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**Beth A. Stahr, C.G.R.S.**  
***Certified Genealogical Record Specialist***  
**9 North Hill Road**  
**Wausau, Wisconsin 54403**  
**Email: nineno@popros.net**

20 January 1998

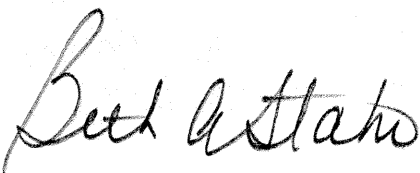
Representative John Dobyms  
Room 10 West  
State Capitol  
P. O. Box 8952  
Madison, WI 53708

Representative Dobyms,

I am unable to attend the hearing scheduled for 28 January 1998 concerning the proposed revisions to Chapter 69, AB 709. I would like to submit the attached testimony to the record, if possible. If that is not possible, perhaps another attendee could read my submission.

Thank you for giving me an opportunity to comment on this bill.

Very truly yours,



Beth A. Stahr  
Certified Genealogical Record Specialist

Testimony on Assembly Bill 709  
Proposed revisions to Chapter 69

28 January 1998

Submitted by Beth A. Stahr, 9 North Hill Road, Wausau, WI 54403

I recommend approval of the proposed revisions to Chapter 69, which would allow copies of pre-1907 Wisconsin vital records to be made from microfilm.

Since these films were prepared in 1981, it had been common practice for researchers to make such copies for the cost of the copy (as determined by the repository which owned the microfilm). In 1997, when it was discovered that this practice technically violated the law, those repositories disallowed such copying.

~This bill would only make the former copying practice legal, and not expand or change Chapter 69 in any other way.

~Currently, Wisconsin residents are penalized by Chapter 69. Researchers working outside the state are able to make the copies from the pre-1907 vital records microfilm for cost, instead of purchasing the copies through the state or local registrars for the statutory cost of \$7 and \$12.

~Most of the persons making such photocopies are historical researchers, or genealogists, who will have no financial gain or profit from such activity. While a good abstract or an exact transcript of these records also serve the needs of most researchers, the expense of obtaining copies from the state and local registrars will deter most from purchasing the full-price copies.

~The concept that fraudulent identification can be obtained with a pre-1907 birth certificate is unrealistic: at this point the perpetrator would be obtaining an identification of a person of age 90 or older! Because the format and the questions asked on the certificates are changed every ten years, alteration of dates would be detectable.

# Black River Falls Public Library

Jackson County History Room  
Mary I. Murray-Woods, Historian  
222 Fillmore Street  
Black River Falls, WI 54615

Telephone 715/284-4112

January 21, 1998

Rep. John Dobyms  
State Capitol PO Box 8952  
Madison, WI 53708

Dear Rep. Dobyms:

As the historian in the Black River Falls Public Library-Jackson County History Room, I am writing to ask you to support SB 393 (Senate Bill/AB 709 (Assembly Bill), Legislation relating to the issuance of uncertified copies of vital records for events occurring before October 1, 1907.

This bill is important to me and to thousand of genealogists in Wisconsin. It restores our right to make copies of vital records for events before October 1, 1907. Since 1981 we have been permitted to make copies from microfilm prepared by the Genealogical Society of Utah. However, in March of this year we learned that the 1985 law governing vital records made it illegal for anyone other than the State Bureau of Vital Records or Register of Deeds to make any copies of vital records. Even though we have been making copies from the microfilm ever since 1981, without anyone ever objecting, the State Historical Society and the Area Research Centers have now decided they must comply with the law. I don't know why this didn't happen in 1985 when the law was passed but apparently it was never intended to apply to these particular records.

What makes the current situation very unfair to Wisconsin genealogist is that there are copies of the microfilm at the Family History Library in Salt Lake City and available at Family History Centers throughout the country. Anyone with access to the film outside of Wisconsin can make copies without any problems. Only those of us in Wisconsin are prohibited from making copies of our records. SB393/AB709 would correct this inequity. Because the records involved are all at least 90 years old and the copies are not certified there is virtually no possibility for fraudulent use.

I strongly urge you to vote for SB 393/AB709.

Sincerely,

*Mary I. Murray-Woods*

Mary I. Murray Woods  
Historian

# Robert J. & Patricia A. Stone

2113 Manor Green Drive  
Madison, WI 53711

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Phone 608-271-7217

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January 23, 1998

The Hon. John P. Dobyms, Chairman  
Assembly Standing Committee on Government Operations  
P.O. Box 8952  
Madison, WI 53708

I am writing to ask you to support AB 709, Legislation relating to the issuance of uncertified copies of vital records occurring before October 1, 1907.

This bill is important to us as well numerous other genealogists in Wisconsin. It restores our right to make copies of those events that occurred before October 1, 1907. From 1981 until March 1997, we were permitted to make copies from microfilm prepared by the Genealogical Society of Utah. Then we learned that the 1985 law governing vital records made it illegal for anyone other than the State Bureau of Vital Records or Registers of Deeds to make copies. Even though many of us have been making copies since 1981 without objection, the State Historical Society and the Area Research Centers have now decided they must comply with the law. I don't know why this didn't happen in 1985 unless it was never intended to apply to these particular records.

It seems the current situation is very unfair to Wisconsin genealogists since copies of the microfilm are available at the Family History Library in Salt Lake City and available on loan to the Family History Centers throughout the country. Anyone with access to the films outside Wisconsin can make all the copies they want without objections. Only those of us in Wisconsin are restricted. AB 709 would correct this gross inequity. Since the records are all in excess of 90 years old and the copies would not be certified, there is virtually no possibility for any fraudulent use.

We strongly urge the committee to report the bill for passage as introduced.

Sincerely,

*Patricia A. Stone*  
*Robert J. Stone*

Robert J. Stone  
Patricia A. Stone



# MONROE COUNTY HISTORY ROOM MUSEUM & LIBRARY

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Sparta WI 54656-0419  
(608) 269-8680  
Fax (608) 269-8921



January 23, 1998

Hon. John P. Dobyms, Chairperson  
Assembly Standing Committee on  
Government Operations  
PO Box 8952  
Madison, WI 53708

Dear Chairman Dobyms

Re: SB393/AB709 Copies of Vital Records Pre 1907 in Wisconsin

The Monroe County Local History Room is very much in favor of this bill. We at the History Room have a legal copy of these records on microfilm, and I have been very cautious about who has permission to use them. I am a librarian, not a policeman. We have the restrictions on copying posted and are very careful but it is possible an unauthorized copy could be made. That would make me a criminal.

The fact that legal copies can be made at any library holding the films outside of Wisconsin, but not be made in Wisconsin should be relevant to this discussion.

Please change this unworkable situation. Please vote for SB393/AB709.

Very truly yours

Audrey Johnson, County Historian  
Monroe County Local History Room

cc - Rep. Terry Musser  
Sen. Rod Moen

Dear Rep. Dabryns,

I urge you to vote for AB-709, legislation relating to issuance of uncertified copies of vital records for events occurring before Oct. 1, 1907. It is vital for genealogists in Wisconsin to have access to these records. Because the records involved are all at least 90 yrs. old and copies are not certified, there is no possibility for fraudulent use. Please strongly consider supporting bill AB-709.

Sincerely,  
Virginia Randolph  
Wauwatosa, Wis.

The Honorable John P. Dohyngs  
Chair Committee of Govt. Operations  
Wisc. State Assembly  
P.O. Box 8952  
Madison, Wisc 53708

Dear Rep. Dohyngs:

I understand the Comm. on Govt. Operations is considering House Bill 709 to change Chapter 69 of the State Statutes to allow genealogists to legally make uncertified copies of pre-1907 vital records at the State Historical Society and Area Research Centers. I'm writing to encourage the Committee to approve this bill.

