

Preserving State Government Digital Information Minnesota Historical Society

Inventory Project: Identifying and Preserving Minnesota's Digital Legislative Record

Summary

The Inventory Project is a joint collaboration between the Minnesota Historical Society [MHS] and the Minnesota Legislative Reference Library [LRL] to create a searchable database of selected legislative records and their changing formats over time. This paper provides an overview of the project, which has exposed a lack of standardization, coordination, and sustainable means of preservation in the transition to digital audio and video as a record medium. The project is intended to raise awareness and facilitate discussion regarding long-term preservation and access to digital content among Minnesota House and Senate members, as well as legislative colleagues.

DISCLAIMER:

This is a topical overview and nowise intended to offer legal advice. Consult an attorney for assistance with specific concerns or for advice.

Any comments, corrections, or recommendations may be sent to the project team, care of:

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Introduction

The Uniform Electronic Legal Materials Act (UELMA) addresses the authentication, preservation, and accessibility of historically significant electronic legal records.¹ The National Digital Information Infrastructure and Preservation Program (NDIIPP) has given the Minnesota Historical Society (MHS) the opportunity to explore options to meet the challenges facing state and local agencies in reconciling current record keeping practices with best scenario standards. The MHS has partnered with the Minnesota Legislative Reference Library (LRL) to "...capture, preserve, and provide access to at-risk content from state legislatures".² One result of this

¹ Butch Lazorchak, "Meet my Trusty Friend, UELMA," *Library of Congress*, July 28, 2011, <http://blogs.loc.gov/digitalpreservation/2011/07/meet-my-trustworthy-friend-uelma/>

² "Meeting Gets State Legislators Thinking About Digital Preservation," *Library of Congress*, April 24, 2008, http://www.digitalpreservation.gov/news/2008/20080424news_article_ncsl.html

collaboration is the Inventory Project, which gives a descriptive, searchable overview of selected legislative materials and their changing formats over time.

Inventory Project Process

Background

A content level inventory is often overlooked when developing long-term preservation plans.³ Many repository managers have an innate sense of the subject matter and types of files of their collections, but few have it actually documented in a searchable, easy to use database. The Inventory Project database compiles types of files and content held across several legislative record holding repositories providing an overview of the structure of legislative record keeping policy and practice in Minnesota. In addition, the project has exposed the lack of standards and coordination between legislative record creating agencies, resulting in a fractured preservation system for Minnesota's legislative records.

Identifying the need for an inventory

The idea for the Inventory Project was born out of several meetings between the Office of the Revisor of Statutes, the LRL and the MHS. The purpose of these consolidated gatherings between legislative record holding and creating agencies was to look at best practice principles and standards for opening up government data.

Minnesota legislative materials are held across several institutions, including the State Archives, the MHS library, the LRL, the House and Senate, and the Minnesota Office of the Revisor of Statutes. While there are several institutions creating and caring for legislative records of long-term historic value, there was no accurate inventory of the types and formats of holdings across institutional repositories.

The Inventory Project bridges the gap between institutions responsible for creating and preserving Minnesota's legislative content, by putting their record types into a searchable database. The database format allows users to sort and collate data by record type, format, creator, date, and a variety of other factors. The result of the database will be a searchable web tool, allowing interested parties to assess preservation concerns by gauging the formats, accessibility, and use of historically valuable legislative records.

Repository involvement and personnel

Staff members from both the MHS and the LRL were involved in inventorying the selected record types. The project took place over approximately six months, with regular

³ "Managing Digital Content over Time: Identify Module Training Notes," *Digital Preservation Outreach and Education Program, Office of Strategic Initiatives, Library of Congress*, Washington D. C., September 2011.

meetings and communication between the involved parties, including some initial input from staff members at the Minnesota Office of the Revisor of Statutes.

MHS archivists' provided detailed information regarding the sorts of legislative record types considered appropriate for inclusion in the inventory. The MHS collected and compiled the selected record types based on archivists' institutional knowledge and input from creating agencies and partners. MHS archivists were responsible for creating the initial project database, planning meetings, delineating and structuring content, and further researching selected records based on attributes.

LRL staff members had the unique position of understanding legislative materials and their broader use, due to their daily fulfillment of requests. The LRL offered as-needed input on record descriptions, particularly in terms of the actual purpose and use of the records by people using the reference library. The LRL was also responsible for compiling the considerable and detailed format information associated with digital records, often accessible only through internal servers.

