

5310 Louth Terr
Madison, Wis.

February 4, 1998

Dear Rep. Dohyrs,

I am writing you concerning House Bill 709, to change Chapter 167 of the State Statutes to allow genealogists to legally make uncertified copies of pre-1907 vital records at various libraries in the state. I want to encourage you to approve this bill.

As genealogists, we need this information and since it is available outside of Wisconsin at less cost than it is here, it seems only right that we here in the state should have it available at the lower cost. It doesn't seem as if this would be an invasion of privacy for most of those born before that date are dead. And usually it is our own family we are researching.

I hope you will approve this bill.

Thank you.

Sincerely,

Jeanne Bryan Garnett
(Mrs. Gordon M)

Volz, David

From: Kathy Gosz[SMTP:kgosz@execpc.com]
Sent: Wednesday, February 04, 1998 3:55 PM
To: Rep.Dobyns
Subject: Approval of HB709

February 4, 1998

Honorable John P. Dobyns, Chair
Committee on Government Operations
Wisconsin State Assembly
Madison, WI

Dear Rep. Dobyns:

I am writing to you as the chair of the Committee on Government Operations to urge you and the other Committee members to approve House Bill 709 so that it can be voted upon by the State Legislature. Passage of this bill would allow genealogists and persons with an interest in their medical history to make photocopies of their records from the Pre-1907 vital records of the State of Wisconsin without having to go to a county register of deeds office or to the State Bureau of Vital Records and paying significant costs.

I have been told that Committee members have been concerned about the bill because an individual's privacy could be invaded or because some person might decide to use these records in a fraudulent way. Since the newest vital records that are covered in this bill are over 90 years old, allowing better access to these records for Wisconsin citizens would not seem to me to be much cause for concern.

It is also ironic that any person from another state can visit an LDS Family History Center in their locality and copy these records with no restrictions at all. The Wisconsin law really doesn't protect against privacy or fraud; it simply prevents Wisconsin citizens from having the same privileges as persons who live outside of this state.

As a person who, by using these records, has discovered a strong history of cancer in previous generations, I want others to have the same opportunity to research their families as I have had. When I did my research, there were no such restrictions on copying these vital records, and they have not only helped me trace my family tree but take health precautions as well. Knowing what I did probably helped me take quick action and be a successful breast cancer survivor.

I know that you and the other Committee members want to do what is best for the citizens of this state. I hope you will all consider these comments and decide to vote "yes" on the bill.

Sincerely,

Kathy Gosz
2568 Pebble Valley Road
Waukesha, WI 53188

DIANE GRAY
5412 W. Whitaker Av.
Greenfield, WI 53220-3538
414-321-0869

February 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 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. While I'm sure the potential is there for fraud using post-1907 records, I do not believe this is the case with pre-1907 records. Most of the people these records pertain to are most likely dead. I also don't feel that the people of Wisconsin are more prone to fraud than people of other states that have the opportunity to copy these records!

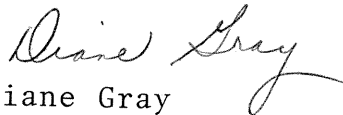
We are also told that copies should be illegal because of privacy concerns. All of these records are over 90 years old and there cannot be that many people named in these records who are still alive. Since not everyone over 90 years of age has a birth record in these records and they would probably have 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.

The Hon. John P. Dobyms
February 4, 1998 Page 2

It seems to me that 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,

A handwritten signature in cursive script that reads "Diane Gray". The signature is written in dark ink and is positioned above the printed name.

Diane Gray

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

February 4, 1998

Dear Rep. Dobyms,

I write to urge the Committee on Government Operations to approve House Bill 709 changing Chapter 69 of the State Statutes and allowing genealogist in Wisconsin the right that we have in other state—to make uncertified copies of pre-1907 vital records at the State Historical Society and Area Research Centers.

The Utah Genealogical Society in 1981 microfilmed these records, and Wisconsin genealogists were free to make copies from microfilm just as anyone can do currently at any of hundreds of Family Resource Centers throughout the country. It does seem a burden for Wisconsinites to have to travel out of state to avail themselves of copies of these records.

I understand that reasons for prohibition include privacy concerns and fraudulent use. Because the records are greater than 90 years old, most of the people named in the records are no longer living. Of those over 90, not all will have birth records; marriage records would affect those, if any, of a minimum age of 105. I'm not sure I can address the issue of fraud—when I think of a genealogist happily relating how he or she has pieced together records confirming that a great-great aunt ended up back in Wisconsin after forays into Canada and Oregon, I'm hard pressed to imagine that person has time to engage in fraudulent schemes.

