

Meeting Minutes
SOUTH DAKOTA BOARD OF BARBER EXAMINERS
Tuesday, July 2, 2024, 10:00 a.m. CDT

Board Secretary James McGuire called the meeting to order at 10:01 a.m. CDT and called the roll. A quorum was present.

Members Present: James McGuire
Kristy Wright
Len Ivey
Benjamin Estabrook

Members Absent: None

Others Present: Tyler Evins, Executive Director
Gerald McCabe, DLR Division Director
Kiira Weber, Legal Counsel
Ela Petersen, Office Staff
Jodi Aumer, Director of Professional Licensing
Emily Ward, DLR Finance Director
Donnie Valderrama, SD Barber College
Greg Steiner
Maria Erikson
Angel Sheddin
Arielle Miller
Travis Uglund
Justin Loesch
Sarah Little Thunder

Executive Director Evins (Evins) requested to move agenda item J above agenda item I. There were no objections. James McGuire (McGuire) requested to move agenda item H below agenda items J. There were no objections.

Len Ivey (Ivey) made a motion to approve the agenda as amended. Wright seconded the motion. **MOTION PASSED.**

The Board held elections for the offices of President and Secretary/Treasurer.

Ivey nominated himself for the office of President. A voice vote was held and Ivey was elected President of the Board.

McGuire nominated himself for the office of Secretary/Treasurer. A voice vote was held and McGuire was elected Secretary/Treasurer of the Board.

McGuire made a motion to approve the November 16, 2023 meeting minutes. Wright seconded the motion. **MOTION PASSED.**

Evins reported that as of June 22, 2024, the available cash balance was \$14,789.00. The Board discussed the current cash balance and anticipated expenses for FY2025. Emily Ward (Ward) answered questions about the current financial status of the Board and presented a spreadsheet with the Board's current figures.

There was no Executive Report.

Ward presented the current revenue and expenses for FY24, and informed the Board that there was a deficit of around \$20,000 for FY24. Ward also presented the Board's projected revenue and expenses for FY25 and informed the Board that the projections indicate that the deficit will increase year over year.

The Board discussed the results of the licensee survey (available in meeting packet) that was sent to licensees in June of 2024. The survey was sent to licensees to inform them that the Board has run a deficit for the past three years. The survey provided various options for reducing expenses and increasing revenue. The results indicated that a majority of respondents preferred not to combine the Board of Barber Examiners (Board) with the Cosmetology Commission (Commission). The results also indicated that respondents generally preferred not to raise fees.

The following comments were made during the public comment period:

Travis Ugland expressed concern that the barbers would 'lose their voice' if the Board was combined with the Commission.

Maria Erikson expressed concern about combining the Board and Commission and suggested that the Board look into different ways to cut costs.

Donnie Valderrama stated that the current inflationary pressures along with a lack of fee increases have led to decreased net revenue for the Board. He stated a preference for increasing fees to solve the budget deficit. He was opposed to combining the Board and the Commission.

Greg Steiner stated that the Board should be able to operate with fewer people involved in the licensing process.

Christian P. stated that in his estimation, the Board lacked industry knowledge which may lead to planning issues.

McGuire made a motion to table agenda item K until the next Board meeting. Wright seconded the motion. **MOTION PASSED.**

The Board did not enter into Executive Session.

The Board set the next meeting date for December 3, 2024 at 10:00 a.m. CST.

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

The Board of Barber Examiners adjourned at 11:47 a.m. CDT.

STATE OF SOUTH DAKOTA
CASH CENTER BALANCES
AS OF: 10/31/2024AGENCY: 10 LABOR & REGULATION
BUDGET UNIT: 1032 BOARD OF BARBER EXAMINERS - INFO

COMPANY	CENTER	ACCOUNT	BALANCE	DR/CR	CENTER DESCRIPTION
6503	103200061804	1140000	25,504.30	DR	BOARD OF BARBER EXAMINERS
COMPANY/SOURCE TOTAL 6503 618			25,504.30	DR *	
COMP/BUDG UNIT TOTAL 6503 1032			25,504.30	DR **	
BUDGET UNIT TOTAL 1032			25,504.30	DR ***	

STATE OF SOUTH DAKOTA
 MONTHLY EXPENDITURE REPORT
 FOR PERIOD ENDING: 10/31/2024

AGENCY 10 LABOR & REGULATION
 BUDGET UNIT 1032 BOARD OF BARBER EXAMINERS - INFO
 CENTER-5 10320 BOARD OF BARBER EXAMINERS