Define legislative records of value

There was no easy way to choose the types of legislative content appropriate for inclusion in the inventory database. Previous archival research conducted by MHS government records staff identified legislative records commonly deemed historically valuable across several states.⁴ The identified legislative record types were put into a table based on state of origin and title, allowing for easy comparison of record type retention schedules. The record type's included in this table provided the initial record sets selected for inclusion in the Inventory Project. Selected records were held across institutions in both electronic and paper formats. The records included in the Inventory Project provide a sampling of legislative record types, with the expectation that as the database undergoes regular maintenance and updates, additional record types will be added.

Select and research attributes

The selected legislative record types were analyzed and the project team determined what information about the records would be useful to collect. The metadata attributes were chosen in order to uniquely identify and provide greater detail and the records.

Attribute selection was a collaborative and ongoing discussion between the MHS and the LRL. Simply recording record titles and their formats was not enough to make informed preservation decisions involving long term care of records. The project team chose descriptive attributes for each record that would reflect dates, creators, formats, accessibility, retention, responsibility, use, authenticity, and open ended, as-needed fields.

⁴ "Records Retention Policies for Selected Legislative Records," *Minnesota Historical Society*, September 2008.

Attributes were basic enough to incorporate other record types as the database is updated overtime.

The following list identifies and defines the chosen metadata attributes used in the inventory. Attribute descriptions also provide information on some of the issues encountered in preserving record types over the long term.

Record Title

The record title is the designation given to a data set by the creating agency. Legislative records are created by several agencies and many create records with identical identifiers. There is duplication across record titles between legislative agencies because there are several creating agencies producing different legislative content under the auspices of the same title. For example, both the House and Senate create committee meeting minutes, bills, and journals. In this inventory, records are differentiated based on added attributes, such as creator, when record are produced by more than one creating agency.

Dates

Minnesota legislative records have been produced since the state's inception in 1858. The dates attribute defines time periods of inventoried records types. Record types were further delineated based on format type. We found it easiest to separate out record titles into date spans when record titles by the same creator were held in several formats over a period of time.

One of the main goals of the Inventory Project was to provide an accurate portrayal of the changing record formats over time. As such, we spent a significant amount of time deciding on how to reflect the variety of records formats over the past 150+ years. For example, there are 3 entries for journals created by the House because House journals have been made accessible on paper since 1858, electronically (.pdf) throughout the 90's, and online (html) for records from 1994 to the present.

Creator

The Inventory Project limited record types to three legislative record creating agencies. The House, Senate, and Office of the Revisor of Statutes' records were represented in the database. The scope and time frame of the Inventory Project restricted our ability to include all legislative creating agencies. However, the project database was set up to easily incorporate other creator and record types at a later date.

Formats

We simplified formats into large subcategories, which included records held in paper, html/XML, microfilm, tape, digital sound, digital video, and electronic files (mostly .pdf's available for download via the web).

Determining format types to include in the inventory took up a large part of the total project time. Digital formats change often across record creating agencies, causing some

materials to be inaccessible shortly after formation. Additionally, several records were held in differing formats covering the same periods of time.

LRL staff provided additional format information regarding the digital/audio materials, linked to but not detailed, in the Inventory Project database at the metadata level.

Determining the exact digital audio and video formats was a laborious process, where LRL technical staff opened up individual record type properties, noted file formats, versions, bit rates, codec's, and additional detailed information. The final web tool will link to the detailed properties of included digital audio and video record types.

Digital legislative materials cover a broad spectrum of formats. Many have been created in proprietary software and the continued accessibility of these materials has been a major source of concern for both the MHS and the LRL moving forward.

Access mechanisms

Access mechanisms details how a selected record is physically or electronically accessed by a user. People access legislative records in a variety of ways. Users may go in-person to access State Archive records at the Minnesota History Center or to the Legislative Reference Library to view paper records or access electronic records. People may access digital records via the web, by visiting the record creator's website (House, Senate, or Revisors Office). Some people use a variety of mechanisms to access the records they are interested in. For example, users may look at the print version of committee meeting minutes in-person at the LRL, as well as visit the House website from anywhere to watch and listen to the proceedings online.