Please add my voice to those other concerned genealogists who wish to continue (or in my case begin) to make legal copies of pre-1907 records as had been done before the law was interpreted to cover these early records.

Sincerely,

Suzanne E. Brockman Zeigler

2911 Hwy. 73

Cambridge WI 53523

Gene L. Dewey
2125 Fox Avenue
Madison WI 53711-1920

February 4, 1997

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

Dear Rep. Dobyms:

I am writing with regard to 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 understand that your committee is considering this bill, and I urge the Committee to act favorably on this bill.

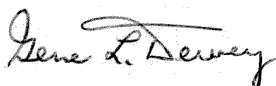
Genealogists have been free to make inexpensive uncertified copies of these records from the film made by the Genealogical Society of Utah in 1981. Wisconsin genealogists are now prohibited from making these copies because of little known provisions of Chapter 69. Persons making copies from the microfilm at the State Historical Society and Area Research Centers are liable for a fine of up to \$10,000 and 2 years in prison. The microfilm of vital records made by the Genealogical Society of Utah is available in Salt Lake City and numerous Family History Centers throughout the U.S. Anyone in states other than Wisconsin may make inexpensive copies from these films. This does not seem equitable.

I believe that privacy and fraud concerns were raised at the Committee's hearing on January 28, 1998. These concerns seem largely unfounded since all of the vital records are for persons who would now be 90 years old or more; further, marriage records would involve only persons now approximately 106 years old or more (if they married at age 16). The numbers of possible victims would be quite limited. Persons intent on committing fraud could easily obtain this information by merely hand copying the information from microfilm available in Wisconsin or making copies at locations any other location in the U.S.

Convenient, inexpensive copies of these pre-1907 vital records are important to genealogical research. Since they are easily made in all areas except Wisconsin, I believe that Wisconsin residents should have the same rights.

Please consider my thoughts on this matter and share them with your committee.

Sincerely yours,



Gene L. Dewey

5897 Whalen Road
Fitchburg WI 53711
February 6, 1998

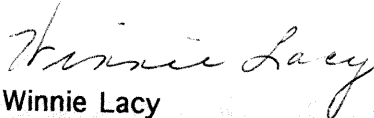
The Hon. John P. Dobyms
Chair, Committee on Government Operations
Wisconsin State Assembly
P.O. Box 8952
Madison WI 53708

Dear Rep. Dobyms:

I understand your committee is considering a bill to change the State Statutes to allow genealogists to legally make uncertified copies of pre-1907 vital records at various research centers within the limits of the state of Wisconsin. I am writing to encourage your committee to approve this bill.

As you know this can be done legally at other sites and it does not make sense for it to be banned in Wisconsin. An uncertified copy cannot be used for any devious purpose and genealogists are mature enough not to invade someone's privacy.

Thank you for your help,


Winnie Lacy

N11 W27909 White Oak Ct.
Waukesha, WI 53188
February 6, 1998

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

Re: House Bill 709

Dear Rep. Dobyms:

I am writing to urge the Committee on Government Operations to approve the above mentioned bill, which would change Chapter 69 of the State Statutes to permit individuals to legally make uncertified copies of pre-1907 vital records at various libraries and the Area Research Centers.

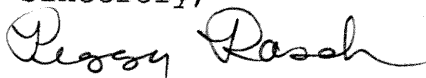
These records were microfilmed by the Genealogical Society of Utah and are available for genealogists and others to make inexpensive copies at the Salt Lake City library of the Mormon Church and at their hundreds of Family History Centers throughout the country and world. It is unfair that Wisconsin citizens can only obtain these records from the county courthouses by paying \$7.00 (for death and marriage) or \$12 (for birth).

It is hardly possible that anyone could use these records for illegal purposes, since they are all over 90 years old and uncertified. They are only useful for research.

Privacy is really not an issue either, since at the various libraries we are permitted to look at the records and take notes. We just are not allowed copy them. This bill applies only to pre-1907 records.

As a member of both the Waukesha and Milwaukee County Genealogical Societies, I know that there are hundreds of people in these counties alone who are researching their family histories and would appreciate your approval of this bill.

Sincerely,



Peggy Rasch

1200 Magnolia Drive
Waukesha, WI 53188-2338
February 6, 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 on Government Operations 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.. as had been possible in the past.