Since the Genealogical Society of Utah microfilmed these records in 1981 genealogists have been free to make inexpensive uncertified copies from microfilm. Because of provisions of Chapt. 69 that no one knew of we are now prohibited from making

APB 10/1

these copies + threatened with a  
fine of up to \$10,000 + 2 yr. in prison  
if we do. The microfilm is available  
@ Salt Lake City + at hundreds of  
Family History Centers outside  
Wisconsin + anyone can make  
copies from it there without violating  
the law. This is not fair. I'm tired  
that part of the reason for making  
the copies illegal is that they  
would be used for fraud. I don't  
think genealogists in Wisconsin  
are more likely to commit fraud  
than anyone outside of Wisconsin!  
We're told that copies should be  
illegal because of privacy concerns.  
All of these records are over 90  
years old + there cannot be that  
many people named in these  
records who are still alive. Not  
everyone over 90 yrs. of age has  
a birth record in these records

and they will probably have to be 115 or more to have a marriage record! The idea that making copies of these records is going to invade a lot of people's privacy is pretty weak.

also, I think it's important to remember that the bill covers

only pre-1907 records, it doesn't affect any others. All it does is to allow us to legally do what we have been doing for 18 years without ever knowing there was anything illegal about it, & to do

~~that~~ what people everywhere else can do without ever knowing there was anything illegal about it, & to do what people everywhere else can do without criminal charges. We'd like the opportunity just as all others have.

Please share my thoughts with the rest of your committee. Thank you, Maria Tomalia



Theresa Barrett Held  
1121 Tenny Ave., Waukesha, WI 53186

Hon. John P. Dobyne  
Assembly Standing Committee  
on Govt. Operations  
P. O. Box 8952  
Madison, WI 53708

Dear Hon. John P. Dobyne,

I am writing in regard to bill AB 709.  
I strongly recommend its passage. I got  
interested in my genealogy about 10 yrs. ago.  
I can't see why these old records (90 or more yrs.)  
shouldn't be available for my use.

The more I get involved in my heritage, the  
more I appreciate the many hardships my ancestors  
endured. Anyone outside of WI can make  
copies without any problems. Please see that  
this problem for us is corrected.

Thank you,  
Theresa Barrett Held

File AB709  
Date 1/28/98

3626 Novick Drive  
Madison, Wisconsin 53704  
January 21, 1998

Dear Representative Dohyrs:

I am writing to ask you to support SB 393/AB 709 relating to the issuance of uncertified copies of vital records of events occurring before October 1, 1907.

I am a member of the Wisconsin State Genealogical Society and the South Central Chapter, and of the Irish Genealogical Society of Wisconsin. Genealogists such as I contribute much to the history and culture of our own families, of our communities, and of Wisconsin. Part of our research involves finding vital records to document our research. Since 1981 we were permitted to make copies from microfilm prepared by the Genealogical Society of Utah of vital records of events occurring before October 1, 1907. In March of last year we were informed that the 1985 law governing vital records made it illegal for us to copy from the microfilm although we had been doing so since 1981 without objection. It is apparent that the law was never intended to apply to these particular records.

These records are available to anyone at the Family History Library at Salt Lake City and at Family History Centers throughout the country. Only those of us in Wisconsin are prohibited from making copies of our records. Because these would be uncertified, 90 year old records, fraudulent use would be virtually impossible.

Please vote for SB 393/AB 709!

Sincerely,

Joanne R. Krause

Home: 608/238-8797  
Office: 608/263-2737

**Richard and Lois Rossmiller**  
5806 Cable Ave.  
Madison, WI 53705

Fax: 608/265-3135  
e-mail: rrossmi@facstaff.wisc.edu

Jan. 27, 1998

Hon. John Dobyms  
State Capitol, Room 10-W  
P.O. Box 8952  
Madison, WI 53708

File AB 709  
Date 1/28/98

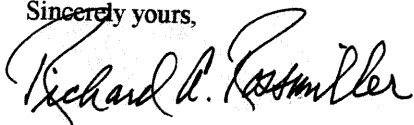
Dear Assemblyman Dobyms,


We recently became aware that AB 709 (Senate Bill 393) will be given a public hearing before the Assembly Committee on Government Operations on Jan. 28. This bill deals with the issuance of uncertified copies of vital records for events occurring before Oct. 1, 1907. I strongly urge your support of this bill.

My wife and I have become interested in genealogy since my retirement in 1993 and this bill will restore the right to make copies of vital records for events prior to Oct. 1, 1907. We have, since 1981, been able to make copies from a microfilm prepared by the Genealogical Society of Utah, but in March of 1997 we learned that a 1985 law governing vital records made it illegal for anyone other than the State Bureau of Vital Records or Registers of Deeds to make any copies of vital records. The State Historical Society and the Area Research Centers have decided they must comply with the law (although from the time the bill was passed in 1985 until now they have permitted such copying to be done).

The current situation is especially ironic and unfair to Wisconsin genealogists because there are copies of the microfilm at the Family History Library in Salt Lake City and copies also are available at Family History Centers throughout the country. Anyone with access to the microfilm outside Wisconsin can make copies with no problem; **only those of us here in Wisconsin are denied the right to make copies of our own state's records.** AB309/SB393 would correct this inequity. The records involved are all more than 90 years old and, since the copies are not certified, there is virtually no possibility for fraudulent use. Therefore, I urge your support of AB 709/SB 393.

Sincerely yours,

  
Richard A. Rossmiller

  
Lois K. Rossmiller





# Lafayette County Register of Deeds

628 Main Street • Darlington, Wisconsin 53530  
(608) 776-4838

January 26, 1998

Rep. John Dobyms, Chair  
Assemble Government Operations Committee  
RE: Assembly Bill 709

Dear Rep. Dobyms:

In reference to AB 709, I would like share with you the minutes of the Register of Deeds Seminar which took place in October 1996 (see attached). On page 8 it states the Wisconsin Register of Deeds Associations stance on non-certified copies of pre-1907 vital records. Basically, the motion says that if the SWS or Arc's sell vital records, they do it at the statutory fee, same as the register of deeds. I know that alot of people say that these old records are only for genealogy, and that most of the parties are deceased. This is true, but most is not all and in fact it is not fair to these people that their vital records are treated differently than the rest of the population of Wisconsin.

It is my opinion that the current law is fine just as it stands. Old vital records were written out by the register of deeds of the era. Genealogists are not going to find a relatives signature, handwriting or such, they are going to find the registers handwriting as delivered to him by the family doctor. As such, the genealogists should just copy down information (for free) but if they want a copy, they must go the the local Register of Deeds office, or to the State of Wisconsin Vital Records Dept.

Respectfully,

Joseph G. Boll  
Lafayette County  
Register of Deeds

REGISTER OF DEEDS

FALL SEMINAR  
WISCONSIN RAPIDS  
OCTOBER 14-15, 1996

MONDAY, OCT. 14

Meeting called to order by President Licht.

Roll call by Secretary Olson.

Treasurer's Report (handout). Motion to approve and seconded. Motion passed.

EDUCATION COMMITTEE: Brickle - Awards will be presented at March meeting.

RESOLUTIONS COMMITTEE: Gonnering - Resolution #1 thanking host county read.

The following motions weren't received by the deadline.

Gonnering: Since 59.54 was changed to allow ROD's to either file or record Lis Pendens, Chap. 840.10 regarding Lis Pendens affecting real property does not include the words "or record" after the word file, therefore I would like the Legislative Committee to pursue legislation to add the words "or record" after the word file and, also, the words "or recording" after the word filing in Sec. 840.10 to be in agreement with changes made in Chap. 59.54 of the Wis. Stats.  
2nd. No discussion. Motion passes.

Ladd: Motion to hold 1997 Fall Conference in Chippewa Falls.

Williquette: 2nd.

Licht: WI Rapids came in with another proposal for Fall 1997.

Vote on motion. Passes. (Will be held in Chippewa Falls.)

Discussion on dates. Some don't want it on Columbus Day since they are closed that day. Suggestion to hold it on Thursday/Friday prior to Columbus Day. Would be October 9th and 10th, 1997. Marge will check on dates with conference center.

Richter: Motion to add Bill of Sale to Statutes again. With Act 301, our authority to either record or file has been eliminated.

Hasslinger: 2nd

Handout - first three comments are from her Corp. Counsel, last five comments are from the Attorney General's office.

Richter: They have tribal lands that are leased to private individuals who build their \$300,000/\$400,000 homes and they want to record something - a Bill of Sale- to their personal property which is this home they've built.

