From Paper to Ether: Preserving Michigan State Government Information in the Digital Age

By Bernadette Bartlett

T he territorial and state governments of Michigan have generated millions of pages of information documenting our state's development since 1805. For 182 of those years, the state library has collected this information to preserve this unique history and provide continuing access to these original and authentic resources. During the early nineteenth century, various state laws gave the state librarian the authority to sell or exchange specific documents such as session laws and Supreme Court reports.[1] This practice granted the library an unofficial but durable responsibility to serve as a repository and distribution point for state government publications, enabling the state librarian to populate the library's collections with free, valuable resources from other states, the federal government, and foreign countries that legislators and state officials used in developing the constitutions, laws, and services that are the foundation of Michigan's government.

In 1895, the legislature passed the first of three key pieces of legislation cementing the library's role as the leader in preserving Michigan state government information. PA 28 expanded the state librarian's authority to "exchange judicial decisions, statutes, journals, legislative and executive documents of Michigan . . . for the purpose of exchange with the libraries of other states and the government of the United States."[2] During the 70 years that followed, the library expanded state documents programming, eventually depositing materials in more than 100 libraries around the world. PA 367 of 1976 officially recognized that the value of the program provided firmer legal footing by designating the library as a "depository for public documents" as well as requiring state government agencies to submit "a minimum of 75 copies of each document issued

in printed, mimeographed, or other duplicated form…."[3] Only a few short years later, the library would once again benefit from new, overarching legislation that changed everything from the branch of government that controlled it to the building that housed it. One of the less noticeable, but no less groundbreaking, changes generated by PA 540 of 1982 (Library of Michigan Act) is a small addition to the language specific to the state documents program. Whereas previous legislation referred to printed materials only, the new law required "[n]ot less than 75 copies of each document or *1 copy in the proper format* as determined by the state librarian…."[4] That "1 copy" referred to "anticipated computerized storage and transmittal of public documents," an emerging but still unrealized concept in state government services.[5]

Despite the promise of "computerized" public documents, paper continued to be the primary format for state government information until the late 1990s. Only in rare cases did government agencies produce information in other formats such as audiocassette and film or, later, video, floppy disk, and CD-ROM. Aside from questions of storage, organization, and the nature of government information, which can be described as complex and obscure, collection and preservation of hard-copy state documents did not depend on specialized technology. With the advent of the Internet, however, long-standing acquisition, storage, and preserva-

tion protocols and their accompanying procedures related to paper documents suddenly became obsolete.

Information that once had a physical, definable presence became intangible, even ethereal, owned and controlled solely by the agency that created and broadcast it via a website. By 1995, all state government agencies had a web presence that included informational objects traditionally published on paper. Although government agencies were doing double duty publishing on paper and online, popularity of the Internet and access to the technology grew, transforming publishing trends. The tide of print or hard-copy state documents began to turn, and Library of Michigan staff responsible for seeking out the documents increasingly had to negotiate with state agencies to acquire materials. Saving staff time and effort and declining print budgets were common rationales for choosing not to publish print documents in lieu of online access. Eventually, all rationales were trumped by Executive Order 2000-6, establishing the eMichigan Office, from which would come the www.michigan.gov portal and a new impetus for state government to develop online applications and information products that would replace entrenched paper-based functions.[6]

Ironically, the charge from the highest level of state government to make information available online was not accompanied by equally official support to ensure that information published electronically could

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be or would be preserved. The agencies already involved in preserving state government information, namely the State Records Center, the Archives, and the Library of Michigan, joined in 1997 to find common ground and determine a strategy for acquiring and preserving electronic information.

Many discussions and investigations ensued over the next few years, all informative but only marginally productive. Preservation of electronic information was in its infancy; there was no single way to approach the problem, and no fully-formed solution existed at that time. In addition, the ability and resources necessary to develop a "home-grown" preservation system were out of reach of these agencies.

Eventually, the Library of Michigan joined a pilot project led by OCLC (Online Computer Library Center, Inc.), a nonprofit library service and research organization, to develop a sustainable system. For the Library of Michigan, the primary goals of the project were to have a single point of access to the documents via the library's online catalog and that the system provide long-term access and storage independent of state government computer servers and websites. After two years of development, OCLC unveiled the Digital Archive and the Library of Michigan implemented the system immediately to capture, preserve, and provide access to electronic state government information. Since then, OCLC has enhanced and combined the original system with another online application (ContentDM) that allows for direct web access to the preserved documents.

This would seem to be the "happy ending" for preservation of electronic state government information, but problems persist. As web applications have become more interactive over time, the definition and identifiable boundary of an electronic "document" or "publication" have blurred. Because they are easier to maintain and update, databases and e-mail listservs often replace annually published directories, statistical reports, newsletters, and bulletins or alerts. Blogs, wikis, and social networking applications are now familiar components of most state government websites. All of these applications are either inaccessible or difficult to capture by the digital preservation system currently in use. State agencies have also adjusted their internal information access protocols and mounted scores of reports, bulletins, and memos that previously were provided only to specific groups (such as the legislature) or by request. Larger state department websites such as the Department of Energy, Labor, and Economic Growth are so densely populated that it is difficult to keep up with the flow of information. Because state agencies are not charged with preserving this information, it is common for an agency to strip the previous year's seasonal guide, annual report, or procedure manual to post the most current piece of information.

Compounding the technical and procedural difficulties is the lack of updated statutory authority. In 2006, the Library of Michigan officially invoked the state librarian's right to designate the primary format of state government information for purposes of preservation and switched that format from paper to electronic. The hope was that this transformation would encourage the passage of new legislation introduced earlier that session and in previous sessions that would further support and define the library's and other state departments' roles in preserving electronic state government information.[7] Unfortunately, after limited communication, the proposed legislation lapsed. The state documents program still functions as a primarily electronic operation under the original legislation passed in 1982, which acknowledged the potential for electronic creation and dissemination of state government information, but in no way anticipated the scope and depth of the transformation. Despite these setbacks and challenges, the preservation of state government information remains a central function and one of the library's core missions. ∎

Bernadette Bartlett is the Michigan documents librarian at the Library of Michigan, where she has filled a variety of positions for more than 20 years. She holds a BA in interdisciplinary humanities from Michigan State University and a master of library and information science from Wayne State University.

FOOTNOTES
1. 1871 PA 174; 1847 PA 102.
2. 1895 PA 28.
3. 1976 PA 367.
4. 1982 PA 540 (emphasis added).
5. Senate Legislative Analysis, SB 200 (S-2) and 201, November 11, 1981.
6. e-Michigan Web Development, *Usability Guidelines for e-Government Applications: methods, best practices and resources for creating high performance web sites and applications* (Lansing, MI: Dept. of Information Technology, 2003), p 8.
7. HB 5390; HB 5132.