I can understand concerns about protecting privacy rights but this concerns records only prior to October 1, 1907 and the Federal Census records are available thru 1920. What kind of logic is involved here? In addition, neither I, nor anyone else I know is asking for certified copies of vital records prior to this date. There are very few people still around from pre 1907...and what kind of fraud could be carried out from these old records? ~~Knowing the cause of death can alert families to~~ potential disease tendencies so they can make better choices.

I personally have another concern about this whole matter and that involves the fact that the Genealogical Society of Utah microfilmed these records in question in 1981 for the purpose of making inexpensive uncertified copies from the microfilm available to genealogists. At that time an agreement was made with the state of Wisconsin that these films MUST be available for review and that copies could be made from them. How can that agreement be changed now or in 1985?

These films are available at the State Historical Society and Area Research Centers as well as Family History Centers around the whole world. That means like 1500 Family History Centers, but only in Wisconsin would we be breaking the law when making a copy from the film. I can't believe that any elected public office holder, Democrat or Republican or Senator or Representative, can possibly see any logic to this scenario. Forget about logic, IS THIS FAIR? Are Wisconsin genealogists more prone to fraud than genealogists in other states or around the world where these same films are available to be copied for a nominal fee without violating the law and becoming criminals? I thought we are all to be treated equally under the law!

Please bring my concerns to your committee and urge action to correct this unfairness in connection with the pre 1907 vital records matter. I urge passage of House Bill 709 to change Chapter 69 of the State Statues. I urge the Committee on Government Operations to report the bill for passage.

Sincerely yours,

Lorraine Schenian
Lorraine Schenian

Feb. 6, 1998

Marie A. Genzmer
S87 W27335 Ridgeway Ct.
Mukwonago, Wi. 53149

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

Dear Rep~~X~~. Dobyns:

Please use your influence with the committee on Government Operations to approve the House Bill 709, which would change Chapter 69 of the State Statutes. The Vito of Chapter 69 ~~of~~ would allow genealogists to leagally make uncertified copies of Pre-1907 vital records at State Historical Society & Area Research Centers.

Genealogists feel the records over 90 years old would NOT invade a lot /of people's privacy. I am one of these genealogists.

Important, so reminder, the Bill 709 covers only pre-pre-1907 records & does not effect any other, also it allows us to legally do what we have done for 16 years. Shame if everyone else can and we in Wisconsin can't, is shameful.

Please share my thoughts with the rest of your committee..

Sincerely yours,

Marie A. Genzmer

Marie A. Genzmer Pone 414-363-8900

February 9, 1998

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

Dear Rep. Dobyms:

It is my understanding that 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.

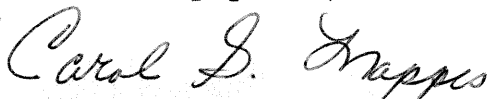
I am writing to encourage approval of this bill.

The Genealogical Society of Utah microfilmed these records in 1981 and since then, genealogists have been free to make inexpensive and uncertified copies from the microfilm. However, provisions of Chapter 69 currently prohibit making these copies and genealogists are now threatened with a huge fine and even imprisonment.

Please remember that the bill covers only pre-1907 records and it doesn't affect any others. All it will do is to legally allow genealogists to do what we have been doing for 16 years and to do what people everywhere else can do.

Please share these thoughts with the rest of your committee.

Sincerely yours,



Ms. Carol G. Mappes
5200 South Tuckaway Blvd.
Greenfield, Wisconsin 53221

(414) 282-2911

Volz, David

From: Milo Hodgson[SMTP:mahod@pearl.mhtc.net]
Sent: Monday, February 09, 1998 6:35 AM
To: Rep.Dobyns
Subject: AB 709 concerning pre 1907 records

It is my understanding that the Committee on Government Operations had has a hearing on the above bill and the committee is considering the bill for further action. I have not read the complete bill but I understand it would allow genealogists to make uncertified copies of pre 1907 vital records at the State Historical Society.

I have only been into genealogy for a few years and have used the files at the Historical Society and it would be helpful to copy these records instead of making a trip out of state or to a Family History center even in Wisconsin to accomplish this. Until recent times it has been possible to photo copy these records at the Historical Society and I have copied a few before the change of policy..

With the records being quite old I doubt if the theory that fraud could result from such records are indeed quite remote. For example one marriage record I copied relates to a marriage in 1877.. Since the record would be uncertified certainly even lessens the probability of any fraud being able to be committed. It is unlikely that ones privacy could be violated by allowing the users of the Historical Society files.Using the argument that the files are available by other means already mentioned and the records are also available from the State or County vital records with a fee in my opinion makes a good point to allow the return to the policy of being able to secure pre 1907 records from the Historical Society.