Hasslinger: Has the legal community requested this type of legislation?

Richter: No - but this is what we did when the Bill of Sale was addressed in the Statutes. Now we still get these Bills of Sale in and we need to address the matter of what to do with them. I've been giving them a UCC # but DO NOT put them into the State system. Charges \$2.00 as previously done, index them and put them in with other UCC's.

Klingenmeyer: Doesn't matter to the State that a # is missing?

A: No. No sequential numbering for the State system.

Ladd: Does the homeowner have to continue his UCC?

Richter: No - Bills of Sale of good forever.

UCC COMMITTEE: Barczak - Met with Todd Hunter from DFI. Would like a new PC-based system and ink-jet printers. We could make software changes (collateral coding).

Federal Tax Liens: We need to vote to decide yes or no. Is UCC system the right vehicle? They want to file electronically. We need to decide what we want.

Licht: Impressed with their cooperative spirit.

Miller: We need a way to verify terminations on UCC's.

Boll: (Handout) Suggestion only. They would like some type of coding because of crops and barges waiting.

Motion to include a general collateral system. Passes.

VITAL RECORDS: Principo - Nothing new.

DFI - Speaker Todd Hunter - UCC system update. They took over the office of the Secretary of State. His direct phone #(608)-266-5130. If you have any questions, feel free to call him. He wants feedback on problems, comments, questions, etc. They have a 12-month timetable for the new system.

IRS - Speakers Mark Peterson, Joe Aceto, and Bruce Dettmers

MN is the first state to implement electronic lien filing - they hope WI will be the second state.

Barczak: What is the projected number of documents that are put on the system annually?

A: 50,000-70,000

Barczak: Title companies may not be receptive to this system. Have any of them contacted you?

A: Not heard anything - electronic data base gives better chance of connecting with correct name than a manual operation. Should have ability to match name with address.

Navis: What about partial releases and amendments?

A: Hope to have capability to "cut and paste" that info into the documents.

Navis: They can be entered on the UCC system, but no place for legal description.

Peterson: Working on ability to add info to database. New law would change required place of filing for real estate to DFI - whether it be real or personal. \$8.00 to county and \$2.00 to DFI. However, that may change to \$7 to county and \$3 to DFI. We won't have to input info. Access will be available. Title companies are very excited - they may be able to have remote access.

Williquette: Wille indicated their Association didn't support this. Concerned that they'd get - say - 50 Joe Smiths.

A: Would be able to search by name and address.

Fischer: Some title companies in her part of the State intend to eliminate Federal Tax Lien searches.

Traczyk: Will we be able to print a copy? A: Yes.

Joe Aceto: The Wang system offers very little opportunity to change. The new system will allow us changes along the way.

Licht: How many ROD's are in favor of moving ahead with electronic transmission of Federal Tax Liens? It won't happen right away.

Majority.

HISTORICAL SOCIETY: Boll - Pre-1907 Vital records are for sale at \$9.50 per reel. They plan to sell vital records individually. As it stands now, the State Historical Society and Area Resource Centers are exempt. They sell non-certified copies for 25 cents. The Genealogical Society bought records from the Mormons and donated them to the State Historical Society.

Ladd: Navis brings up a good point - the Historical Society wants us to enact a surcharge for their program - yet they're selling records for 25 cents! If they need money, why don't they charge the statutory fee?

Navis: Are they opening a can of worms with the \$9.50 and 25 cent charges?

Jones: He was at their meeting. Thinks he remembers there was no legislation to give them the authority to sell for 25 cents - thinks this may be a clean-up bill for them.

Ladd: Motion that the ROD Assn. take the position that the State Historical Society and Area Resource Center be required to sell pre-1907, non-certified records at the Statutory Fee of \$12 & \$7.

Principe: 2nd. Motion passes.

Barczak: What about this WCA survey? Where is it leading?

Licht: Supervisors are pretty supportive of elected officials. They are wondering how our chief deputies are hired.

Mrdutt: Are there any counties where the Chief Deputy has been pulled from the union?

A few have - can't have a union person supervising other union people.

Ladd: Did same with an opening in his office. WERC sided with the Union so she was placed back into the union. Racine Co. will try to negotiate this.

Williquette: They understand that if we lose the election, they may be out of a job.

Q: If adding cover page to HT110, do we charge the additional \$2 fee?

A: No.

Q: Have any of you had floodplain people calling for section, town and range of platted additions?

Williquette: Sold them copies of plats - approximately \$7,000.00 worth. They didn't hesitate to pay.

Helegeson: Don't be afraid to charge these people since they sell the info.

RESOLUTION: Amend Resolution to include Jeff Bluske, President of WI Real Property Listers Assn., and Mark Peterson, Joe Aceto and Bruce Dettmers with the IRS.

Adjourn.

Submitted by:

Connie L. Olson, Secretary

*Kewaunee*



*County*

*Marilyn G. Mueller*  
REGISTER OF DEEDS

January 26, 1998

Rep. John Dobyms, Chair  
Assembly Government Operations Committee  
Fax: 608-282-3652

RE: Assembly Bill 709

Dear Rep. Dobyms:

I am concerned with certain provisions in Assembly Bill 709 that I would like to bring to your attention.

My first concern is with the provision that a copy of a pre-1907 vital record made by the State Historical Society does not have to bear a notice that the record is uncertified. Not requiring such a stamp increases the potential for fraudulent use of the record. It also increases the potential for alteration of the record and its consequences.

We have had many cases in Wisconsin recently where individuals have requested certified copies using fraudulent information and have used the vital record obtained for illegal purposes. This has caused great distress to the individual named on the record and their family members. By not stamping a record "uncertified, not valid for identity purposes," the likelihood that record will be used for fraudulent purposes really increases. We have many customers who wish our requirements to obtain copies of vital records were more strict.

My next concern is with the provision which allows the State Historical Society and others to make copies of vital records for a fee if they choose. The Register of Deeds office is bound by Wisconsin Statute 69.21 to charge \$12 for a birth certificate copy (\$7 of this fee is for the Children's Trust Fund) and \$7 for a death or marriage certificate copy. This is for either certified or uncertified copies. These fees are used to offset the costs of copying, storing and issuing copies of the records. When a customer can purchase a copy of a vital record at the Historical Society for \$.25 and is told the same record in my office costs \$12 they can become very agitated.

Rep. John Dobyms  
RE: Assembly Bill 709  
January 26, 1998

I have no problem with other agencies issuing copies of pre-1907 vital records but I feel they should charge a comparable or reasonable fee. I am sure the State Historical Society does not have surplus revenues. They could use the revenues generated from the sale of copies to help them offset their expense to index, store and copy these records.

I urge you and your committee members to require all copies of vital records be stamped "uncertified, not valid for identity purposes" and that a fee be established for copies of vital records made in offices other than register of deeds and the Center for Health Statistics.

Respectfully,

*Marilyn G. Mueller*

Marilyn G. Mueller  
Register of Deeds  
Kewaunee County

**Volz, David**

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**From:** Prmorse@aol.com[SMTP:Prmorse@aol.com]  
**Sent:** Monday, January 26, 1998 11:58 AM  
**To:** Rep.Springer; Rep.Dobyns  
**Subject:** Assembly Bill 709

Dear Assemblyman

I am writing to urge your support of AB709 which deals with the issuance of uncertified copies of vital records for events occurring before Oct. 1, 1907.

A law passed in 1985 governing vital records made it unlawful for anyone other than the State Bureau of Vital Records to make copies, I believe it was never intended to cover these pre 1907 records.

Many genealogists are trying to document their family history and need to have copies of these records. We feel the law in Wisconsin is very unfair because persons in other states are allowed to obtain these records from the Family History Library (microfilms) in Salt Lake City, Utah. As you can see these records would be at least 90 years old and fraudulent use would be virtually impossible.

I urge your support of this bill.

Pat Morse  
7203 Sylvan Street  
Schofield, WI 54476

REGISTER OF DEEDS  
*Brown County*

305 E. WALNUT STREET  
P.O. BOX 23600  
GREEN BAY, WISCONSIN 54305-3600

CATHY WILLIQUETTE

PHONE (920) 448-4470 FAX (920) 448-4449

REGISTER OF DEEDS

January 26, 1998

Rep. John Dobyms, Chair  
Assembly Government Operations Committee  
Fax: 608-282-3652

RE: Assembly Bill 709

Dear Rep. Dobyms:

I am concerned with certain provisions in Assembly Bill 709 which I would like to bring to your attention.

