

## FORM 10

See SDCL subdivision 1-26-4(9)

### SOUTH DAKOTA COSMETOLOGY COMMISSION MINUTES OF PUBLIC HEARING

The South Dakota Cosmetology Commission convened at 1:00 p.m. on Friday, May 5, 2017 at the Department of Labor and Regulation Office located at 811 East 10th Street, Sioux Falls, South Dakota.

The purpose of the meeting was to conduct a public hearing on the proposed rules of the commission numbered 20:42:01:01, 20:42:03:04, 20:42:03:12, 20:42:03:13, 20:42:04:04, 20:42:04:04.03, 20:42:04:05.01, 20:42:04:08.01, 20:42:04:09.01, 20:42:04:10.01, 20:42:06:05, 20:42:06:32, 20:42:08:03, 20:42:08:03.01, 20:42:08:04, 20:42:08:05.01, 20:42:08:09, adopted under the authority of SDCL 36-15.

**Hearing Officer:** Kate Boyd, Pierre, South Dakota.

**Roll call by Secretary-Treasurer Crystal Carlson with the following members of the commission in Attendance:**

President Tammy Ugofsky,  
Secretary-Treasurer Crystal Carlson  
Laurie Brandner  
Vice President Lori Berreth (via teleconference)  
Lori Little (via teleconference)

**Others in Attendance:**

Graham Oey, Department of Labor and Regulation Attorney  
Tom Poloncic, Black Hills Beauty College, Rapid City and Sioux Falls  
Joy Poloncic, Black Hills Beauty College, Rapid City and Sioux Falls  
Trish Bates, Hollywood Style Salon  
Angela Taylor, Stewart School  
Matt Fiegen, Stewart School  
Caitlin Hoogland, Stewart School  
Darla Bierwagen, Absolute Bliss  
Angela Larson, Lake Area Technical Institute-Cosmetology Program  
Shawn Venjohn, Lake Area Technical Institute-Cosmetology Program  
Tonya Beynon, Reflections Hair Designs  
Maria Flores, Reflections Hair Designs  
Danielle May

**Written Testimony**

The Commission did not receive any written testimony for consideration.

**Oral Testimony**

School representatives Angela Taylor from Stewart School and Shawn Venjohn from Lake Area Technical Institute-Cosmetology Program expressed concern about the deletion of rule

20:42:08:03.01, Senior instructor education exception. This will leave the schools in a bind when an emergency arises, such as a licensed instructor calling in sick. Attorney Graham Oey responded that in reviewing proposed changes to instructor licensing, he determined there had not been legal authority to adopt this rule in 2013, so it needs to be deleted at this time. It will require legislative action to approve licensed cosmetologists to work as substitute instructors for 80 hours or less per year without an instructor license.

President Ugofsky stated that anyone wishing copies of the minutes of the commission meeting or notices of commission meetings could call or write the Cosmetology Commission.

IT WAS MOVED BY Laurie Brandner, seconded by Crystal Carlson, to adjourn. The motion prevailed on a roll call vote with Lori Berreth, Laurie Brandner, Crystal Carlson, Lori Little and Tammy Ugofsky voting aye.

Respectfully submitted,

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Crystal Carlson, Secretary  
Cosmetology Commission

**Adjournment:** 1:45 p.m.