I urge the committee favorably consider this bill and recommend it for floor action and passage.

Milo Hodgson, 207 S 8th St., Mt Horeb, Wi 53572

Volz, David

From: Evelyn Straka[SMTP:estraka@grant.tds.net]
Sent: Wednesday, February 11, 1998 3:31 PM
To: Rep.Dobyns
Subject: SB393/AB709

February 11, 1998

Committee on Government Operations

Dear Rep. John Dobyns,

I am writing to ask you to support SB 393 (Senate Bill) and AB 709(Assembly Bill), Legislation relating to the issuance of uncertified copies of vital records for events occuring before October 1, 1907.

This bill is important to me and to 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 1997 we learned that the 1985 law goverening vital records made it illegal for 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 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 Wisconsin can make copies without any problem. Only those of us in Wisconsin are prohibited from making of copies of our records. SB 393/AB 709 would correct this inequity. Beause 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/AB 709. I appreciate your interest in this bill.

Sincerely,

Evelyn Straka
555-11th St
Fennimore, WI 53809

P. O. Box 66
Suring, WI 54174
11 February, 1998

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

Dear Representative 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.

It wasn't until the last year or so that many of the genealogists I know were even aware of this law that has been in effect for sixteen years. Having done genealogy for over 35 years I am willing to comply with the law, but since all of these records are over 90 years old there are few people who's privacy is invaded.

Several years ago while doing research at the Brown County Court House a grade school tour came through and the Register of Deeds showed a xeroxed copy of Wisconsin's oldest birth certificate on file, that of my 5th great grandmother Margaret Okeewah born circa 1746. Even though she was a bastard I was still proud to have it displayed as being the oldest document of that type. What harm is there is having a copy of an old record? Not in all my years of research have I known of a copy of a vital record being used for blackmail or embarrassing purposes.

Thank you for your attention to this matter and I hope you will share my thoughts with the rest of your committee.

Sincerely,

Bruce K. Paulson

February 16, 1998

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

Dear Representative Dobyms:

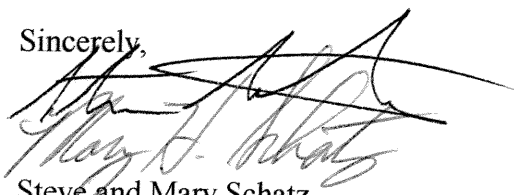
I understand that your Committee on Government Operations is considering Assembly Bill 709 which would change Chapter 69 of our State Statutes to allow Wisconsin genealogists to again make uncertified copies of certain pre-1907 vital records on microfilm at the State Historical Society and Area Research Centers. I am writing to encourage the Committee to approve this bill and send it to the floor for action this session.

This bill is important to us, and innumerable other genealogists throughout Wisconsin in that it would restore our right to make copies of microfilmed vital records regarding our ancestors for events occurring before October 1, 1907. Since at least 1981, we have been permitted to make copies from microfilm prepared by the Genealogical Society of Utah, and others, but in March of 1997 we were told that this practice could no longer be permitted. It seems that an interpretation of a 1985 law governing vital records deemed it illegal for anyone other than the State Bureau of Vital Records or Registers of Deeds to make any copies of vital records. Even though we have been making copies from microfilm since 1981 without anyone ever objecting, the State Historical Society and Area Research Centers now have decided they must comply with this interpretation of the law. Why this didn't happen earlier, I do not know but can only conclude that the various repositories originally felt that the law was never intended to apply to these particular records which are clearly in the public domain.

What makes the current situation particularly unfair to Wisconsin genealogists is that there are copies of these microfilms 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 Wisconsin can apparently make copies without any problem. Only those of us in Wisconsin are prohibited from making personal copies for our records. AB 709 would correct this inequity. Because the records involved are all at least 90 years old and the copies we make to verify our information are not certified, there is virtually no possibility for fraudulent use.

We strongly urge you to support and promote swift passage of AB 709.

Sincerely,



Steve and Mary Schatz
5714 INDIAN TRAIL
MADISON, WI 53714

February 16, 1998

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

Dear Rep Dobyms:

My husband and 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. We are writing to encourage the Committee to approve this bill.

We find it unfair that genealogists outside of Wisconsin can make copies without being fined and the ones in Wisconsin will be.

