



MONTANA
ADMINISTRATIVE
REGISTER



MONTANA STATE LIBRARY

NOTICE OF ADOPTION

MAR NOTICE NO. 2025-255.3

Summary

Amendment of ARM 10.102.1159 Serving the Community - Open Hours Standard

Previous Notice(s) and Hearing Information

On September 26, 2025, the Montana State Library published MAR Notice No. 2025-255.1 pertaining to the public hearing on the proposed amendment and adoption of the above stated rule in the 2025 Montana Administrative Register, Issue Number 18. A public hearing was held on November 3, 2025.

Final Rulemaking Action – Effective [effective_date]

AMEND WITH CHANGES

The agency has amended the following rules with the following changes from the original proposal, stricken matter interlined, new matter underlined:

10.102.1159 SERVING THE COMMUNITY

- (1) The library is open during convenient hours. On average, the library is open a the following number of hours weekly, as reported by the library in the annual public library survey:

Service Area Population	Minimum	Desirable <u>Recommended</u>
Fewer than 3,500	10.5 hours	25-40 hours
3,501 – 9,999	21 hours	40-50 hours
10,000 – 24,999	28 hours	50-60 hours

More than 25,000	35 hours	60+ hours
(2)	Everyone has safe, comfortable, and convenient access to the library and its services.	
(3)	Everyone has access to updated and regularly maintained physical and digital library content and services.	
(4)	Everyone can find library materials online.	
(5)	Everyone has access to virtual and face-to-face programming.	
(6)	Everyone has access to information about local community and government activities that assists them with understanding local community issues and allows them to engage civically in the community.	
(7)	Children and caregivers have access to early literacy programming and materials either through the library or by being directed to another community organization that specializes in early literacy.	
(8)	Everyone has access to information about library programs and services through internal and external marketing efforts of library staff.	
(9)	Everyone has access to a library website or social media site.	
(10)	Everyone can obtain materials and services from another library through interlibrary loan services.	
(11)	Everyone has access to the Internet via wired and WIFI connections.	
(12)	Reasonable accommodations are made so that people with disabilities have access to the library's services.	

Authorizing statute(s): 22-1-103, MCA

Implementing statute(s): 22-1-103, MCA

Statement of Reasons

The agency has considered the comments and testimony received. A summary of the comments received, and the agency's responses are as follows:

Comment 1: One commenter supported the changes, noting that there is no point being open at times when people don't use libraries and the proposed changes support flexibility to help libraries adjust to community needs and staffing levels.

Response 1: The Commission appreciates the support for the flexibility provided by the rule.

Comment 2: Several commenters expressed support for allowing the averaging of hours the library is open each week during the year in determining whether a library meets the weekly minimum open hours requirement. The commenters acknowledged that it makes sense to have shorter hours at certain times of the year.

Response 2: The Commission appreciates the support for allowing the averaging of hours to determine if the minimum open hours requirement is met.

Comment 3: One commenter expressed concern that the use of the term "on average" was not clear enough in determining whether a library meets the minimum weekly standards.

Response 3: The Commission notes that the reference in the proposed rule to "as reported by the library in the annual public library survey" provides adequate guidance for the averaging process. The survey provides instructions in calculating the average hours open.

Comment 4: Several commenters noted that libraries provide essential services and expressed concern that if minimum open hours are reduced, the communities they serve will have less access to these services.

Response 4: The Commission agrees that libraries provide essential services. However, since 2013 there has been a documented decline in library visitations and an increased usage of ebooks and other online resources provided by libraries. The proposed rule does not mandate reduced hours but provides libraries the flexibility to adapt to patterns of usage and invest more in online services.

Comment 5: Several commenters expressed concerns that a reduction in the open hours may signal that libraries are not important and result in less support or funding for libraries.

Response 5: The proposed rule does not require or incentivize libraries to reduce hours, but gives them the flexibility to do so. This rule change is a freedom measure. The Commission notes that 89% of Montana libraries already exceed the current standard and they are unlikely to reduce hours.

The Commission considered the role of local governments to appropriate funds for local services, the financial relationship between library boards and local governments, and how this rule change would play a role in financial discussions. The Commission notes that ultimately local governments have authority over local budgets and who is appointed to library

boards. The Commission notes the importance of good communication between library boards and local governments.

Comment 6: One commenter stated that the current open hours standard represents a compromise between the ideal number of open hours and fiscal and logistical constraints.

Response 6: The Commission notes that, in some instances, reducing the number of open hours may save a small library.

Comment 7: Several commenters questioned the motivation for the rule change.

Response 7: The decline in visitation since approximately 2013 and a turn towards ebooks were considered by the Commission in proposing the rule. This change allows libraries the flexibility to invest more in online resources. The Commission discussed whether the rule should include a required review period to evaluate the standard compared to data trends but decided against doing so.

Comment 8: One commenter expressed concern about the lack of legal services available to local libraries.

Response 8: The comment regarding availability of legal services is beyond the scope of the proposed rule.

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Rule Reviewer

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Approval

Robyn Scribner

Commission Chair

State Library Commission