COMP	CENTER	ACCOUNT	DOCUMENT NUMBER	POSTING DATE	JV APPVL #, OR PAYMENT #	SHORT NAME	VENDOR NUMBER	VENDOR GROUP	AMOUNT	DR/ CR
									229.67	DR *
									229.67	DR **
									453.60	DR ***
									1,407.58	DR ****
									1,407.58	DR *****
									1,407.58	DR *****

OBJSUB: 5228000 OPER TRANS OUT -NON BUDGT
 OBJECT: 5228 NONOP EXP/NONBGTD OP TR
 GROUP: 52 OPERATING EXPENSES
 COMP: 6503
 CNTR: 103200061804
 B. UNIT: 1032

2025 South Dakota Legislature

Draft 197

Requested by: at the request of the Department of Labor and Regulation

- 1 **An Act to revise provisions relating to licensing fees and license renewal dates for**
 2 **the practice of barbering and to declare an emergency.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That § 36-14-22 be AMENDED:**

5 **36-14-22.** Each registered barber who continues in active practice ~~or service,~~ shall
 6 annually, on or before ~~the first day of July~~ May thirty-first, renew the barber's certificate
 7 of registration and pay the required fee. Each certificate of registration, unless renewed,
 8 annually expires on ~~June thirtieth~~ June first.

9 **Section 2. That § 36-14-24 be AMENDED:**

10 **36-14-24.** ~~The fee to be paid by an applicant for an Board of Barber Examiners~~
 11 ~~shall promulgate rules, in accordance with chapter 1-26, to set the following fees, which~~
 12 ~~may not exceed the amounts specified:~~

13 ~~(1) An examination to determine the an applicant's fitness to receive a certificate of~~
 14 ~~registration to practice barbering may not exceed one hundred dollars and for the~~
 15 ~~issuance of the certificate, may not exceed fifty three hundred dollars. All fees shall~~
 16 ~~be set by the board by rules promulgated pursuant to chapter 1-26. For the;~~

17 ~~(2) The annual renewal of a certificate of registration to practice barbering, no more~~
 18 ~~than eighty three hundred dollars, and for the;~~

19 ~~(3) The restoration of an expired certificate, no more than twenty thirty-five dollars,~~
 20 ~~plus no more than fifteen twenty-five dollars penalty for each expired year. The~~
 21 ~~fee to be paid for a the certificate is expired;~~

22 ~~(4) A permit to operate a barber school or college shall be set by rule promulgated~~
 23 ~~pursuant to chapter 1-26 and may not be more than one hundred fifty, six hundred~~
 24 ~~dollars annually; and~~

25 ~~(5) An annual inspection of a barbershop or barber school, one hundred fifty dollars.~~

26 **Section 3. That § 36-14-27 be AMENDED:**

1 **36-14-27.** It is a petty offense for any person to operate a barbershop unless ~~it~~
 2 ~~has been the barbershop is~~ licensed by the Board of Barber Examiners and ~~it~~ is at all times
 3 under the direct supervision and management of a registered barber. Application ~~shall for~~
 4 a license to operate a barbershop must be made, on forms prepared and furnished by the
 5 ~~Board of Barber Examiners board,~~ annually before the first day of July June first. The fee
 6 ~~to accompany such license board shall be set by rule promulgated pursuant to promulgate~~
 7 rules, in accordance with chapter 1-26 ~~and, to set a fee may not be of not~~ more than fifty
 8 three hundred dollars annually for each ~~shop barbershop,~~ plus a fee of ~~no not~~ more than
 9 ten twenty dollars, for each chair in the barbershop.

10 **Section 4. That § 36-14-29 be AMENDED:**

11 **36-14-29.** The license required by § 36-14-27 ~~shall must~~ be conspicuously
 12 displayed in the barbershop ~~and no.~~ A license shall be is not transferable from person to
 13 person, location to location, or to a new operator at the same location. ~~All such licenses~~
 14 ~~shall expire.~~ The license expires on the last day of June in May thirty-first each year.

15 **Section 5. That § 36-14-30 be AMENDED:**

16 **36-14-30.** ~~All barbershops after original inspection pursuant to § 36-14-28 shall~~
 17 After the inspection provided for in § 36-14-28, a barbershop must be inspected annually
 18 by the Board of Barber Examiners, ~~but the board may not charge a fee for the annual~~
 19 inspection. ~~However, if The board may charge a fee for an annual inspection. If the shop~~
 20 barbershop does not pass the annual inspection and the inspector has to must go back to
 21 the shop barbershop for a second or subsequent inspection, the ~~Board of Barber Examiners~~
 22 board may charge the shop barbershop owner for the cost of such the subsequent
 23 inspection.

24 **Section 6.** Whereas, this Act is necessary for the support of the state government and its
 25 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
 26 full force and effect from and after its passage and approval.