



MARYLAND STATE ARCHIVES  
FISCAL 2015 OPERATING BUDGET TESTIMONY

Before the:

Senate Health and Human Services Subcommittee, February 13, 2014  
House Public Safety and Administration Subcommittee, February 19, 2014

Mr. Chairman, Members of the Subcommittee:

I am Timothy D. Baker, Acting State Archivist. With me today are Nassir Rezvan, Director of Administration, Elaine Rice Bachmann, Director of Artistic Property and Outreach and Elizabeth Newell, our Legislative Officer.

For your reference and further reading, our annual report is provided on our website in the form of Minutes and Agenda of the Hall of Records Commission, which we publish electronically following each meeting at

<http://msa.maryland.gov/msa/intromsa/hrc/html/hrc.html>.

In the interest of time, I will speak directly to the recommendations of the analyst and to the item noted for discussion.

**The Department of Legislative Services (DLS) recommends restricting the general fund appropriation for art conservation by \$35,000 and allocating these funds to conducting a conditions assessment of the Peabody Art Collection.**

Each item in the collection is individually inspected and inventoried each and every year. As part of this mandated inventory process, changes in condition are noted by the curatorial staff.

It is the considered opinion of the Commission on Artistic Property, the staff of the Archives and the Hall of Records Commission that a condition assessment is not an appropriate use of the small amount of funding being sought for much needed art conservation. The line item for conservation was eliminated years ago at the height of the fiscal crisis. It is time to restore a modest amount to ensure that curatorial emergencies can be dealt with and that

conservation and restoration can proceed according to the curatorial priorities of the Commission on Artistic Property and its staff. To restrict 70% of the modest amount provided for in the Governor's budget for an assessment that has questionable curatorial value is not prudent.

We respectfully request that the committee not adopt this recommendation.

**MSA should discuss the viable short- and long-term solutions currently being considered to continue permanent record transfer and maintain currently archived materials. DLS also recommends budget bill language prohibiting the use of the Maryland Economic Development Corporation for financing an expansion of archival storage.**

At this point in time, there are no funded solutions to continue permanent record transfers or to maintain currently archived materials. In fact, the Archives must report that active mold infestations have been found in literally hundreds of boxes stored in our warehouse facilities. Something must be done soon or these records may be lost forever.

Since the Edward C. Papenfuss Archives Building became full nearly 15 years ago, the Archives has presented no less than six capital budget program proposals. At various times we have conducted, at the request of the Legislature, the Department of Budget and Management (DBM) and / or the Department of General Services (DGS), a number of cost benefit and comparative studies. We have, with the assistance of DGS, commissioned feasibility studies from architectural firms. Also under DGS, we have conducted a series of real estate market surveys to explore what properties might be available on the open market. We have explored potential partnerships with entities such as the University of Maryland College Park.

I believe that the considerable amount of work that has gone into exploring alternatives has been well worth the effort. Alternatives must continue to be explored. One such alternative might be a public / private partnership arrangement such as one that might be facilitated by the Maryland Economic Development Corporation. There is not yet enough information to fairly judge the merits of this alternative.

I would urge the committees to set aside this recommendation until such time as DBM, DGS and other relevant agencies have had an opportunity to review and evaluate this concept.

**DLS recommends adopting committee narrative requiring MSA, in conjunction with the Judiciary and DGS, to develop a plan to reach electronic creation, maintenance, and management of State records by 2025. This plan should include recommendations for law and rule, retention policy, and records management procedural changes.**

Over the last couple years, the Archives has been asked on a number of occasions to offer advice and recommendations for changes to the records management program for state and local government agencies. We have always made a point of stressing that while we are happy to provide input, the Archives' role in records management is limited to the scheduling process and the care and preservation of the small percentage of records that are deemed to have permanent value.

The Archives has advocated, with the encouragement of the budget committees, for the move to electronic records. The Archives is ready to lend its support and the Archives should be involved. I note, for example, the introduction of Senate Bill 644 "State Government - Open Data Policy - Council on Open Data." Open data is a critical component of an overall electronic records management strategy. The legislation, if adopted, would be an important step in that the Council would provide guidance and policy recommendations for best practices for sharing open data. We are pursuing an amendment to the bill which would include the State Archivist as one of its many members.

The effort envisioned by the recommendation, to be successful, must be an initiative of the Executive, with the full-throated support of the General Assembly and coordinated by executive departments such as DGS and the Department of Information Technology. The scope of this recommendation is beyond the responsibilities of the Archives.

We respectfully request that this recommendation not be adopted.

### **Closing Remarks**

I would be remiss if I did not also mention the impending loss of a significant source of funds that has supported our research department. The staff of the Study of the Legacy of Slavery in Maryland at the Maryland State Archives (LOSIM) has been conducting high level historical research on the lives of Maryland's African American residents since 2001. Officially formed as a division of the Archives' Research Department in 2005, LOSIM staff has primarily focused on uncovering stories involving the Underground Railroad and associated areas of slavery resistance between 1830 and 1880. Additional areas of study include the histories of African Americans who lived, fought and escaped during the War of 1812, United States Colored Troops who fought during the Civil War and those who were brutally lynched in spite of their homeland's promise of liberty and justice for all.

Supported since its inception largely by grants from the National Park Service Network to Freedom program and the United States Department of Education, the Legacy of Slavery program has been able to employ a staff (both regular and student interns) who to date have accumulated biographical and historical data and documents on roughly 300,000 individuals, both black and white. These facts and papers include slave owner Aaron Anthony's ledger listing the birth of Frederick Douglass and a 1860 newspaper article reviewing a talk given by Harriet Tubman. Unfortunately, the Department of Education Underground Railroad and

Maryland Heritage Area Association grants which currently fund the Legacy of Slavery staff will have both expired at the end of 2014. Three of the department's four researchers will have to be terminated, effectively eliminating the Legacy of Slavery program and relegating any future studies based on African American history to a trickle. The current average salary of a high level, experienced staffer employed by the Legacy of Slavery Department is \$47,000.

Finally, I would like to thank Hannah Dier for her complete and thoughtful analysis of our budget. I am very appreciative of her considerable efforts to study the activities of my agency.

I would be happy to answer any questions the Subcommittee may have.