

Planning and Development Committee

JOINT FAVORABLE REPORT

Bill No.: HB-5269

AN ACT CONCERNING REMOTE MEETINGS UNDER THE FREEDOM OF
Title: INFORMATION ACT.

Vote Date: 3/18/2022

Vote Action: Joint Favorable Substitute

PH Date: 3/4/2022

File No.:

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SPONSORS OF BILL:

Rep. Maria P. Horn, 64th Dist.
Sen. Will Haskell, 26th Dist.
Rep. Eleni Kavros DeGraw, 17th Dist.
Rep. Christine Palm, 36th Dist.
Rep. David Michel, 146th Dist.
Rep. Brian T. Smith, 48th Dist.
Rep. Quentin Williams, 100th Dist.
Rep. Aimee Berger-Girvalo, 111th Dist.
Rep. Cristin McCarthy Vahey, 133rd Dist.

REASONS FOR BILL:

HB 5269 permits public agencies to conduct remote meetings under the Freedom of Information Act. According to section 149 of Public Act 21-2, April 30th 2022 is the sunset date for any public agencies to hold remote access meetings. Since the outbreak of COVID-19, remote access meetings have become a necessity to ensure that the public still had access to participate in public proceedings. Since then, remote access meetings have displayed numerous benefits for both public participants and agencies. This can include easier accessibility, wider participation, and the removal of barriers whether they be caused by other obligations or bad weather. This Bill would effectively extend the use of remote access meetings for public agencies, thereby allowing them to continue to use this tool to serve the citizens of Connecticut.

RESPONSE FROM ADMINISTRATION/AGENCY:

Colleen Murphy, Executive Director and General Counsel, Freedom of Information Commission

Ms. Murphy voiced support for HB 5269, as it extends the option for remote access meetings past the sunset deadline of April 30th, 2022. The Commission also expresses that remote access meetings have been met with enthusiasm by public agencies, and that the Bill would both provide clarity and give the General Assembly more time to decide on passing further provisions governing the conduct of remote meetings.

NATURE AND SOURCES OF SUPPORT:

Brendan Sharkey & Lyle Wray, Chairperson & Vice Chair, Advisory Commission on Intergovernmental Relations.

Mr. Sharkey and Mr. Wray each submitted testimony in support of Committee Bill No. 5269. They state, as shown by a previous study conducted by the ACIR under Public Act 21-2, that the public strongly favors the option of remote meetings at the local level. They further state the ACIR's recommendation that the sunset date for authorization of remote and hybrid-remote meetings be extended by the General Assembly, perhaps indefinitely. They also highlight another recommendation, namely that RPIP 2.0, a re-purposing of the Regional Performance Incentive Grant, should be utilized to create regional banks of meeting clerks. These hypothetical clerks should be trained in all types of meeting technologies and other clerk functions, so as to be available to staff local meetings when needed.

Michael Glidden, Vice President/Legislative Liaison, Connecticut Association of Zoning Enforcements Officials.

Mr. Glidden voiced support for HB 5269, as it allows the option for both remote access and hybrid meetings to remain indefinitely. Mr. Glidden further states that these platforms can reach a broader portion of the public, and allow citizens more options when participating in meetings.

John Guskowski & Emmeline Harrigan, Govt. Relations Committee co-chairs, Connecticut Chapter of the American Planning Association (CCAPA)

Mr. Guskowski and Ms. Harrigan voiced support for HB 5269, as it allows the option of virtual and hybrid meetings to remain for the citizens of Connecticut, creating flexibility for participants and increasing overall participation. They request however, that resources be made available to help communities identify the best practice for hybrid meetings.

Brian O'Conner, Director of Public Policy, Connecticut Conference of Municipalities.

Mr. O'Conner voiced support for HB 5269, as it removes the previously established deadline and allows municipalities to continue to work under the current framework of both remote access and hybrid meetings. He further states that the CCM also recognizes the challenges associated with mandating remote access or hybrid meetings.

Chris Parkin, Chairperson, Redding Board of Education

Mr. Parkin voiced support for HB 5269, as it allows the agencies to continue to hold remote access meetings indefinitely. He further expresses that while such remote meetings promote efficiency and increase both participation and public engagement, they should include additional revisions such as:

- Requiring agencies to allow remote participation for its members.
- Speakers appearing by video having their full names displayed.
- Actions taken in an unrecorded or non-published meeting being void.

Francis Pickering, Executive Director, Western Connecticut Council of Government

Mr. Pickering voiced support for HB 5269, as the benefits offered by the remote meeting format are so compelling, that he and the Western CT Council of Government want the remote option to continue.

Mike Savino, President, Connecticut Council on the Freedom of Information. Mr.

Savino voiced support for HB 5269, as it allows for easier accessibility to meetings of public bodies and government officials. He further states that while the benefits are promising, local officials should not use remote access to make themselves less accessible or engaging with the public.

Donna Swarr, Commissioner, City of Hartford Parks and Recreation Advisory

Commission Ms. Swarr voiced support for HB 5269, as the Bill will allow remote access meetings to continue indefinitely, which is to the public's benefit. Ms. Swarr further states that such benefits include but are not limited to; accessibility to younger citizens, less disturbances with lateness, easier accessibility to citizens with work or parental obligations, and overcoming barriers due to bad weather.

The following speakers voiced support for HB 5269, as it allows public agencies to continue to conduct remote meetings, a tool which allows for more flexibility. They further state, however, that they wish remote meetings to remain an option only, and not a mandate.

Connecticut Association of Boards of Education, Inc.

Betsy Gara, Executive Director, Connecticut Council of Small Towns

The following speakers voiced support for HB 5269, as it would allow the option of remote access meetings to remain a possibility for citizens who have both difficulties and constraints when trying to attend public meetings in person, thus increasing participation.

Brenda Kupchick, First Selectwoman, Town of Fairfield

Kathy Flaherty, Executive Director, Connecticut Legal Rights Project.

Maureen Williams

Jess Zaccagnino, Policy Counsel, American Civil Liberties Union of Connecticut

The following speakers voiced support for HB 5269, as it permits public agencies to continue to conduct remote meetings. They further state that this tool was very helpful during the Covid-19 pandemic and created a broader participation level from the public.

Audrey Blondin, private citizen

John Filchak, Executive Director, Northeastern Connecticut Council of Governments.

NATURE AND SOURCES OF OPPOSITION:

State Senator Rob Sampson, 16th Dist. Sen. Sampson voiced opposition to HB 5269, as remote meetings have limited opportunities for citizens to engage elected officials directly in debate and stifle their testimony with time constraints.

Reported by: Ben McSheehy

Date: March 24, 2022