We are told that copies should be illegal because of privacy concerns. All these records are over 90 years old and there cannot be that many people named in these records still alive, and if so everyone would know by looking at a person.

It is important to remember that the bill covers only pre-1907 records.

Thank you for listening to us.

Sincerely,

James Koelsch & Phyllis Koelsch

James and Phyllis Koelsch
165 Walton
Waukesha WI 53186

February 16, 1998

N4891 410th Street
Menomonie, WI 54751

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. The microfilm is available at Salt Lake City and at hundreds of Family History Centers outside Wisconsin. Anyone can make copies from it there. This does not seem fair to Wisconsin residents. Wisconsin genealogists are not anymore likely to commit fraud than anyone outside of Wisconsin!

The fact that everyone else can make copies 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,



Rose Mary Stoll

Feb. 17, 1998

Rep. John Dabney, Chairman
Assembly Banking Committee on Govt. Operations
P.O. Box 8952
Madison, Wis 53708

Dear Sir:

I am asking you to support Assembly Bill AB 709 relating to the issuance of microfilm copies of vital records for events that occurred before Oct 1, 1907.

The present law makes it illegal for anyone to make copies of vital records except the Bureau of Vital Records (prints of cards), therefore we are unable to make copies from a microfilm prepared by the Genealogical Society of Utah here in Wisconsin. This is unfair since anyone outside the state of Wisconsin can make copies with no problems. Assembly Bill AB 709 would correct this inequity.

Sincerely yours
Mildred Williams
508 Wasmerside Ave

309 N. Brearly Street
Madison, WI 53703
17 February 1998

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

Dear Rep. Dobyms,

As both a part-time Reference Archivist at the State Historical Society of Wisconsin and a professional genealogist, I want to reaffirm my vote in favor of AB 709, lifting the ban on the making of uncertified photocopies from microfilms of pre-1907 Wisconsin vital records by the public in Wisconsin.

I attended the recent Assembly hearing on AB 709, and would like to comment on several issues raised by opponents at that meeting, in order to correct some misstatements by them:

- 1) Dane County Register of Deeds Jane Licht claimed that the State Historical Society has ignored the mandate to enforce the letter of the law. This law had not been enforced in the past because the professionals at the Society knew that this was never the intent of the law. However, since she was told to enforce it, Lori Bessler (supervisor of the SHSW Microforms Room) has made every reasonable effort to inform patrons of the new interpretation of the law, with signs everywhere in plain view, labels on each vital records microfilm box stating that it is illegal to photocopy from them, as well as free blank forms onto which to transcribe the information from the records. I don't know what more Lori could have done to enforce the law with her existing resources.
- 2) Linda Langlois, representative from the Vital Records Office of the Department of Health and Family Services, tried to make a case for potential fraudulent use of these pre-1907 records, citing a number of cases where *post*-1907 records had been falsified. However, when I asked her after the hearing if they have ever documented a case of fraudulent use of the *pre*-1907 records, she was unable to come up with even a single case. One of the basic tenets of democracy is "innocent until proven guilty" - the burden of proof rests on those who would find a party in the wrong. In the case of pre-1907 vital records, with absolutely no documentation of fraudulent use of these old records, this is a non-issue.
- 3) A representative from a fund for abused children, which gets a portion of the fee charged for every birth record, claimed that allowing the public to freely copy pre-1907 birth records would result in a large loss of money for abused children. This is not true. Genealogists will *not* be rushing to spend \$12 each to get certified copies of these old birth records, especially when they may need dozens of them in the course of their research. Because these copies have cost only 25¢ until recently, researchers will instead just extract the information they need by hand or get a friend in another state to copy them. Genealogists are interested primarily in the family information contained in these records and do not need certified copies for their research - in almost all cases they can get by with a transcribed copy. Having an exact photocopy only serves as a research tool in cases of unclear handwriting - it is not a required step, even according to the most stringent standards of genealogical research.

Has there been a dramatic increase in the number of pre-1907 birth records ordered since the Historical Society has been enforcing the letter of the law? There has been no proof that is true. Therefore, the potential loss of funds to an abused children's fund by not charging for copies of old birth records would thus be minimal, and is essentially a non-issue here.

As you may remember, Jane Licht also prevented the page from making copies of a pre-1907 record ("legally" obtained in Salt Lake City) so that you committee members could see how primitive they look, insisting that doing so would be illegal. This is another example of how ridiculous this whole law is as it stands and why it should be amended.

