishers of* THE GENEALOGICAL MAGAZINE OF NEW JERSEY

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**Re: Assembly Bill 1390**

*Editors of the Magazine*

Joseph R. Klett

C. Arthur Lawton III

Dear Assemblywoman Quigley:

*Newsletter Editor*

Sean A. Curry

This letter is to express the concerns of the Genealogical Society of New Jersey (“GSNJ”) regarding A1390, of which you are a primary sponsor. GSNJ, one of the largest genealogical organizations in New Jersey, is a non-profit organization and is representative of the greater New Jersey population that has genealogical research interests. The Society’s goals are to discover, preserve, and publish information pertaining to genealogies of families and individuals associated or identified with the State of New Jersey.

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and the officers

While we recognize the need to protect the privacy of individuals, we seek a balanced solution that will allow appropriate access to the family history information the genealogical community desires and still provide the security for records you support. We respectfully suggest two important amendments be made to accommodate the legitimate interests of family researchers and historians.

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Closure of these records would be detrimental to the public interest because they are critical to many types of researchers, among them: genealogists, public health historians, biographers, cultural historians, house historians, and others, whose activities benefit the public in a variety of ways. Vital records are an important source of information for historians and genealogists, providing facts such as names, event dates, places, and other valuable information.

*Fellow of the Society*

Dorothy Agans Stratford

GSNJ strongly supports the intent of Assembly Bill 1390 to protect individual privacy and to prevent terrorism. We believe the bill can still meet these important objectives and allow genealogical, historical, and medical family research. We urge you to consider amending Assembly Bill 1390 to include the following suggested language in section 3.b as a new subsection (5):

*Legal Counsel*

Gary L. Maher, Esq.

**“(5) informational or non-certified copies of records to anyone after 80 years have elapsed with birth records, 50 years with marriage records and 40 years with death records.”**

The passage of time (80, 50 or 40 years, as the case may be) ensures the vital records cannot be used for identity theft. The non-certified nature of the copies ensures the records cannot be used to obtain fraudulent identification documents.

Failure to include this amended language in A1390 would close historical records in perpetuity, including records already publicly accessible in the State Archives and elsewhere. Further, this proposed amendment meets with current regulations and restrictions authorized under NJAC 8:2, NJAC 8:2A and NJAC 8:2B.

Secondly, we write to express serious reservations regarding the portion of the bill restricting dissemination of information derived from vital records. Sharing information is an integral part of any serious research, including genealogy and family history. Writing a book, article, or other scholarly treatise – whether family history, biography, or genealogy – necessarily entails sharing and disclosing information legally obtained. Restricting, penalizing, or criminalizing the sharing of information contained in vital records fundamentally undermines the public's right of access. Therefore, we advocate striking from the proposed bill section 4(d)(2)(c) in its entirety.

Thank you for your consideration on this matter. I would be pleased to have an opportunity to meet with you at your convenience at your local office or in Trenton to discuss this. I may be reached at 201-896-9699 or 201-306-0598 and my email address is: [jml-gsnj@earthlink.net](mailto:jml-gsnj@earthlink.net). Again, we express our sincere support for your goal to prevent identity theft and terrorism by securing vital records.

Sincerely,

Joan M. Lowry  
President