

# INDIANA ELECTRICAL CODE UPDATE COMMITTEE

## MEETING MINUTES

### Meeting Details

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**Date:** March 23, 2022

**Time:** 10:00 AM

**Location:** Government Center South, Conference Room 1

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### Member Attendance

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Name	Present		Means of Participation
	Yes	No	
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Paul Meyers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
John Luppacchino	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Tim McClintock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
John A. Jackson III	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NA
Stephen Culbert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Mike Patarino	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Lynn Madden	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Randy Gulley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Charlie Eldridge	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

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### Notes

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Additional information may be available at the [Committee's Web Page](#).

Also in attendance:

Dustin Dyer, Director of Boards and Commissions, IDHS  
Justin Guedel, Deputy General Counsel (DGC), IDHS  
Jonathan Whitham, General Counsel, IDHS  
Randy Cooley, Assistant Section Chief, Code Enforcement, IDHS  
Craig Burgess, State Building Commissioner

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1. **Call to Order** – Chairman Popich called the meeting to order at 10:10am.
2. **Roll Call and Determination of Quorum** – Commissioners personally introduced themselves and discussed their qualifications. All were present but one. Quorum was met. See attendance record above.
3. **Review Committee Bylaws** – The Committee discussed the bylaws in depth, with Chairman Popich reading through the bylaws. Committee members were given the opportunity to present any questions to Commission Staff for clarification as the bylaws were read.

Committee members questioned how fiscal impact statements would be compiled and how cross-code provisions would be discussed and accepted in terms of fiscal impact. DGC Justin

Guedel answered questions related to recommended actions and processes for the Committee to follow.

Discussion arose whether an electrician could choose to follow the Residential Code or Electrical Code when performing construction of a Class 2 structure. State Building Commissioner Craig Burgess and DGC Guedel informed the Committee that the Residential Code currently affords that option, however, proposals may be submitted to address this as permitted by the Committee's bylaws. Ultimately, any approved proposal attempting to change this current option will have to be approved by the Commission. However, proposals making changes to electrical code provisions contained outside of the 2020 NEC should be explicitly identified for the Commission's review and consideration. The language in the bylaws permitting electrical provisions contained in other codes to be addressed by this Committee was intended to ensure that any updates being made did not create conflicts with existing codes and if conflicts were created, that these conflicts could be addressed.

DGC Guedel informed the Committee that electronic meetings are not an option unless the Committee adopts an electronic meeting policy. Chairman Popich indicated that he prefers in-person meetings of the group with electronic broadcasting for public participation.

**Review Code Proposal Submission Process** – Committee members were given the opportunity to review and discuss the Code Proposal Submission Form on the [Committee's Web Page](#), as well as how the Smartsheet would be compiling this information for review. Committee members were shown how the proposal form would look, as well as the output of the proposal form and the smartsheet itself.

Discussion was had about best practices for submitting comments, amendments, and proposals, with the Committee Chair identifying the preferred method for submitting competing proposals and the recommended deadline of 7 days prior to the meeting. Committee Members expressed concern that they would be unable to print individual proposals for comment. Director Dyer explained that individual proposals would be uploaded as Meeting Materials and would be available to print for members should they desire to.

- 4. Proposed Schedule for Meetings and Pace** – Committee Members expressed concern regarding the pace of the meetings and how much material will be covered. Chairman Popich indicated that the proposed schedule could be modified depending on the amount of information that the Commission would be required to review in any individual meeting, depending on the length of the chapter to be reviewed and the amount of public commentary on proposals received. Chairman Popich called for proposals.

Committee Members indicated that Chapter 2 is where the Committee will spend the most amount of time. Chapters 5, 6, 7, 8, and 9 should be relatively short based on prior experience of the members. DGC Guedel suggested doing Chapters 1 and 2 the second meeting, based on the short nature of Chapter 1. Other Chapters can be assigned to meetings as the Committee thinks that they will get through them.

Committee Members asked about the optimal time per session. Chairman Popich suggested meetings run from 9 to 4. Committee Member Madden suggested that the first meeting might be scheduled out a few months to give the Committee members time to gather data and to give the public a chance to make public comment.

DGC Guedel suggested discussing what days of the month and week would be best for meeting. The Committee decided on the last Wednesday of the month for meetings. This would create the following proposed schedule for Committee Meetings:

## **Proposed Schedule of Committee Meetings**

**Meeting 1 – Discuss Fiscal Impact Baseline – April 27<sup>th</sup>, 2022 at 9:00am**

**Meeting 2 – Article 90 and Chapters 1 and 2 – Wednesday May 25, 2022 at 9:00am**

**Meeting 3 – Chapters 2 and 3 – Wednesday June 29<sup>th</sup>, 2022 at 9:00am**

**Meeting 4 – Chapters 3 and 4 – Wednesday July 27<sup>th</sup>, 2022 at 9:00am**

**Meeting 5 – Chapters 5+ -- Wednesday August 31<sup>st</sup>, 2022 at 9:00am**

**Meeting 6 – Final Review – Wednesday September 28<sup>th</sup>, 2022 at 9:00am**

*This proposed schedule is subject to change based on the amount of material to be reviewed and the needs of the Committee. Notice will be posted on the [Committee's Web Page](#) before any Committee meeting pursuant to the requirements of the Indiana Open Door Law.*

5. **Overview of Rulemaking Process** – DGC Guedel gave the Committee an overview of the Rulemaking Process in Indiana, from the start of the Commission's work until the final approval by the Governor's Office. DGC Guedel and Chairman Popich suggested that the total time involved would be eighteen to twenty four months from the beginning to end of the process to establish an expectation of the reasonable timeline before final approval. Member Madden expressed concern that the code might change in the review process following completion of the work by the Committee. DGC Guedel explained that changes would have to be done in a public meeting, and public comment would be available to express any concerns if changes are required to be made after the Committee's draft rule is completed.
6. **Other Committee Business** – Clarification was provided on who the Committee members may discuss code issues with outside of an official Committee meeting. DGC Guedel explained that Committee Members may discuss the code with stakeholders, but discussion between Committee members should take place during official Committee meetings.
7. **Next Meeting – April 27<sup>th</sup>, 2022 at 9:00am**

**Public notice and virtual/electronic meeting access details will be provided on the [Committee's Web Page](#) in advance of the meeting.**

8. **Closing Comments and Adjournment** – Meeting adjourned at 12:11pm.