

**Preserving and Accessing Maryland's Archival Heritage**  
Testimony before the Public Safety, Transportation and Environment Subcommittee  
Budget and Taxation Committee  
Maryland Senate

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**On the Proposed Budget  
Maryland State Archives, Fiscal Year 2010**



Mr. Chairman, Members of the Subcommittee:

My name is Ed Papenfuse, State Archivist and Commissioner of Land Patents. With me today is my Deputy, Tim Baker; and Nassir Rezvan, the Director of Administration for the State Archives.

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

<http://www.mdarchives.state.md.us/msa/intromsa/hrc/html/hrc.html>

The State Archives is, and ought to be, the informed and accurate record of Maryland Government, as well as a maintained resource for the study of our rich and diverse past. "It is the ultimate repository of the peoples' record" to quote a dedicated court clerk and friend of the Archives. Through the records we preserve and the web-based publications we provide, the State Archives is an authoritative resource where anyone can find reliable information about

Maryland's nearly 375 years of chartered existence.

For over thirty years I have come before you to present the Archives' budget request and to talk about what we would do if given the opportunity and the necessary budget resources. Over those years it has been made clear to us that those resources would not come from the general fund and that if we were to preserve, conserve, and make accessible Maryland's rich archival heritage, we would have to be entrepreneurial and market archival publications to garner special fund revenue from the private and public sectors.

The legislative authority to charge fees for publications and services was granted to the Archives many years ago. Last year, the General Assembly strengthened that authority and provided for the future by mandating that a small portion of the fees we charge be set aside in the Archives Endowment account. As I said in last year's testimony offered in support of Senate Bill 147, the Maryland State Archives is a proponent of providing free and unfettered public access to government records and has pioneered in using innovative ways to facilitate this access. We have been most successful when we negotiate with those agencies that generate high demand permanent records to utilize existing fee structures for programs which preserve and provide free access to this information via the internet. For example, the Circuit Court Real Property Records Improvement Fund has been used to pay for mdlandrec.net – Maryland's retrieval system for land records -- through a flat fee subscription paid by the Judiciary.

Our entrepreneurial efforts to fund the Maryland State Archives (about 80% of our budget is money we earn from archival preservation services we provide) is a double-edged sword. As we have been increasingly successful, we have been compelled to fund more and more fiscal obligations that should be provided for in the General Fund budget. In our allotted 2010 budget there really are no General Fund dollars left in any sub-object aside from the salary of staff. What makes this situation dire is the fact that other obligations that should be provided for are totally unfunded. For example, because we do not have adequate archival storage facilities, the Archives is forced to lease three commercial warehouses lacking temperature and humidity controls in which are housed permanently valuable record material. All of the rent obligations have been shifted away from the General Fund so that, when added to the rent we must pay to the Department of General Services and telecommunications fees we pay to the Department of Information Technology, we start the fiscal year with roughly \$800,000 in unfunded obligations. That means we must earn that amount through fees before we can do anything else - - before we can buy a single pencil or pay the salaries of our many staff who are not funded. We have stressed with the Department of Budget and Management that we agree there can be some support for rent, but the strain of having all rent obligations paid for by our entrepreneurial endeavors is crushing and is not sustainable.

Because of the lack of funds, we were forced to cancel the lease with the warehouse facility that housed hundreds of objects from the state's collection of fine art and historic furniture in a temperature and humidity controlled environment. Many of these objects have been in storage due to a lack of funding for conservation treatment which would allow them to be returned to public display. Absent funds to conserve a collection, the absolute minimum a custodian can do is to properly store the collections. Now, we are unable even to do that.

Ms. Arabo has presented a very good and concise analysis of the Archives budget and we appreciate her recommendation to concur with the Governor's allowance. In her report she asks that the Archives comment on two very fundamental aspects of our operation that go to the very heart of our core mission:

1. The agency's plan to address document storage constraints, and
2. The resources that would be needed to meet art conservation requirements.