My first concern is with the provision that a copy of a pre-1907 vital record made by the State Historical Society does not have to bear a notice that the record is un-certified. Not requiring such a stamp increases the potential for fraudulent use of the record. It also increases the potential for and consequences of alteration of the record.

We have had many cases in Wisconsin recently where individuals have requested certified copies using fraudulent information and have used the vital record obtained for illegal purposes which has caused great distress to the individual named on the record and their family members. By not stamping a record "uncertified not valid for identity purposes" really increases the likelihood the record will be used for fraudulent purposes. In fact, we have many customers who wish our requirement to obtain copies of vital records were stricter.

My next concern is with the provision which allows the State Historical Society and others to make copies of vital records for a fee if they choose. My office is bound by Wisconsin Statute 69.21 to charge \$12 for a birth certificate copy (\$7 of this fee is for the Children's Trust Fund) and \$7 for a death or marriage certificate copy - certified or un-certified. These fees are used to offset the costs of copying, storing and issuing copies of the records. When a customer can purchase a copy of a vital record at the Historical Society for \$.25 and is told the same record in my office costs \$12 they can become very agitated.

I have no problem with other agencies issuing copies of pre-1907 vital records but I feel they should charge a comparable or reasonable fee. I am sure the State Historical Society does not have surplus revenues and could use the revenues generated from the



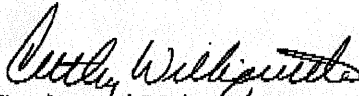
Rep. John Dobyms  
Re: Assembly Bill 709  
January 26, 1997

Page 2

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I urge you and your committee members to require all copies of vital records be stamped "uncertified not valid for identity purposes" and that a fee be established for copies of vital records made in offices other than register of deeds and the Center for Health Statistics.

Respectfully,

  
Cathy Williquette  
Register of Deeds  
Brown County

# CALUMET COUNTY REGISTER OF DEEDS

Donna Schommer

Courthouse  
206 Court St  
Chilton WI 53014

Chilton (920)849-1441  
Appleton (920)989-2700  
Brillion (920)756-2635  
Fax (920)849-1469

January 26, 1998

**FAX MEMO**  
 # PAGES 2 DATE 1/26/98 FAX # 1-608-282-3652  
 TO Rep. John Dobyms  
 FROM Reg. of Deeds  
 CO. Calumet  
 PH # 849-1441 FAX # \_\_\_\_\_

Assembly Government Operations Committee

RE: Assembly Bill 709

Dear Rep. John Dobyms:

I am concerned with certain provisions in Assembly Bill 709 which I would like to bring to your attention.

My first concern is with the provision that a copy of a pre-1907 vital record made by the State Historical Society does not have to bear a notice that the record is uncertified. Not requiring such a stamp increases the potential for fraudulent use of the record. It also increases the potential for and consequences of alteration of the record.

We have had many cases in Wisconsin recently where individuals have requested certified copies using fraudulent information and have used the vital record obtained for illegal purposes which has caused great distress to the individual named on the record and their family members. By not stamping a record "uncertified not valid for identity purposes" really increases the likelihood the record will be used for fraudulent purposes. In fact, we have many customers who wish our requirement to obtain copies of vital records were stricter.

My next concern is with the provision which allows the State Historical Society and others to make copies of vital records for a fee if they choose. My office is bound by Wisconsin Statute 69.21 to charge \$12 for a birth certificate copy (\$5 of this fee is for the Children's Trust Fund) and \$7 for a death or marriage certificate copy - certified or uncertified. These fees are used to offset the costs of copying, storing and issuing copies of the records. When a customer can purchase a copy of a vital record at the Historical Society for \$.25 and is told the same record in my office costs \$12 they can become very agitated.

I have no problem with other agencies issuing copies of pre-1907 vital records but I feel they should charge a comparable or reasonable fee. I am sure the State Historical Society does not

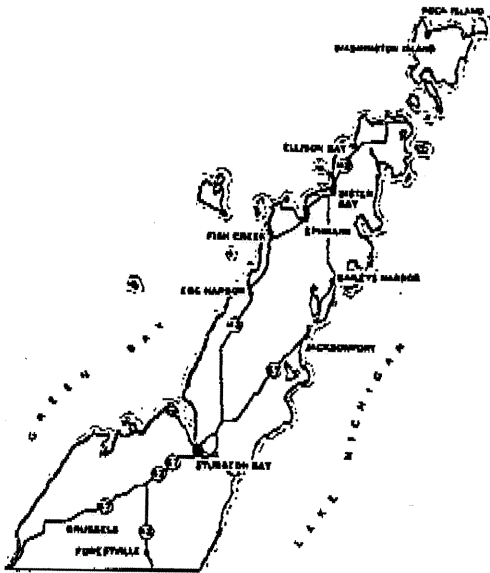
have surplus revenues and could use the revenues generated from the sale of copies to help them offset their expense to index, store, and copy these records.

I urge you and your committee members to require all copies of vital records be stamped "uncertified not valid for identity purposes" and that a fee be established for copies of vital records made in offices other than register of deeds and the Center for Health Statistics.

Respectfully,



Donna Schommer  
Register of Deeds  
Calumet County



## Door County Register of Deeds

*Marilyn Jadin*

421 Nebraska Street, Box 670, Courthouse  
Sturgeon Bay, WI 54235-0670

Telephone (920) 746-2270 Fax (920) 746-2330

January 26, 1998

Rep. John Dobyys, Chair  
Assembly Government Operations Committee  
FAX: 608-282-3652

RE: Assembly Bill 709

Dear Rep. Dobyys:

I am concerned with certain provisions in Assembly Bill 709 which I would like to bring to your attention.

My first concern is with the provision that a copy of a pre-1907 vital record made by the State Historical Society does not have to bear a notice that the record is uncertified. Not requiring such a stamp increases the potential for fraudulent use of the record. It also increases the potential for and consequences of alteration of the record.

We have had many cases in Wisconsin recently where individuals have requested certified copies using fraudulent information and have used the vital record obtained for illegal purposes which has caused great distress to the individual named on the record and their family members. By not stamping a record "uncertified not valid for identity purposes" really increases the likelihood the record will be used for fraudulent purposes. In fact, we have many customers who wish our requirement to obtain copies of vital records were stricter.

My next concern is with the provision which allows the State Historical Society and others to make copies of vital records for a fee if they choose. My office is bound by Wisconsin Statute 69.21 to charge \$12.00 for a birth certificate copy (\$7.00 of this fee is for the Children's Trust Fund) and \$7.00 for a death or marriage certificate copy - certified or uncertified. These fees are used to offset the costs of copying, storing and issuing copies of the records. When a customer can purchase a copy of a vital

Rep. John Dobyms  
RE: Assembly Bill 709  
January 26, 1998  
Page -2-

record at the Historical Society for \$.25 and is told the same record in my office costs \$12.00 they can become very agitated.

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I urge you and your committee members to require all copies of vital records be stamped "uncertified not valid for identity purposes" and that a fee be established for copies of vital records made in offices other than register of deeds and the Center for Health Statistics.

Respectfully,

*Marilyn Jadin*

Marilyn Jadin  
Register of Deeds  
Door County

**Volz, David**

---

**From:** Larry Lynch[SMTP:lynchld@uwec.edu]  
**Sent:** Monday, January 26, 1998 9:54 AM  
**To:** Rep.Plouff; Sen.Clausing; Rep.Dobyns; Rep.Wieckert; Rep.Ott; Rep.Urban; Rep.Kelso;  
Rep.Ziegelbauer; Rep.Schneider; Rep.Plale; rep.young@legis.state.wi.us  
**Cc:** Cleo J Powers  
**Subject:** AB709/SB393 (vital records copying)

Dear members of the Assy Govt Operations Committee and Sen. Clausing,

I urge you to support AB709 and SB393 regarding copying of pre-1907 vital records. From 1981 until 1997 the State Historical Society of Wisconsin and affiliated Area Research Centers made printed copies from microfilmed birth, death, and marriage records recorded before 1 October 1907 for genealogists and other historical researchers. However, a 1985 law that established Chapter 69 of the State Statutes technically made it legal for only the State Registrar in the Bureau of Vital Records and the local Registrars of Deeds to copy such records. It appears that, through an oversight, making uncertified copies of the pre-1907 records for historical purposes was not exempted. As of March 1997, the State Historical Society of Wisconsin and the Area Research Centers were forced to declare a moratorium on copying these records, creating a great inconvenience for genealogists, students, and other scholars. Your support of AB709 and SB393 will correct this unfortunate situation and remove the ambiguity in the current laws.