To remind you of the logical and reasonable reasons for passing AB 709:

- 1) The records are now over 90 years old, so the possibility that uncertified copies could be used to construct false identities or for other fraudulent purposes is slim to none. If you have seen how old-fashioned these old records look, you know that anyone trying to fake an identity would certainly be smart enough to use a more contemporary-looking document.
- 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. As you learned at the hearing, 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. Many out-of-state visiting researchers are also affected, which certainly makes them wonder about the sense of the existing law and the state legislators who enacted it.
- 3) 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 Genealogical Society of Utah (now the Family History Library) would never have been allowed to make copies of the microfilms available to the public at its main library in Salt Lake City, as well as loan them through their hundreds of branch libraries around the U.S. and the world. AB 709 would amend the law to reflect its original intent and to clarify exactly how it applies to the pre-1907 records.
- 4) This law is unenforceable the way it stands, because these pre-1907 vital records are *not* under the control of one or two agencies the way the *post*-1907 records are. The burden of enforcing this unfair and unnecessary law rests on the State Historical Society, which does not have the resources to enforce it. Even guaranteeing that each copy made be stamped as an "uncertified copy" would place an unreasonable burden upon the SHSW staff. If it were necessary to ensure that the copying of these records were monitored, it would be impossible without additional staff, for which there are no funds available.

Also, there are *thousands* of photocopies of these records that already exist without any "certified" or "uncertified" designation on them, and possibly thousands more that will be made legally in the future in other states. Just how would it ever be possible to determine who had or had not complied with the letter of the law? And why should the Historical Society be held to a higher standard of enforcement than anyone else?

Belatedly demanding compliance with this nonsensical law 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 effort is being wasted in order to retract the law. To put this whole issue in perspective, these are only 90-year-old pieces of paper, not sexual predators!

Please don't spend any more valuable time debating AB 709 - just pass it so we can all go back to really important business. Thank you for your efforts to correct this old legislative *faux pas*.

Sincerely,

Dee Anna Grimsrud

Bernita B. Jenkins
1504 Jack Oak Rd
Cassville, WI 53806
February 23, 1998

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

Dear Mr. Dobyms,

I am writing to ask you to support Assembly Bill 709 and Senate Bill 393, Legislation relating to the issuance of uncertified copies of vital records for events occurring before October 1, 1907.

I am a charter member of the Grant County Genealogical Society, a member of the Grant County Historical Society and a member of the Wisconsin State Genealogical Society, as well as a member of some other states societies. This bill is very important to me and to thousands of genealogists and historians 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 1997 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 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 genealogists and historians 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 Wisconsin can make copies without any problem. Only those of us in Wisconsin are prohibited from making copies of our records. Assembly Bill 709 and Senate Bill 393 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 and your Committee to report the bill for passage as introduced. Thank you.

Sincerely,

Bernita B. Jenkins

SHAWANO Family History Center
c/o Marge Stoehr
1188 Ridlington St.
Shawano, WI 54166

The Honorable John P. Dabyns
Chairman, Committee on Government Operations
P.O. Box 8952
Madison, WI 53708

Dear Representative Dabyns:

I understand your committee is considering House Bill 709 which would allow genealogists and historians to make uncertified copies of pre-1907 vital records at the facilities which have microfilmed copies of these records.

Since the State Historical Society / Genealogical Society of Utah joint project in 1981 to film these valuable records and make them available for research, the law has apparently prohibited Wisconsin residents from making uncertified copies from these films.

Since these records are at least 90 years old (and in the case of marriage the participants would be at least 115 years old) I feel that the violation of privacy is not a liberty concern.

These records I believe are public records, maintained by public funds and for this early period of time, the public would be best served if allowed this copy privilege. The use of microfilm copies in libraries and Research Centers would also lessen the workload in County and State Vital Records offices. Please share these thoughts with your committee.

Sincerely,

Marge Stoehr

Director, Shawano Family History Center

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.

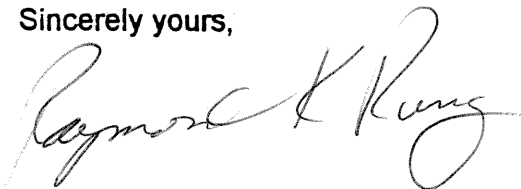
Since the Genealogical Society of Utah microfilmed these records in 1981 genealogists have been free to make inexpensive uncertified copies from the microfilm. Because of provisions of Chapter 69 that apparently no one knew about we are now prohibited from making these copies and threatened with a fine 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,

A handwritten signature in cursive script, appearing to read "Raymond K. King". The signature is written in dark ink and is positioned below the typed name "Raymond K. King".