### Permanent Storage of Archived Documents

The main Archives facility in Annapolis was filled to capacity before 2000. At that time, budget constraints compelled the state to begin to utilize rented storage warehouses as a "stop gap" measure. Now, in addition to the Dr. Edward C. Papenfuse State Archives Building in Annapolis, three leased warehouses hold government records of permanent value. Together, the archives building and the warehouses have the capacity to store 331,556 cubic feet of permanent record material. Significantly, over half of the total holdings of permanent record material reside in substandard, rented facilities. Fluctuations in temperature and humidity destroy paper records. The lack of ANY temperature and humidity controls in the rented spaces threatens the longevity of these permanent records. In addition there was a fire in a neighboring unit in at one of our warehouse collections that threatened the safety of our collections. Disaster was avoided by the quick action of the landlord and the fire department, but in such a commercial setting, fire is an ever present threat as are the increasingly mecurial weather conditions that bring high winds and torrential rains.

Agency demand to transfer records to archival storage is not expected to subside, and in fact, agencies should be encouraged to move permanent record material out of office space and into archival storage as a necessary and desirable economy measure. A sound records management program saves money.

Despite the migration from paper to electronic records in government, the quantity of permanent records created by State and local government continues to grow. The rate of growth is now impossible to gauge due to inaccurate and incomplete reporting of record retention schedules to the Department of General Services (DGS). Several years ago a vastly incomplete records inventory conducted by DGS estimated an additional 164,913 cubic feet of permanent material was still housed with originating agencies. This estimate is bound to be quite low.

The bottom line, however, is that the Archives will run out of space this year.

Even before the beginning of fiscal year 2010 we will have to find additional space to serve as at least a temporary home for records of permanent value. But, this temporary expedient of renting warehouses needs to stop. Warehouses generally are substandard from an archival standpoint for many reasons. The fabric of the building (its floors, foundation, structural columns, roof, etc.), available HVAC to maintain a constant level of temperature, humidity, and air quality, the means to control light, building security, and fire detection and suppression systems in such facilities all fall far short of archival requirements.

In broad terms the Archives' function is to document the legitimacy of our government (constitutions, laws, etc) and the evolving rights and obligations of our citizens. We have an obligation to the generations past and a responsibility to those who will come after to safeguard these documents until the end of the Republic. Unfortunately, not only do we presently not house material in a proper environment, we do not even provide funds to pay rent for the leased warehouses.

The plan to build a green, cost-effective archival facility, approved in the five-year capital budget plan, should be fast-tracked as a long-term solution to address this unsatisfactory situation. In the short term, we have initiated discussions with both the Baltimore City Archives and the Maryland Historical Society. Both have space available that would be suitable for our short term space requirements. Both have expressed an interest in a cooperative partnership arrangement that would benefit each institution and the public at large. We should know by the start of the fiscal year whether or not a partnership arrangement with either of our sister institutions will be feasible. In addition we will be seeking regional partnerships for the permanent storage of archival material, beyond expanding our current site capacity. Renovating and converting existing buildings (bank buildings and ceremonial halls such as temples of fraternal organizations are prime candidates) in different parts of the State could contribute positively to the revitalization of the economy by providing construction jobs. It could also offer safe and secure archival space to local communities and historical societies for their permanent historical records.

#### Conservation of the State's Fine Art Collections

The Maryland Commission on Artistic Property is the official steward of all valuable paintings and other decorative arts that comprise the state-owned art collections. Since its first acquisition in 1774, the collections have evolved into an historically and artistically important body of paintings, decorative arts, and sculpture with national and international significance. Since 1996, the state has also owned the Peabody Art Collection, a world-renowned collection of European and American paintings, drawings, and sculpture originally acquired for the citizens of Maryland by the Peabody Institute. In total, the state-owned art collection includes more than 400 paintings, 157 sculpture, and 910 decorative arts/furnishings. Conservative valuations of the collection based on appraisals conducted in the 1990s amount to \$31.3million; a more realistic value of the collection based on auction prices realized in the past decade indicate a value of \$103 million.

The Commission provides for the acquisition, location, proper care, custody, restoration, display, and preservation of this entire collection. The most basic function of this responsibility is the safe storage of those items in the collection which are not on display either because of an already deteriorated condition, or because they are pending display in interpretive exhibitions which are not yet funded. Currently over 580 [an additional 78 objects are currently at Security Moving & Storage] items in the collection require storage with only a small fraction of them able to be accommodated in the Archives. Until last month, the remainder of the stored collections were housed in a climate-controlled, privately operated, warehouse. The elimination of funding for

the leased space has required us to remove those stored items to our other rented warehouses which are not climate-controlled. This inevitably will result in the more rapid deterioration of items which are already in fair or poor condition the consequence of which will be higher costs for contractual conservation services in the future. An additional 325 objects and the collection of more than 1,100 works on paper, are on long-term loan to museums and cultural institutions in Baltimore; approximately 66% of these objects are in storage at no cost to the state.

