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State Archivist and

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Maryland State Archives
Fiscal Year 2026 Operating Budget
Response to Department of Legislative Services Analysis

Senate Budget and Tax Committee
Health and Human Services Subcommittee
The Honorable Cory V. McCray, Chair
February 24, 2025

Chair, Members of the Subcommittee:

Good afternoon, I am Elaine Rice Bachmann, Maryland State Archivist, and with me today are Assistant State Archivists Corey Lewis and Emily Oland Squires. Also in attendance is Teresa Fawley, Director of Administration. I want to thank our budget analyst, Elizabeth Waibel, for her thoughtful analysis of our FY26 budget. On behalf of all the staff of the Archives, I sincerely appreciate Ms. Waibel's time in meeting with our leadership team, touring our main facility in Annapolis, and familiarizing herself with our operations.

The Archives began experiencing significant budgetary challenges in early FY24 due to the decline of Special Funds revenue resulting from the unanticipated loss of long term subscribers to MDLANDREC.NET. We have responded with close management of our operating budget, deferring IT replacements and improvements and prioritizing "must have only", which is unsustainable without the loss of service to the public. With support from the office of Governor Moore, and in close collaboration with the Department of Information Services, and the Office of State Procurement, we have developed a plan to not only restore the prior level of Special Funds, but significantly exceed past revenue in order to support our core operations, which remain focused on the preservation of, and public access to, Maryland's permanent records.

In order to support this new initiative, which is described below, it is essential that the Archives retain our current staff level and fill vacancies that will support the maintenance and enhancement of electronic records access in service to the public. An explanation of our staffing plan for those vacancies is also below.

For your reference and further reading our annual report is provided on our website. It includes the Minutes and Agendas of the bi-annual meetings of the Hall of Records Commission, and can be found at:

<https://msa.maryland.gov/megafile/msa/speccol/sc5300/sc5339/000113/026300/026302/20240282e.pdf>

New Land Records Fee Schedule to General Special Funds:

The Maryland State Archives, in partnership with the Judiciary, established MDLANDREC in 2004. The goal was to enable the courts to provide constituents (state and local government, researchers and the land title community) with online access to recent and historical land record filings and indexes from Maryland's Circuit Courts. MDLANDREC freed the courts from the cost of storage and care for the original records and provided a quick and easy method for accessing these records. At the time of its proposal there was no state-wide electronic land record system available to the public or to the professionals that use land records on a daily basis. Access to recorded land records was only available in-person at the courts where users viewed the records through paper volumes. The delivery of land record images electronically to the Archives and the access provided through MDLANDREC not only provides storage and preservation of these records but efficient and expedient access to new filings.

In the 'maintenance' period, AOC funding was phased down and the GF appropriation was increased in response, while revenue remained healthy due to three bulk subscribers to MDLANDREC, who effectively supported the maintenance of MDLANDREC (infrastructure, staff salaries, etc.), making access to land records free for most users. The revenue source ended in early FY24, when two of the three subscribers canceled their bulk records subscriptions, with the third and final subscriber following suit at the end of the second quarter, which resulted in a substantial projected shortfall.

MDLANDREC Data Analysis reporting for the 3rd quarter of FY24 shows that the top 50 users of the site are for-profit businesses, with multiple (in some cases-hundreds) of individual users under each business creating individual accounts. Using the data from the same period, MSA calculated potential revenue derived from moving from the current fee schedule based on bulk user subscriptions to individual user fees, considering factors such as the ups and downs in the real estate market and the potential decrease in downloads because they are no longer free. MSA plans to change the Fee Schedule to a price-per-page model. Beginning with a modest fee of 20 cents per page, MSA can reliably project that revenue could exceed \$1,000,000 per month, which would effectively allow MSA to fund the entire operating budget with Special Funds in the immediate future and beyond. The Archives, in consultation with the Department of Information Technology, and the Office of State Procurement, has entered into a small procurement contract with a vendor to apply a paywall to MDLANDREC which will become operational in the 4th quarter of FY25. The Archives will provide notice to users of

MDLANDREC no less than 30 days prior to the paywall implementation. Indexes and Historic land records, over 100 years old, will remain free to users.

Other Special Fund Revenue:

In addition to the Special Fund revenue anticipated by the fee schedule associated with MDLANDREC, the Archives, working with the Senior Procurement Advisory Group, is now registered as a vendor for permanent record digitization projects. The opportunity for the Archives to provide digitization services to other state agencies for their paper records offers two distinct benefits to the state:

- Assurance that permanent records are scanned to archival standards, therefore ensuring their preservation and access for posterity.
- Keeping state funds within state agencies will incrementally allow the Archives to expand our digitization operations to serve more agencies.

The Archives providing permanent record digitization services promotes efficiencies and reduces costs related to the transfer of paper and digital records which is mandated through retention schedules, and is foundational to transparency in government.

The Department of Legislative Services (DLS) recommends that the agency provide an update on efforts to fill the vacant positions.

The Archives has filled, or is actively in recruitment for, four positions that were vacant at the beginning of CY2025.

The Archives has two vacant half PINs, which are in the process of being merged. The resulting full time PIN will allow the Archives to hire a technical support position in our IT Department. This 1.0 FTE will be classified as a Network Specialist position. This position will support the launch of the new 'paywall' version of MdLANDREC.NET (described above) by providing full time staff to address increased demand from the public for the swift resolution of any issues with accessing records on the site.

The vacant Archivist I position has been filled, with a new employee beginning work on February 19, 2025.

The Executive Associate vacancy recently completed the reclassification process, which allowed us to submit the documents to request a recruitment. It is expected this position will be filled within 60 days.

The Fiscal Administrative Officer was also recently reclassified and we have completed the

documents to request a recruitment. This position is critical as it is the sole Procurement Officer for the agency, which is currently being filled by a temporary employee. We expect this position to be filled within 60 days.

Response to Audit Findings, re: Inventory

In order to become compliant with DGS physical inventory standards, the Deputy Director of Fiscal Administration will establish and maintain a control account in accordance with ISSSD guidelines. Archives will reconcile the control account to the detail records quarterly. These corrective actions are already underway.

With that I would be happy to answer any questions.

Respectfully submitted and for more information:

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