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

Dear Rep. Dobyms:

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

The Genealogical Society of Utah microfilmed these records in 1981. genealogist have been free to make uncertified copies very inexpensely. Because of provisions of Chapter 69 we are now prohibited from making copies and could be fined up to \$10,000 and 2 years in prison if we do so. These microfilm are available at Salt Lake City and at many Family History Centers outside of Wisconsin. Copies from by anyone outside of Wisconsin can make copies without violating the law. This is not fair. The reason for making the copies illegal is that they would be used for Fraud.

BECAUSE of the privacy concern these records are over 90 years old and there cannot be many of these persons mentioned in these records still alive.

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

Sincerely yours,



Betty Jane Larson
2943 So. 94th St
West Allis, Wi 532273609

SAMPLE LETTER
Please Modify and Personalize

Dear Senator/Representative _____:

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 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 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 Registers 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 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 Wisconsin can make copies without any problem. Only those of us in Wisconsin are prohibited from making copies of our records. SB 393/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 you to vote for SB 393/AB709.

Thank you
Mary E. Anderson



**STATE HISTORICAL SOCIETY OF WISCONSIN
Comments Regarding AB 709**

The State Historical Society supports AB 709 and the revisions to existing state statutes that it would produce.

If enacted into law, AB 709 would correct an untenable situation for Wisconsin residents who want to photocopy pre-1907 copies of state vital records.

Wisconsin Act 315 of 1985 provided penalties for preparing or issuing "any paper or film which purports to be, or carries the appearance of, an original or a copy of a vital record, certified of uncertified," But Act 315 did not take the following pre-existing realities into account.

1. The Genealogical Society of Utah has a set of the pre 1907 microfilm, legally acquired under an agreement in the 1970s.
2. The State Historical Society has two sets of pre 1907 microfilm, one purchased by the Wisconsin Genealogical Society and the other supplied by the Genealogical Society of Utah, from which researchers could make copies for many years.

When Act 315 of 1985 restricted the copying of vital records, it effectively prevented the State Historical Society from serving the many Wisconsin residents who do family history research. Because copies of the pre-1907 microfilm remained available at the Genealogical Society of Utah, residents of other states could copy Wisconsin vital records without restriction (as could any Wisconsin resident who went to another state to get a copy of the pre-1907 microfilm). The 1985 act only penalized Wisconsin residents and taxpayers who want better access to copy records from the microfilm in Wisconsin.

By removing the restrictions on copying from the pre-1907 microfilm, AB 709 will correct these problems and make Wisconsin vital records for that period as easily available to Wisconsin residents as they are to researchers outside Wisconsin's boundaries.

My name is Nancy Emmert and currently, I serve as the President of the Wisconsin State Genealogical Society and am on the Board of the Federation of Genealogical Societies. I am a Certified Genealogist and a genealogical instructor for the Madison Area Technical College.

I am here representing thousands of family history researchers in the state of Wisconsin who are currently at a real disadvantage. The intention of our proposed legislation is to fix this problem. This bill will make it legal for Wisconsin researchers to make copies of the pre-1907 vital records from the Genealogical Society of Utah microfilm, just as researchers outside of the state of Wisconsin can make these copies. These records were microfilmed by the Genealogical Society of Utah with financial support from the Wisconsin State Genealogical Society and are currently available at any of the Latter Day Saints (Mormon) Family History Centers throughout the United States except those located in Wisconsin.

The pre-1907 Wisconsin vital records are very rich in genealogical information and can provide important clues. I have brought copies of a couple of these records that I use as examples in my classes. They are handwritten records and the format is very different than current vital records. Because the quality of handwriting varies, many researchers wish to have a copy for study and evaluation.

One concern that has been raised is the possible fraudulent use of these records that record events taking place at least 90 years ago. The records themselves are very distinct and recognizable. Anyone needing a copy for legal purposes will still have to obtain a certified copy.

While another concern may be privacy, however, these records are already widely available on microfilm both within Wisconsin at the State Historical Society of Wisconsin and the Area Research Centers and outside of Wisconsin at the Family History Centers. Another record that is widely used for genealogical research is the United States Census Population Schedules, which contain personal information. The Federal Government has developed a policy of waiting 75 years to open the US Census to personal research. I have brought some copies of a this record so you can see the type of information found.