While it is always the goal to have as much of the collection on public display as possible, the size of the collection ensures that some portion of it will always require storage. Therefore, the establishment of funding for appropriate rented space until such time as the Archives complex is expanded to accommodate the collection is essential for the preservation of these historic works of art and furnishings. It would cost between \$40,000 and \$60,000 annually to store these objects in a secure climate-controlled art storage facility.

As funds are made available to conserve items in the collection, the APC staff selectively chooses which items will be treated based on curatorial priority. Factors include the historical significance of a work of art; the level of which a work of art is critical to the interpretation of a public building; and the value of a work of art. In recent years, in response to budget constraints, the APC staff has increased their efforts to undertake conservation projects in partnership with other state agencies where specific works of art are on display. Three 18th and 19th-century mirrors salvaged from the basements in the State House and Central Services (DGS) have recently been conserved and put on display through funds provided by the Governor's and Comptroller's offices. In FY 2008, 39 APC objects on display at Government House were conserved through funds provided by the Department of General Services. Also in 2008 and 2009, with an appropriation of less than \$100,000, APC staff oversaw the conservation of 13 items in the collection including the portrait of William Paca, William Pitt, memorials of Thurgood Marshall and Admiral Winfield Schley, and two early 19th century Francis Guy paintings of Jones Falls.

The conservation of the portrait of William Paca by Charles Willson Peale has been a cooperative effort with the Winterthur/University of Delaware Program in Art Conservation. This extremely valuable portrait required very significant and lengthy treatment in order to remove years of dirt and overpainting that concealed its original composition by an American master portraitist. Over 500 hours of student work, supervised by professional teaching conservators, has contributed to the state's ability to fund what would otherwise have been prohibitive treatment costs. The result has been a mutually beneficial arrangement whereby students have been gained valuable experience working with an 18<sup>th</sup> century portrait by Peale, and the state will have a restored portrait of one of Maryland's most important historical figures returned to public view. (photos of the conservation work are attached)

Other notable conservation projects in FY09 include:

- *Bust of Admiral Winfield Schley*; cleaning and conservation conducted with support from the Maryland Military Monuments Commission. This bronze bust, located in the State House rotunda, was discolored and damaged from years of inappropriate application of cleaning solvents; the original bright finish has now been restored. (before and after condition photos attached)

- *Thurgood Marshall Memorial*; cleaning and waxing. This group of bronze sculptures was long overdue for routine cleaning and waxing in order to restore the original bronze finish. This kind of maintenance should be conducted every six months in order to retain the appropriate finish; installed in 1996, this is the first time professional maintenance of this kind was completed. (photos attached)

In answer to the analyst's specific comment regarding the State's artistic property collections, we believe an annual appropriation of \$150,000 to \$250,000 would be necessary to minimally provide conservation treatment to the most important objects in our collection.

### Concluding Remarks on Budget Presentation

Our new President correctly points out that the problems we are experiencing at a national level did not come about overnight, nor will they be resolved in a short period of time. I believe we can live up to our responsibilities to care for our heritage, and I recognize it will take some time to achieve. I would appreciate your support in our efforts to build a facility to properly house our treasures and to foster a culture that demonstrates we care.

In doing so, we must not forget that to preserve and make meaningful our archival and artistic heritage, it takes people, professionals dedicated to managing and explaining what those treasures are. Creating and managing reliable and accountable sources of information about our past and present requires professional archivists, librarians, conservators, and historians. As we look to jump starting our economy let us not forget that change can only come if we hone our skills, not only at math and science, but also in thinking and reflection, based upon reliable, readily accessible evidence of our past mistakes and triumphs. When our children were young, our son Eric copied a series of quotes from his history text which he proudly presented me to hang on my office wall. Over time the ink has faded in the bleaching fluorescent light of my office, a caution in itself about the need for preservation. Among the quotes he chose is my favorite from George Santyana: "Those who cannot remember the past, are condemned to repeat it." It is our job to make it possible for the citizens of Maryland to remember the past in meaningful ways through accessible, verifiable, transparent, and accountable historical records.. Let us not neglect that aspect of the work ahead. Give us the space, the core professional staff, and seed money for our entrepreneurial efforts. We will do the rest as an essential component of an enlightened and prosperous future.