Thank you for your attention to this matter.

Larry Lynch  
Curator, Eau Claire Area Research Center

\*\*\*\*\*  
Larry Lynch, University Archivist  
Special Collections, McIntyre Library  
University of Wisconsin-Eau Claire  
Eau Claire, WI 54702-5010  
(715) 836-3873

"I'M AN ARCHIVIST--  
THAT'S WHO I AM,  
THAT'S WHAT I DO!"

FAX: (715) 836-2949 Email: lynchld@uwec.edu  
\*\*\*\*\*

309 N. Brearly Street  
Madison, WI 53703  
26 January 1998

The Hon. John P. Dobyms, Chair  
Assembly Standing Committee  
on Government Operations  
PO Box 8952  
Madison, WI 53708

Dear Rep. Dobyms,

As a professional genealogist, I want to add my vote to those who are in favor of SB 393/AB 709, lifting the ban on the making of uncertified photocopies from microfilms of pre-1907 Wisconsin vital records by the public in Wisconsin.


My reasons for this are:

- 1) The records are now over 100 years old, so there is no possibility that uncertified copies could be used to construct false identities or for other fraudulent purposes.
- 2) The present restriction unfairly penalizes those who do research at the State Historical Society and its Area Research Centers, when the same records are available at numerous repositories outside of Wisconsin, where the limitation cannot apply. In fact, copies of these microfilms may be borrowed at any L.D.S. Family History Center throughout the United States (including those in Wisconsin). This restriction, in effect, taxes residents of Wisconsin for copying "their own" records, when everyone else is allowed to do so (although many out-of-state visiting researchers are also affected).
- 3) I believe that it was never the intention of the drafters of the original law that the public be prohibited from making photocopies of these old vital records, or else the letter of the law would have been enforced before now. Belatedly demanding compliance with this law is like trying to make a cat stay inside the house after its owner, knowing that he shouldn't, has let the cat run free outside - it is unreasonable and makes the cat pretty angry. In this case, it makes the State Vital Records Office and the County Registers of Deeds look greedy and foolish. It also makes Wisconsin taxpayers resentful twice: when they aren't allowed to make copies like they used to and when they know that legislative time is being wasted to retract this nonsensical law.

I know you are a cosponsor of the bill to rectify this situation, so of course the above criticism is not aimed at you personally. I hope that letters like this, as well as the testimonies of the public at the hearing on January 28, will convince the members of your committee to recommend the speedy passage of both SB 393 and AB 709.

Thank you for your efforts to correct this legislative *faux pas*.

Sincerely,

  
Dee Anna Grimsrud

File Bill #3  
Date 1/27/98

**Volz, David**

---

**From:** Lawrence F. Green[SMTP:lgreen@acronet.net]  
**Sent:** Monday, January 26, 1998 6:07 PM  
**To:** Rep.Dobyns  
**Subject:** Vote in Favor

Sir

Please vote in favor of the bill that would allow Geneaolists and researchers access to photocopie the pre1907 vital records. Uncertified copies help link the past to the present.

Thank you

Larry Green



January 26, 1998

THE HON. JOHN P. DOBYNS, CHAIR  
Assembly Standing Committee on Government Operations  
P. O. Box 8952  
Madison, WI 53708

RE: Issuance of uncertified copies of vital records occurring before Oct. 1, 1907; (SB 393 and AB709.)

PLEASE VOTE IN FAVOR OF THIS BILL, allowing the public to make uncertified copies of their ancestors' vital records.

Each of us has a family history that strengthens family ties and pride. Each generation will find it increasingly difficult to maintain its own history.

I think of this genealogy information as mine, and my descendants.

These vital records are the verifications of happenings in my family history.

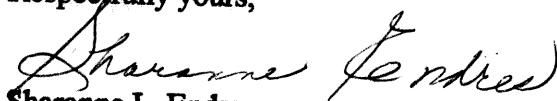
It is sometimes difficult enough finding the correct records, much less to be told you cannot have a copy of them.

These are records almost 100 years old. Almost antiques! They are valuable to us. There isn't one person in America that doesn't have an immigrant ancestor of EXTRAORDINARY

COURAGE AND FORTITUDE, just to have decided to journey across the sea to an unknown land. The fearful and weak stayed behind. Our ancestral genealogies are truly worth knowing about, and worth the trouble of researching.

Is there even one good reason to not have records of their births, deaths and marriages?

Respectfully yours,



Sharanne L. Endres  
2221 Hollister Avenue  
Madison, WI 53705

January 26, 1998

The Honorable John P. Dobyms  
Chairperson  
Assembly Standing Committee on Government Operations  
Box 8952  
Madison, WI 53708

Dear Representative Dobyms

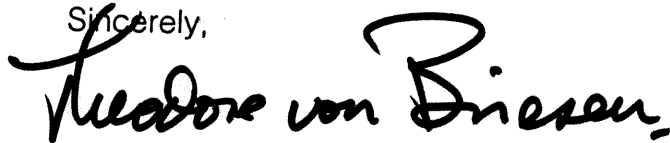
Re: AB709/SB393

I was very pleased to hear that Assembly Bill 709 has been introduced and that your committee will be holding an early public hearing on it.

I am a practicing genealogist -- who happens to have many relatives who were pioneers in Wisconsin -- in Columbus, Stevens Point, Omro, Milwaukee, Boscobel, and other areas of the state. The restrictions on making uncertified copies of their early (pre 1907) vital records has been a hardship on me and I will be very happy when this restriction is removed.

Your support, and that of the other members of the committee will help the Legislature pass a very useful bill, and one that will not cost tax money to implement. I hope that you agree with me, and will support passage of AB 709. Thank you very much.

Sincerely,

A handwritten signature in black ink that reads "Theodore von Briesen". The signature is written in a cursive, flowing style with a large initial 'T'.

Theodore von Briesen

501 E. Freistadt Road  
Thiensville, WI 53092-1754

January 26, 1998  
913 Mohican Pass  
Madison, Wi., 53711-2837

Honorable John P. Dobyms  
Chairperson, Assembly Standing  
Committee on Government Operations  
State of Wisconsin, State Capitol Bldg.  
P.O. Box 8952  
Madison, Wi., 53708

Dear Representative John Dobyms:

We are writing to ask for your support of Assenbly Bill AB 709 {Senate Bill SB 393}, legislation relating to the issuance of uncertified copies of vital records for events occurring before October 1, 1907.

This legislation is important to us and to literally thousands of genealogists in Wisconsin. It restores our right to make copies of vital records for events before October 1, 1907. Since 1981 we have been permitted to make copies from a microfilm prepared by the Genealogical Society of Utah, but in March of last year it was learned that a 1985 law governing vital records, made it illegal for anyone, other than the State Bureau of Vital Records or Registers of Deeds, to make copies of these vital records. Even though we have been making copies from the microfilm for many years without anyone ever objecting, the State Historical Society and the Area Research Centers have now decided they must comply with the law. We do not know why this didn't happen in 1985 when the law was passed. In our opinion, it was never intended to apply to these particular records.

What makes the current situation very unfair to Wisconsin genealogists is that there are copies of the microfilm at the Family History Library in Salt Lake City and available at Family History Centers throughout the country. Anyone with access to the film outside of Wisconsin can make copies without any problem. Only those of us in Wisconsin are prohibited from making copies of our records. AB 709/SB 393 would correct this inequity. Because the records involved are all at least 90 years old and the copies are not certified ther is virtually no possibility for fraudulent use.

