

LEGISLATIVE FISCAL ESTIMATE TO

SENATE, No. 1961

STATE OF NEW JERSEY

DATED: June 12, 1997

Senate Bill No. 1961 of 1997 eliminates the requirement that copies of certain records be kept on microfilm.

Specifically, this bill amends R.S.46:19-1 which requires county recording officers to maintain copies of certain land records and other instruments of or affecting goods and chattels and personal property on microfilm if a record was recorded or copied by means of photography, data processing or image processing, such as a CD-ROM, in accordance with R.S.47:1-5 by eliminating the requirement that copies of these records be maintained on microfilm.

Counties which maintain copies of these records on other electronic digital media report that maintaining an additional copy on microfilm results in wasteful duplication and storage problems. This bill does not affect those counties which record these records in large well-bound books of good paper.

The Office of Legislative Services (OLS) has obtained information from the State Division of Archives and Records Management staff, who state that because new State standards for image processing in N.J.A.C.15:3-4, adopted April 10, 1997, would require copies of these records to be kept on microfilm notwithstanding the enactment of this bill, this bill would have no effect on the current State or local government costs for maintaining these records.

The State Division of Archives and Records management staff indicate that electronic digital media do not constitute a permanent record for land records which must be preserved for hundreds of years. The division staff believe that digital electronic media are not advanced enough to insure data integrity. They state that a microfilm roll has a 500 year life while the life of a CD-Rom is approximately 10 years. That staff also report that new State standards for image processing in N.J.A.C. 15:3-4 require that record migration paths be maintained to permit the tracking of such records backward in time to insure compatibility. The standards require that the life expectancy rating of any optical medium employed by any image processing system used for the keeping of records must correspond to the retention period of the records. The division staff point out that the leading edge technology, which is not yet generally available, called digital video disk, will have backward compatibility because it employs a more precise laser mechanism. The division staff believe that the new State standards negate the effect of this bill because the requirement that copies of these records be maintained on microfilm

would not be eliminated. Therefore this bill will not change the current State or local government costs for maintaining these records. The OLS concurs.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.