

Meeting Minutes

SOUTH DAKOTA BOARD OF BARBER EXAMINERS

Wednesday, December 18, 2024, 10:00 a.m. CST

Board President Len Ivey called the meeting to order at 10:03 a.m. CST and called the roll. A quorum was present.

Members Present: James McGuire
Kristy Wright
Len Ivey

Members Absent: Benjamin Estabrook

Others Present: Tyler Evins, Program Director
Gerald McCabe, DLR Division Director
Jodi Aumer, Director of Professional Licensing
Jennifer Doubledee, DLR Attorney

Jim McGuire made a motion to approve the agenda. Wright seconded the motion. **MOTION PASSED.**

McGuire made a motion to approve July 2, 2024, meeting minutes. Wright seconded the motion. **MOTION PASSED.**

Evins reported the cash center balance of \$22,818. The Board discussed the current expenses and efforts to reduce expenses.

No comments made during Public Comment.

Evins shared bill draft 197 with the board. The bill would raise the statutory maximums for the licensing fees. The bill would also change the renewal date for barber licenses from June 30 to May 31 to allow time to process fees and present an accurate budget for the following fiscal year.

Ivey made a motion to pass a resolution in support of the Board moving forward with the bill. McGuire seconded the motion. **MOTION PASSED.**

McGuire made a motion to adjourn the meeting. Ivey seconded the motion. **MOTION PASSED.**

The meeting adjourned at 10:22 a.m. CST.

FORM 6

South Dakota Board of Barber Examiners Notice of Public Hearing to Adopt Rules

A public hearing will be held by Microsoft Teams, on April 1, 2025, at 10:00 a.m. Central Time, to consider the adoption and amendment of proposed Administrative Rules of South Dakota numbered:

§§ 20:39:03:04, 20:39:05:01, 20:39:05:03, 20:39:05:04, and 20:39:05:05.

The effect of the rules will be to revise the renewal date for a barber school license, increase fees for barber certificate renewal, barber certificate restoration, barber certificate restoration annual penalty, barber school license, barbershop license (initial and renewal), and barber chair (initial and renewal). The changes also establish new fee rules for fees related to annual inspections and initial barber licensure.

The reason for adopting the proposed fee rules is to raise revenue necessary for sustaining board operations. The revised renewal date change is to ensure continuity of renewal dates across various fees.

Persons interested in presenting amendments, data, opinions, and arguments for or against the proposed rules may appear in-person at the hearing, or mail or e-mail them to Board of Barber Examiners, 217 W. Missouri Ave, Pierre, SD 57501, tyler.evins@state.sd.us. The deadline to submit any such written comments for consideration by this part-time board is seventy-two hours before the date of the public hearing and no later than 10:00 a.m. Central Time on March 29, 2025.

After the written comment period, the Board of Barber Examiners will consider all written and oral comments it receives on the proposed rules. The Board of Barber Examiners may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

For Persons with Disabilities: This hearing will be located at a physically accessible place. Please contact Tyler Evins at least 48 hours before the public hearing if you have special needs for which special arrangements can be made by calling 605-295-7727.

The Microsoft Teams meeting login information is below:

Login:

URL (for web browser): <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>

Meeting ID: 272 655 084 461

Passcode: Zx22aT2D

Call in (audio only):

Phone Number: 1-605-679-7263

Phone Conference ID: 338 399 043#

Copies of the proposed rules may be obtained without charge from:

Board of Barber Examiners and/or rules.sd.gov
217 W. Missouri Ave
Pierre, SD 57501

Published at the approximate cost of \$_____.

20:39:03:04. Length and annual renewal of school license. A barber school license is valid for a period of one year expiring on ~~June 30~~ May thirty-first. To renew a license, the school shall apply to the board by ~~May 1~~ April first. The renewal application shall contain a statement that the school has complied with SDCL 36-14 and this article during the previous year.

The renewal application shall be accompanied by the school's curriculum and textbook list for review and approval by the board.

Source: SL 1975, ch 16, § 1; 6 SDR 106, effective May 12, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 44 SDR 76, effective November 1, 2017; 46 SDR 64, effective November 25, 2019; 47 SDR 8, effective August 3, 2020.

General Authority: SDCL 36-14-9.

Law Implemented: SDCL 36-14-17.

CHAPTER 20:39:05

FEES REQUIRED

Section

20:39:05:01 ~~Renewal fee~~ Fee for barber certificate of registration.

20:39:05:02 Repealed.

20:39:05:03 Fee to operate a barber school.

20:39:05:04 Fee to operate a barber shop.

20:39:05:05 Fee for initial barber shop inspection.

20:39:05:01. ~~Renewal fee~~ Fee for barber certificate of registration. The fee for the initial barber license is two hundred twenty-five dollars which includes the cost of examination or, for reciprocity applicants, a waiver of examination. For the annual renewal of a certificate of registration to practice barbering the fee is ~~\$75~~ two hundred dollars. For the restoration of an expired certificate the fee is ~~\$15~~ thirty dollars, plus ~~\$12~~ twenty-five dollars penalty for each expired year, plus the annual license fee.

Source: 6 SDR 106, effective May 12, 1980; 12 SDR 159, effective April 10, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 21 SDR 214, effective June 20, 1995; 33 SDR 212, adopted May 15, 2007, effective July 1, 2007.

General Authority: SDCL 36-14-9, 36-14-24.

Law Implemented: SDCL 36-14-22, 36-14-24.

20:39:05:03. Fee to operate a barber school. The fee to operate a barber school or college is \$150 six hundred dollars annually.

Source: 6 SDR 106, effective May 12, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986.

General Authority: SDCL 36-14-9, 36-14-24.

Law Implemented: SDCL 36-14-9, 36-14-24.

20:39:05:04. Fee to operate a barber shop. The fee to operate a barber shop is \$50 annually for the initial license year is two hundred fifty dollars plus \$10 twenty dollars for each barber chair. The fee for a barber shop license annual renewal is two hundred twenty-five dollars plus twenty dollars for each barber chair.

Source: 6 SDR 106, effective May 12, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 21 SDR 214, effective June 20, 1995; 33 SDR 212, adopted May 15, 2007, effective July 1, 2007.

General Authority: SDCL 36-14-9, 36-14-27.

Law Implemented: SDCL 36-14-27.

20:39:05:05. Fee for annual barber shop inspection. The fee for the required annual barber shop inspection is one hundred fifty dollars. If the barber shop fails an inspection and a subsequent inspection is required, the barber shop must pay the actual cost of each subsequent inspection.

Source:

General Authority: SDCL 36-14-9, 36-14-30.

Law Implemented: SDCL 36-14-28, 36-14-30.