We strongly urge you to vote for AB 709/ SB 393. We have been doing genealogy research on our families here in Wisconsin and several other states for over 25 years. Any work we do is for family historical purposes only. We have no intention of using these records for any fraudulent or illegal purpose.

Thank you for your consideration.

Very truly yours,

*Carol E. Helfrecht*  
Carol E. Helfrecht

*Donald J. Helfrecht*  
Donald J. Helfrecht

cc. Sen. Fred A Risser  
Rep. Rebecca Young

272 N. Fremont Street  
Whitewater, WI 53190-1323  
26 January 1998

The Hon. John P. Dobyas  
Chairperson, Assembly Standing Committee on Government  
Operations  
P. O. Box 8952  
Madison, WI 53708

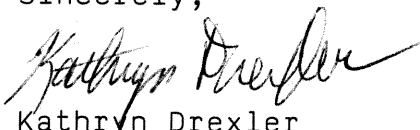
Dear Representative Dobyas,

As an active genealogist I am writing to show my strong support for the proposed legislation SB393/AB 709. I urge the Assembly Standing Committee on Government Operations to report the bill for passage as introduced.

I do genealogical research for people in other states, as I know how hard it is when you live at a distance. It is hard to explain to these people that Wisconsin residents can't copy the pre-1907 records, that they need to do it themselves through their local Family History Center of the Mormon Church.

Since these records are all 90 years old, and the copies are not certified, they can't be used for fraud. It is wrong to deny citizens of Wisconsin the chance to copy these records, when someone 30 miles from me in Illinois can do so.

Sincerely,



Kathryn Drexler

*Membership Chairperson  
Walworth Co (WI) Genealogical Society*

# Children's Trust Fund

Wisconsin's Resource For Preventing Child Abuse

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Child Abuse and Neglect Prevention Board  
110 East Main Street, Madison, WI 53703  
(608) 266-6871 FAX (608) 266-3792

January 28, 1998

Testimony in Opposition to Assembly Bill 709  
by  
Nadine Schwab

Good Morning and thank you Mr. Chairman and members for this opportunity to address Assembly Bill 709. I am the Executive Director of the Child Abuse and Neglect Prevention Board also referred to as the Children's Trust Fund. I am here on behalf of the board to express opposition to Assembly Bill 709.

The Children's Trust Fund is a separate state agency governed by a 16-member board and attached to the Department of Health and Family Services for fiscal services. Ours is the only state agency that provides grants to organizations and communities to develop programs focusing on primary prevention of child abuse and neglect in the state of Wisconsin.

Our agency has three funding sources: program revenue, federal matching funds, and grants and gifts and bequests. Our program revenue is \$7 out of the \$12 charge on duplicate birth certificates. We do currently have a declining fund balance and an unstable federal funding from year to year and do rely heavily on the annual program revenue from the sale of the duplicate birth certificates.

The Children's Trust Fund was hopeful that with the coming of the year 2000, there would be an increased interest in family histories and people would seek information and, subsequently, duplicate birth certificates dated between the years of 1898 and 1902.

I am unable to give an exact or even an estimated amount of revenue which may be in jeopardy with the passage of this bill but any loss of revenue to our agency has a potential negative impact on the 38 child abuse and neglect prevention programs which our agency currently funds throughout the state of Wisconsin.

Again, I wish to express opposition to Assembly Bill 709. Thank you.



State of Wisconsin  
Department of Health and Family Services

Tommy G. Thompson, Governor  
Joe Lekan, Secretary



### Testimony on Assembly Bill 709

before the Assembly Committee on Government Operations

January 28, 1998

Thank you for the opportunity to present testimony on Assembly Bill 709, relating to the issuance of uncertified copies of vital records for events occurring before October 1, 1907. The Department of Health and Family Services believes that the enactment of this bill will open wide the flood gates to fraud and erode the integrity of Wisconsin's vital records system. We are speaking for information only because after discussing our concerns with the author of the bill, we believe it possible to reach some middle ground thereby allowing for responsible access to historical vital records while still preserving the integrity of these records.

While access to vital records is widespread – anyone can *view* these records at any number of public sites around the state – under current law only the state registrar and local registrars may *issue* certified and uncertified copies of vital records. Certified copies are deemed the same as the original vital record, and are stamped and sealed by the issuing officer. *Uncertified* copies must have on its face a notice that it is uncertified. We mark *all* uncertified records with a single stamp that advises people that the copy is not legal for identification uses *and* that it is illegal to copy the record. In addition, the state registrar and local registrars must document the name and address of any person who requests either a certified or uncertified copy of a vital record.

AB 709 will allow *any institution and anyone* who has copies of vital records to issue uncertified copies of records of events that occurred before October 1, 1907. While DHFS understands the rationale for this legislative proposal, the practical implications of AB 709 promise an increased incidence of fraud and false identification and impersonation.

### **Maintaining a record of requests**

In all Wisconsin Vital Records offices, record requesters show ID or write and give their names and addresses. If fraud is detected in relation to an altered record, we can trace back to find the person who requested the record. This has actually been instrumental for two recent cases where death records were altered and a case where a birth record was changed.

- A. (Rock, 1996) Copies of an altered birth record were found at a photocopier. The original certified copy *was traced back* to a woman who had obtained a copy of the record and admitted to attempting to alter the age of her grandchild so that she could take him on a plane at a reduced fare.
- B. (Juneau, 1997) A staff member of a Social Security office in Louisiana contacted our state registrar about a death record that appeared to have been altered. The woman who provided the record wanted to receive emergency benefits for her children who were supposedly fathered by the "decedent." Since we maintain a history and catalog of vital records requests, we were able to trace it back to a death record that had been issued in Juneau County. *It turned out to be a death record of a different person.* The case was turned over to the local authorities. *Documentation on who received copies of the death record will be important for sorting out this case.*
- C. (Marinette, 1997) An employer outside of Wisconsin was given a copy of a death record by an employee as proof that her husband had recently died during their vacation in Wisconsin. The death record on which the altered record was based was of a different person. A computer had been used to alter the statistics on the record.

While these cases do not involve records pre-dating October 1, 1907, the concept is the same. If we cannot retain the mechanism for tracing back to the original request for a vital record – either certified or uncertified – we will not be able to stop any resulting fraud.



### **Changes in technology**

Recent advances in technology also make it imperative that we not expose a whole cache of Wisconsin residents' vital records to unmitigated proliferation and illicit use.

- Within the last few months we have seen a Wisconsin death record illegally scanned and offered for "downloading" on the Internet. Because the current law makes that practice illegal, we are able to file a request that the image be removed from that website.
- We also recently became aware of a person in Wisconsin who *is* advertising the sale of Wisconsin vital records on the Internet.

Should the law be changed according to the proposal offered by AB 709, we would not have the authority to remove the placement of pre-1907 vital records from the Internet.

Finally, I would like to call your attention to a letter (attached to the distributed testimony) from the Fraud Program Manager, John Board, of our federal Department of State's Passport Agency in New Orleans which issues all of the passports for Wisconsin. To paraphrase Mr. Board, it is precisely because of Wisconsin's diligence in maintaining records of requesters and our demarcation of vital records as either certified or clearly marked "uncertified, not valid for identification," that "almost none of the passport fraud attempts from Wisconsin or elsewhere in the United States currently involve Wisconsin vital records."

### **Are there any solutions that will meet the needs of genealogists?**

The state registrar's office is in the process of creating new language for Chapter 69 to insure the integrity of the vital records system while maintaining access for genealogical research. We are not opposed to additional sites where Wisconsin citizens can seek uncertified copies of vital records. However, we must maintain the tried and proven protocol of plainly marking the record uncertified and keeping a log of all those who request these vital records.

For a number of years, copies of vital records apparently were made and distributed outside of the state or local registrar's office – copies which were not stamped uncertified and were distributed without any record of the recipient. This anonymity presents a fraud control problem.