### Highlights of Fiscal Year 2008 and 2009 for the Archives

Despite severe budgetary limitations and worsening economic times, the staff of the Archives has continued to be enormously productive. I ask permission to highlight a few and comment on what we will be working on over the next few months until we meet again.

- Together with the *Friends of the Maryland State Archives* we celebrated the 225<sup>th</sup> Anniversary of George Washington's resignation as Commander-in-Chief of the Continental Army and raised \$14,000 for the fabrication of an appropriate display case.
- MSA received a \$50,000 grant from the National Parks Service to expand our Beneath the Underground project and undertake research on Montgomery County. The research is

beginning now and will be published at <http://www.mdslavery.net/ugrr.html>

- o The *Blacks in Annapolis* project, which was launched on Nov. 1st, is a cooperative project between the MSA and the City of Annapolis, to which the city contributed \$25,000. [http://www.mdslavery.net/blacks\\_annapolis/intro.html](http://www.mdslavery.net/blacks_annapolis/intro.html)
- o Working with the C.V. Starr Center for the Study of the American Experience at Washington College, the Archives coordinated a team of researchers that salvaged, scanned and preserved thousands of documents spanning the 17<sup>th</sup> through the 20<sup>th</sup> centuries as part of the Poplar Grove Project. Attached is a summary of the project published by the Starr center. It represents the kind of cooperative project we undertake to salvage important historical records in the context of an educational program and a cost effective web-based access system we have developed. I encourage you to visit the on-line catalogue which, as a result of the 10 week program has already placed online nearly one-half the collection for the use of researchers. The collection is discussed at <http://marylandarchivist.blogspot.com> and a listing is available at: [http://speccol.mdarchives.state.md.us/msa/speccol/catalog/cfm/dsp\\_series.cfm?speccol=5807](http://speccol.mdarchives.state.md.us/msa/speccol/catalog/cfm/dsp_series.cfm?speccol=5807). See also the stories about the collection which are to be found on the blog for the project at: <http://poplargroveproject.blogspot.com/>
- o MSA worked with the City of Baltimore to find a suitable location for the City Archives and assisted with the relocation of this considerable collection. I even created a website for the City on my own time and with my own resources to help demonstrate the importance of the collection. See <http://baltimorecityhistory.net>
- o MSA completed the initial design and construction of the electronic archives disaster recovery and data backup site at UMBC, to our knowledge, the first of its kind among State Archives.
- o For the State House the Archives
  - Helped facilitate the implementation of the initial elements of the Visitor Experience Master Plan, establishing a Ladies Room on the Ground Floor and transitioning the Visitor Center staff to focus exclusively on State House tours
  - Continued development of the exhibits content development document
  - Developed a new web presence for State House visitors and
  - Provided an enormous amount of research to support the Department of General Services, their contractors and the Maryland Historical Trust efforts in the Old Senate Chamber and the Old House Chamber.
- o MSA continues to promote national and local history through the use of our records and Maryland related records elsewhere and we continue to publish booklets on important aspects of Maryland history. This year, wholly supported with funds for publication by the *Friends of the Maryland State Archives*, we produced “Lincoln in Annapolis, February 1865,” a copy of which I would like to give you today. The rest of the legislature will

receive copies on Lincoln's birthday, or President's day in ceremonies in the respective chambers.

Finally, I would be remiss if I did not mention our most successful endeavor of all - - the *mdlandrec.net* initiative. We are most grateful to the Judiciary for giving us the opportunity to undertake this project in partnership with the courts. The project is far and away the largest of its kind among the 50 states, and it is indeed where the Archives as an institution has focused a great deal of our attention. As of June 30, 2008 we had posted online roughly 255,913 land record volumes and 16,797 index books. This represents 166,343,374 land record images, and 3,359,496 index images online as of that date. What is important to point out is that without the funding from this project, none of the other activities of the Archives could be successfully carried out. Every aspect of our operation has in some way contributed to this effort and benefited from it, and we are very proud of what it represents - - a successful model for the long-term care and preservation of permanent record material.

I would be happy to take any questions.

Respectfully Submitted,

Edward C. Papenfuse  
State Archivist and  
Commissioner of Land Patents

Attachments:

Poplar grove excerpt from the Newsletter of the Starr Center

Photographs, before, during, and after conservation of the William Paca portrait by Charles Willson Peale

**Lincoln in Annapolis, February 1865**