Genealogical research is one of the fastest growing hobbies in the United States. Some of these people are investigating their roots to gain an understanding of their heritage. Others are using this information to construct a family medical history that may help save the lives of current and future family members. Whatever the reason for this search, access to the records becomes an important issue for these people.

Thus, I ask you for your support for this proposed legislation on behalf of the genealogical community of Wisconsin. I would like to thank Rep. Dobyms for his willingness to be a co-sponsor on this proposed bill and thank all of you for your time and attention to this proposed legislation.

Nancy Emmert, CG
1613 Rutledge Street, Madison WI 53704
(608) 241-1969, emmert@execpc.com

Thank you Rep Dobyms for co-sponsoring this bill. I am Joy Reisinger, a member of the task force appointed by Wisconsin State Genealogical Society (WSGS) and the Wisconsin Genealogical Council (WGC) to represent the genealogists of Wisconsin. Also, I am a Certified Genealogical Records Specialist, certified by the Board for Certification of Genealogists since 1980 and currently serve as Vice President of that organization.

This bill was written to be very simple, to affect a change in Chapter 69 to make it legal for genealogists of Wisconsin to do what we have done for over 16 years—make printouts of the pre-1907 vital records microfilmed filed with the Secretary of the State prior to establishment of the BVR. These records were filmed by the Genealogical Society of Utah (GSU - an office of the Church of Latter Day Saints) in 1981 under an agreement between GSU and the Bureau of Vital Records (BVR). This agreement stated that “the films will be available to the public for copying”.

About three years ago, members of the Wisconsin Registrar of Deeds Association (WRDA) brought to the attention of State Historical Society of Wisconsin (SHSW), the provision in Chapter 69 that called for penalties for “anyone, other than state or local registrars, to make copies of the vital records. Representatives of SHSW, BVR, WRDA, and genealogists met to discuss this. After several hours of discussion, it was apparent that the problem was one of public relations—members of WRDA agreed with this summation. Some of them had a problem with genealogists who came to their offices and complained about paying \$7 or \$12 for something they could print out for 25 cents at SHSW, ARC’s or local libraries. The meeting ended with agreement that legislative change was the best approach.

About one and a half years ago, this was again brought to the attention of SHSW and a series of meetings between the four groups issued where many aspect of Chapter 69 were dissected and discussed. The task force was formed and we met with both the BVR and WRDA to work with them on legislative change—similar to the bill under discussion. We were told by both groups that they would not support it, but neither would they oppose it and we should proceed along these lines.

SHSW staff took very seriously the penalty portion of Chapter 69 and decided that as of 1 March 1997 copies/printouts of these vital records would not be allowed. The modritorum was followed in all Wisconsin repositories holding these films and they many, all over the state. All of these films were legally acquired from GSU; there are none to our knowledge in private hands. Indeed it would have been impossible for that to happen because of the build in safeguards required by GSU before allowing purchases.

The bottom line is that only Wisconsin residents—most of them adults, eligible voters and Wisconsin taxpayers—are penalized by this strict interpretation of the Chapter 69 penalties section. I can go 25 miles west of my home and make all the copies I want in Minnesota. Earlier this month I was in Salt Lake City and made many copies legally.

We are only penalized researching within our own state. Genealogists network and nearly all know someone in another state. We contact that person, ask them to order the film at their Family History Center (well over 1000 in the US) and make copies for us. This approaches the ridiculous!

It has been suggested that printouts of the microfilms would facilitate fraudulent use and alteration. Every RD and the State Registrar knows the questions and format of vital records changes every 10 years. For someone to make a printout from these records that are over 90 years old and try to alter the date to fit that person’s identity would be very foolish. Use for legal purposes requires certified copies i.e. only issued by official registrars. Microfilm printouts are made on generic paper not special paper at registrar’s offices.

Joy Reisinger, CGRS
1020 Central Ave, Sparta WI 54656
Phone (608) 269-6361 Fax (608) 269-6929
Joycgrs@centuryinter.net

Dear Representative Frank Urban,

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 Oct. 1, 1907.

This bill is important to me and thousands of genealogists in Wisconsin. It restores our right to make copies of vital records for events before Oct. 1, 1907. In 1981 we have been permitted to make copies from a microfilm prepared by the Genealogical Society of Utah, but in March of this year we learned that the 1985 law governing vital records made it illegal for anyone 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 & 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 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 Wisconsin can make copies without any problem. Only those of us in Wisconsin are prohibited from making copies of our records. SB 393/AB 709 would correct the 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/

Sincerely,

Jean Lee