Non-uniformity creates problems for vital records offices and the public. Issuance of copies of vital records will become even more complex than it already is for our office and for local registration offices. Now we issue uncertified copies in a uniform manner, since we mark **all** non-certified records with a single stamp that advises people that the copy is not legal for identification uses **and** that it is illegal to copy the record. If this law passes, all of our offices will have to differentiate between pre-October 1st, 1907 records and records of events prior to that date. We will have to use two different stamps. This would include the pre-October 1907 out of wedlock records many of which are not located in the Historical Society files, but are included in the proposed bill.

Differentiating between pre-October 1, 1907 records and later records will also be confusing for the public, many of whom already hold copies of both types of these records. Which ones can they legally copy and which ones can't they



## Department of State, U.S.A.

*Passport Agency  
Postal Service Building  
Room T-12005  
701 Loyola Avenue  
New Orleans, La. 70113*

January 27, 1998

Linda L. Langlois  
Vital Records Services Section Chief  
State of Wisconsin  
Department of Health and Family Services  
1 West Wilson Street  
Madison, WI 53701-0309

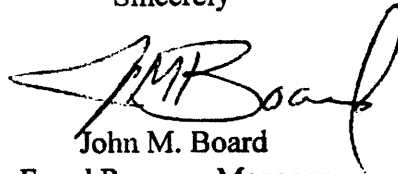
Dear Linda,

I am writing in regard to our recent conversation regarding the possibility that agencies other than the state of Wisconsin or your county vital records custodians may become empowered to issue copies of vital records. I understand that this would supposedly be limited, at least initially, to records from the period preceding 1907 but that the records would not be stamped or certified and that there would be no applicant information retained by the issuing agencies. What concerns me is the possibility that such records could be altered, copied and falsely sealed and then criminally misused. You and Lori Stark have done an excellent job of educating me regarding the issuance of vital records in Wisconsin since the New Orleans Agency assumed responsibility for passport issuance to your citizens two years ago. I know that when Wisconsin issues a vital record the record is either certified or clearly marked "uncertified, not valid for identification." This greatly reduces the possibility that someone can fraudulently use, alter or falsely seal one of your records. This undoubtedly contributes to the fact that while there is a significant amount of attempted passport fraud originating in Wisconsin, primarily in Milwaukee and Green Bay, almost **none** of the passport fraud attempts from Wisconsin or elsewhere in the United States currently involve Wisconsin vital records. Another issue that concerns me deals with the small number of fraud attempts that do involve valid or purported Wisconsin documents. We have developed routine contacts at the state and county vital records agencies to verify the name and address of applicants who have obtained or attempted to obtain documents for the purpose of criminal misuse. It appears that the changes proposed would require no such accountability to maintain such records, leaving our special agents with no trace factor in fraud investigation purposes. One deceased identity fraud attempt originating in Kansas City, Missouri, two years ago was solved by the location by one of your county officials of a request for a dead Wisconsin child's birth record made prior to the impersonation attempt.

I hope that I have effectively articulated my point of view regarding the safeguarding and controlling of your birth records. Any such document that says STATE OF WISCONSIN at the top should, I believe, be carefully controlled. I deal regularly with people who have been impersonated as well as the parents of deceased children who have had their children's identities misused decades after their death. I do not believe that there is such a thing as "too much" internal control of vital records. If you would like to discuss this with me further please call me at (504) 589-6161 EXT. 191. I am sometimes out of town but I will return your call immediately on my return.

Thank you for all the assistance provided by you and your colleagues in our ongoing efforts to serve the citizens of Wisconsin.

Sincerely

A handwritten signature in black ink, appearing to read "J.M. Board". The signature is stylized with a large, sweeping initial "J" and "M".

John M. Board  
Fraud Program Manager  
Passport Agency  
New Orleans Region

Dave Wagner  
5802 Hempstead Road  
Madison, WI 53711

File AB709  
Date 1/28/98

January 24, 1998

Representative John Dobyns  
P O Box 8952  
Madison, WI 53708

Dear Representative Dobyns:

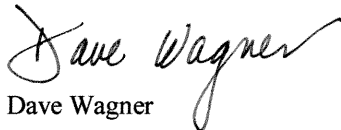
I am writing to thank you for your co-sponsorship of AB 709, **Legislation relating to the issuance of uncertified copies of vital records for events occurring before October 1, 1907.**

This bill is important to myself and thousands of genealogists in Wisconsin. It restores our right to make copies of vital records for events before October 1, 1907. Since 1981 we have made copies from a microfilm prepared by the Genealogical Society of Utah. In March of this year we learned that a 1985 law governing vital records made it illegal for anyone other than the State Bureau of Vital Records or Registers of Deeds to make any copies of vital records. We have been making copies from the microfilm since 1981 without anyone ever objecting. The State Historical Society and the Area Research Centers have now decided they must comply with the law. When the law was passed in 1985 it was never intended to apply to these particular records.

The current situation is very unfair to Wisconsin genealogists because copies of the microfilm are available at the Family History Library in Salt Lake City and at Family History Centers throughout the country. Anyone with access to the microfilm outside Wisconsin can make copies without any problem. Only those of us in Wisconsin are prohibited from making copies of our records. **AB 709 would correct this inequity.** Because the records involved are all at least 90 years old and the copies are not certified there is virtually no possibility for fraudulent use.

**I strongly urge your continued support for AB 709.**

Sincerely,

  
Dave Wagner

January 29, 1998

Hon. John P. Dobyne, Chairperson  
Assembly Standing Committee on  
Government Operations  
P.O. Box 8952  
Madison, WI 53708

Dear Sir:

We are writing you on behalf of AB 709.

As persons who are researching their family histories, we know all too well of being unable to receive uncertified copies of vital records before October, 1907.

Since our family ancestors were among the early settlers of Wisconsin, their records of importance are all pre-1907. Just recently I received a marriage certificate copy dated 25 Apr 1896 from Clark County with large stamps on each side saying "not certified invalid for legal use." The certificate copy looks "terrible" with those stamps on it.

It truly is important for accurate

Genealogical Research to provide clear documents.

We hope the committee will strongly favor  
the issuance of uncertified copies of vital  
records for events before October 1, 1907  
to Wisconsin residents.

Thank you for your attention in this matter.

Cordially,

John and Joan Finley  
921 Lowell Drive  
Waukesha, WI 53186

*Dobyns 10W*

**John A. "Jack" Brissee**  
**529 Echo Valley Road**  
**Brooklyn, Wisconsin 53521**  
608 835-9750 Fax: 608 835-3897 Email: [jbrissee@execpc.com](mailto:jbrissee@execpc.com)

1 February 1998

The Hon. John Dobyns  
Chairman, Government Operation Committee  
P.O. Box 8952  
Madison, Wisconsin 53708-8952

Dear Representative Dobyns:

Thank you for the opportunity to testify in favor of AB 709 before your committee on Wednesday, 28 January. I am concerned, however, that by the time I got to testify half the committee had already left the room and the rest were anxious to leave as soon as possible. My testimony was therefore brief in the extreme. Because some previous speakers had confused the issue with irrelevant and possibly misleading testimony I feel this is most unfortunate and would appreciate it if you would share this letter with the rest of the committee so they may have fair and full information before a decision is made.

The first point is that the records that AB 709 would exempt from existing provisions of Chapter 69 are all for events prior to 1 October 1907. In no way could AB 709 be considered to affect the possibilities for invasion of privacy or fraudulent use related to any records after that date.

The microfilm of these records made by the Genealogical Society of Utah in 1981 was made with the explicit understanding that those who would be using the microfilms would be able to make fair use photocopies for genealogical research purposes. This understanding was based on a letter from the Chief of Vital Statistics dated 1 April 1981. There was nothing illegal about making these copies from 1981 until 1985 when Chapter 69 was enacted. The Department of Health, which is responsible for enforcing the provisions of Chapter 69 was fully aware of the existence of the microfilm (as DOH representatives testified, they have a copy) but did nothing to inform other holders of the film that photocopies made from it were illegal. Genealogists were not knowingly in violation of the law.

