



# The Genealogical Society of New Jersey

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PO Box 1291  
New Brunswick NJ 08903

Tel: 201-896-9699  
E-mail: [jml-gsnj@earthlink.net](mailto:jml-gsnj@earthlink.net)

22 March 2005

Joseph A. Komosinski, State Registrar  
Department of Health & Senior Services  
PO Box 370  
Trenton NJ 08625-0370

Re: NJAC 8:2, NJAC 8:2A and NJAC 8:2B  
Proposals Numbered: PRN 2005-14; PRN 2005-15; and PRN 2005-16

Dear Mr. Komosinski

The Genealogical Society of New Jersey (GSNJ) was founded in 1921 for the express purpose of preserving and promoting research in New Jersey family history. To fulfill this mission, GSNJ holds educational programs around the state, maintains public research collections at Rutgers University Library, publishes a journal and newsletter and transcribes records and tombstone inscriptions. Our goal is to promote the study of family history for all ethnic and religious groups in New Jersey without regard to the social status of past or present generations.

I am writing today on behalf of the Society's 800 plus members and New Jersey's genealogical community to express our concern regarding proposed new fee structures and further restrictions on access to vital records maintained by the Department of Health and Senior Services (the Department.) These proposals would have a direct, and negative, impact on the ability of New Jersey's historians, genealogists, genetic counselors and other interested citizens to access public records held by the state and to document the lives of its citizens and families.

A reevaluation of fees that have not been adjusted in years is justified. Nevertheless, increasing from \$4.00 to \$25.00, a jump of 525%, for all records is excessive. The proposals indicate that the increase in fee is, in part, to recover higher costs for "certificate paper with security features" and related costs. Since this does not apply to records defined as "genealogical," or to certifications, the fee increase proposed for these record types would be unfairly applied. In addition, records requested by mail for genealogical purposes are not handled in the same timely manner as requests for certified copies. In many instances, members of the public currently wait months to receive copies for which they have paid in advance. Charging such a high fee for this level of service is unreasonable.

One solution to the inequities present in the fee proposals would be to institute a two level price system as is already applied by the Department to vital records requests. This would allow genealogical records and uncertified copies to be charged at a lower rate commensurate with the level of service and less time-consuming nature of the copies created. Note that the national average for certified copies of vital records from other states is approximately \$12.00. This would be a more reasonable charge for non-certified copies of records held by the Department.

We also note, with considerable dismay, the change in the definition of “genealogical records” with regard to NJAC 8:2A, proposal number PRN 2005-15, relative to death records. It is our understanding that death records are currently defined as “genealogical records” after a period of **forty** years and the new definition changes that to **fifty** years. There would seem to be no overriding reason to restrict access to older death records that are currently available when the certifications provided cannot be used for legal or identification purposes. Therefore, we urge that this proposal be amended to reflect the current “genealogical record” time period of 40 years, rather than 50 years.

In addition, we call your attention to resolutions passed in November 2002 by the State Historical Records Advisory Board and the Advocates for New Jersey History, and recommendations proposed by GSNJ. All of these suggested that the Department transfer vital records on a regular basis to the NJ State Archives following a reasonable time period for each record type. We reiterate our recommendations and hope that the Department of Health and Senior Services will consider implementing this as policy. This would conform to the periods described by the Department as “genealogical records.” It would allow for adequate protection of the privacy of living persons, address security of and access to records, as well as address questions of preservation of the actual records and the microfilmed copies of the same.

In summation, GSNJ asks that the Department reconsider and reject proposals to raise the fees to \$25.00 for all types of records, instead instituting a tiered fee structure in keeping with the tiered structure of the copies and services provided. GSNJ requests that the Department reconsider and reject the proposal redefining the term “genealogical records” as applied to death records, instead maintaining the current definition of 40 years as “genealogical.” Further, GSNJ urges the Department of Health and Senior Services to give serious consideration to transferring vital records in the genealogical time periods to the NJ State Archives and to continue to transfer additional records on a regular basis.

Thank you for your consideration in this matter.

Sincerely,

Joan M. Lowry  
President

Cc: Acting Governor Richard Codey  
Senator Joseph F. Vitale                      Senator Bob Smith  
Assemblyman Upendra J. Chivukula              Assemblyman Joseph V. Egan  
Assemblywoman Loretta Weinberg