Record retention schedules

The record retention attribute states the official record retention policy and defines the length of the retention. This attribute was infrequently used because many records do not have official record retention policies.

In Minnesota record retention schedules are submitted by state or local government agencies to be reviewed and signed by a State Records Disposition Panel. The State Records Disposition Panel is made up of the State Auditor (for local government records) or the Legislative Auditor (for state agency records), the Attorney General, and the Director of the Minnesota Historical Society (or an individual designated by the Director).

Responsibility

The inventory differentiates responsibility between the Legislative Reference Library, the House, Senate, or the Minnesota Historical Society. While there are various agencies responsible for preserving legislative content, long term access and preservation of records is often unclear without an official retention schedule. In the case where there is no officially designated responsible party, current record holders were listed.

Purpose/use

The purpose or use of the record describes how people are actually utilizing the materials. What is the purpose of holding on to these records? Are they used regularly by researchers; never used; or used in parallel with other records types?

If we have defined these types of records as historically valuable, we want to see what sort of use they receive. There may be cases where people are only interested in the digital versions of a record, with no one looking at the paper copy. If so, record use and future preservation of unused format types, should be incorporated into any preservation planning.

Authenticity

The authenticity attribute addresses the legal definition of an “official” record. The definition of an official record differs state to state. In Minnesota, the definition of an official record is based on statutory law.⁵

People want a way to be ensured that the document they are looking at has not been changed in any way. Authenticity of records in general is important because interested parties may want to research legal matters, or use records in official court proceedings. If people are able to print out statutes from the web, they need to be able to ensure the document they print is authentic and unchanged from the original.

Authenticity has been identified as one of the keys to preserving and providing access to legal materials in the future. There are still a lot of unanswered questions in how to ensure authenticity in a digital age. UELMA attempts to address some of the issues surrounding the authenticity of legal materials. The Inventory Project just begins to show the depth of the issue of authenticity in current legal record holding practice, so we can begin to address the problem.

General concerns/notes

The general concerns attribute contains open-ended concerns regarding record types. This attribute was used as a catch-all to take into account qualities of record types not covered under any of the other attributes.

There were several open-ended questions filled in on an as-needed basis, including a general notes field. General concerns also addressed internally recognized issues regarding storage size, file formats, preservation over time, and implementation of unofficial retentions schedules.

Compile data and create a searchable database

The data was compiled in a Microsoft Access database. Final count totaled 58 unique record sets, contained in a table, comprised of rows of attributes and columns of record

⁵ “Minnesota Statute 15.17, Official Records,” *Office of the Revisor of Statutes, State of Minnesota*, 2010, available at <https://www.revisor.mn.gov/statutes/?id=15.17>

types. The resulting database included records from early territory years (1849), to the present (2011). Record sets were in a variety of formats, from an assortment of creators, each with their own unique identifying characteristics as defined through the attributes.

We used mechanisms within Microsoft Access to create forms out of the data which provided an easy way to see holes in the data and provide more detail when necessary. Access' reporting function allowed data aggregation based on any number of selected attributes. For example, a user could select to have a report showing records separated by any of the desired attributes, such as all records held on digital audio, or all the records created by the House.

Future goals and next steps

LRL technical staff will use the Access database to create a searchable web tool. The web tool will be used to draw attention to issues about long-term preservation and care of legislative materials. Next steps could involve including additional legislative record types, creators, and formats into the inventory. Overall, the Inventory Project database will continue to be updated as staff time and funding allotments allow. The database will never be done!

Outcomes

The Inventory Project is an educational tool forming the basis of further discussion about digital records standards for Minnesota government records. The issues the project team faced trying to figure out the where, how, and why of legislative records have really highlighted the lack of standard practice in preserving, authenticating, and providing access to Minnesota legislative records in digital formats. For example, the Minnesota House and Senate use different methods and formats to capture digital audio and video of their actions. Some of the issues made apparent by the inventory will have to be addressed in conjunction with the anticipated upcoming enactment of UELMA in Minnesota.

It is important to keep in mind that the Inventory Project is only a first step towards furthering the discussion about standards and maintenance of digital materials within Minnesota's legislative agencies. Collaboration and education have been a large part of the completing the inventory and in order for the momentum to continue, people need to understand how current record practices affect the preservation of materials that hold value for all of us.