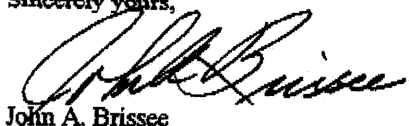
Genealogists are sensitive to concerns for privacy, however, the records are already open for examination (but not copying) under the existing provisions of Chapter 69. How the making of uncertified copies will increase the possibility of invasion of privacy is hard to comprehend. Moreover the number of persons potentially effected is very limited. Not only are there a limited number of people still alive who were born before 1 October 1907, but also there are no records included within the pre-1907 vital records for many of them.

An intensive effort was made by persons testifying against the bill to allege that it would foster fraudulent use of the records, but when presenting examples of fraud the representatives of the Department of Health cited only cases involving records created long after 1907. While I would never deny that fraud *could* be attempted with the pre-1907 records I still submit that the likelihood is exceedingly slim. Not only does the age of the records argue against fraudulent use, but the copies are not certified which further limits the potential for fraud.

Finally, I believe all members of the committee heard that copies of these records may be made anywhere outside of Wisconsin, it is only in Wisconsin that they are prohibited. If anyone is really determined to attempt a fraud with pre-1907 records denying the right to copy them in Wisconsin is not going to stop them. Not approving AB 709 does nothing to reduce fraud or increase privacy nor does it accomplish any other positive result. It does, however, send a very negative message to Wisconsin genealogists.

If you or any member of the committee has further questions I would be pleased to provide answers. I hope the committee will report AB 709 with a recommendation for passage so that it may be enacted during this session of the Legislature. Thank you for your consideration.

Sincerely yours,



John A. Brissee  
First Vice Pres, Wis State Genealogical Society  
Chair, Nat Gen Soc/Fed of Gen Soc Committee on Records Preservation and Access



February 2, 1998

The Hon. John P. Dobyms  
Chair, Committee on Government Operations  
Wisconsin State Assembly  
P.O. Box 8952  
Madison, WI 53708

Dear Rep. Dobyms:

I am writing to encourage the Committee to approve House Bill 709 to change Chapter 69 of the State Statutes to allow genealogists to legally make uncertified copies of pre-1907 vital records at the State Historical Society and Area Research Centers.

Since anyone outside of Wisconsin can copy these records it seems ridiculous that we can not. The chances of someone committing fraud or invading privacy with records this old is almost nil.

Thank you for considering my opinion, please share my thoughts with your committee.

Sincerely yours,

*Rosemarie McMahon*

3 February 1998

The Hon. John P. Dobyms  
Chair, Committee on Government Operations  
Wisconsin State Assembly  
P.O. Box 8952  
Madison, WI 53708

Dear Rep. Dobyms:

I understand the Committee on Government Operations is considering House Bill 709 to change Chapter 69 of the State Statutes to allow genealogists to legally make uncertified copies of pre-1907 vital records at the State Historical Society and Area Research Centers. I am writing to encourage the Committee to approve this bill.

Since the Genealogical Society of Utah microfilmed these records in 1981 genealogists have been free to make inexpensive uncertified copies from the microfilm. Because of provisions of Chapter 69 that apparently no one knew about we are now prohibited from making these copies and threatened with a fine of up to \$10,000 and 2 years in prison if we do. The microfilm is available at Salt Lake City and at hundreds of Family History Centers outside Wisconsin and anyone can make copies from it there without violating any law. This does not seem fair at all. I am told that part of the reason for making the copies illegal is that they would be used for fraud. I do not think genealogists in Wisconsin are more likely to try to commit fraud than anyone outside of Wisconsin!

We are also told that copies should be illegal because of privacy concerns. All of these records are over 90 years old and there cannot be that many people named in these records who are still alive. Not everyone over 90 years of age has a birth record in these records and they would probably have to be 115 or more for a marriage record! The idea that making copies of these records is going to invade a lot of people's privacy is pretty weak.

Also, I think it is important to remember that the bill covers only pre-1907 records, it doesn't effect any others. All it does is to allow us to legally do what we have been doing for 16 years without ever knowing there was anything illegal about it, and to do what people everywhere else can do without being charged with being criminals. That everyone else can and we in Wisconsin can't doesn't make sense.

I hope you will share my thoughts with the rest of your committee.

Sincerely yours,

*Chaimo Miller*  
*465 Charles Lane*  
*Madison WI 53711-1309*

The Hon. John P. Dobyms  
Chair, Committee on Government Operations  
Wisconsin State Assembly  
P.O. Box 8952  
Madison, WI 53708

Dear Rep. Dobyms:

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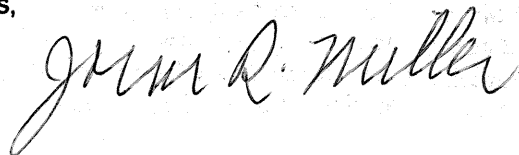
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I hope you will share my thoughts with the rest of your committee.

Sincerely yours,

A handwritten signature in cursive script that reads "John R. Miller". The signature is written in dark ink and is positioned below the typed name "John R. Miller".

# Nancy G. Williams

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Genealogist  
409 Orchard Drive  
Madison, Wisconsin 53711  
Feb. 3, 1998

Telephone 608-231-1641

The Hon. John P. Dobyms  
Chair, Committee on Government Operations  
Wisconsin State Assembly  
P.O. Box 8952  
Madison, WI 53708

Dear Rep. Dobyms,

I urge you to vote in FAVOR of AB 709 to correct the unfairness that exists about being unable to photocopy vital records prior to 1907. It is inconceivable that anyone outside the state of Wisconsin can copy these records, but here in our state this is not possible!

Thank you for your consideration - and your YES vote!

Very sincerely,



Nancy G. Williams

Dick Ammann  
1612 Park Avenue  
Racine, Wisconsin 53403-2722  
4 February 1998

The Hon. John P. Dobyms  
Chair, Committee on Government Operations  
Wisconsin State Assembly  
P.O. Box 8952  
Madison, WI 53708

Dear Mr. Dobyms:

I am writing about House Bill 709, which would change Chapter 69 of the State Statutes to allow the copying of uncertified copies of pre-1907 vital records at the State Historical Society and at Area Research Centers.

I encourage the committee to approve this bill.

These uncertified copies would be used for genealogy and family history research by people involved in their own research. They would be able to get the same documents outside of Wisconsin without penalty, since the documents are available through the Family History Centers of the Mormon church.

Genealogy is one of the country's most popular hobbies and pastimes, mostly among older individuals. Their use of the early records involved in this bill will not invade anyone's privacy; it will probably affect the living at most by helping individuals to make personal connections among long-lost relatives. I see absolutely no harm in allowing uncertified copies of these documents to be made.

Sincerely,



Dick Ammann

Lucile H. McFee  
7284 Old Sauk Rd.  
Madison WI 53717-1211

Feb. 4, 1998

The Hon. John P. Dobyms  
Chair, Committee on Government Operations  
Wisconsin State Assembly  
P.O. Box 8952  
Madison WI 53708

Dear Rep. Dobyms:

I wish to thank you for your co-sponsorship of AB 709 which is now before your committee. As you know passage of this bill would allow genealogists in Wisconsin to make uncertified copies of pre-1 October 1907 vital records which are on films held by the library of the State Historical Society of Wisconsin and Area Research Centers. This privilege is of utmost importance to genealogists throughout the state. Their research enhances the knowledge of the history of our great state and the people who first settled here.


As a member of the State Historical Society of Wisconsin and the Wisconsin State Genealogical Society as well other historical and genealogical societies I strongly favor this bill. I was present at the hearing for this bill before your committee on January 28, 1998 so I will not restate all the points made in favor of this bill. However I do wish to comment on some statements which were made against the bill.

First the people from the Bureau of Vital Records expressed concern about distinguishing between certified and non-certified copies. When the people at Vital Records or the Register of Deeds offices certify a record they place on it an embossed stamp. This stamp should be readily apparent to anyone verifying the record for identification purposes. It would not appear on copies from these films.

Second the examples of possible fraud which were given all were based on more recent records. The pre-1907 records are handwritten and in many cases are incomplete in regard to the information given. [Much to the dismay of those of us who hope to find clues for further research.] There probably is a greater chance of fraud from the information from drivers licenses which is made available by the Department of Transportation.

Again I wish to thank you for your work on this bill and urge you to continue your efforts to present the bill to the Assembly for passage.

Sincerely,



Lucile H. McFee