

Declaration of A Public Health Emergency Committee

MEETING MINUTES

Wednesday, March 11, 2020

10:30 AM in Room 1D of the LOB

The meeting was called to order at 10:41 AM by Chairman, Sen. Looney M. S11.

The following committee members were present:

Senators: Daugherty Abrams M. S13; Duff B. S25; Fasano L. S34; Looney M. S11; Somers H. S18

Representatives: Aresimowicz J. 030; Klarides T. 114; Petit W. 22; Ritter M. 001; Steinberg J. 136

Senator Looney convened the meeting and stated that this committee has never met before, as it has never been required to; the committee consists of the six legislative leaders and the chairs and ranking members of the Public Health Committee to consider the Governor's Declaration of a Public Health Emergency. He stated that this is an extraordinary proceeding and is not necessary when an emergency is declared for other purposes like a weather-related crisis, so this is uncharted territory for everyone, and he opened the floor up to other members.

Representative Aresimowicz thanked him and stated that the legislative leaders have been meeting every day and will continue to re-evaluate so that they can meet the business of the General Assembly. He furthered that it has been reassuring for all of this to be done in a bipartisan way. He stated that he thinks it will continue, that they want to share as much information as they move forward, and that in this type of situation, information is key. He complimented the Governor and his staff for not only having them at the Emergency Operations Center but also in his office the other day. He explained that they are going to be meeting with the caucuses about steps being taken around the state. He thanked everyone for being there and finished by saying for the public at large, information is key in making the best decisions.

Senator Fasano thanked the Governor, his staff, the commissioners, and the executive office staff keeping everyone updated; he said they have done a great job. He furthered to Senator Looney that he believes he will explain to the group how the committee functions relative to the duties under the statutes in terms of what they will and won't be voting on as it would be helpful. He also stated that he hopes everyone continues to show bipartisanship with the Governor as they move forward.

Representative Klarides stated that it has been very difficult trying to make decisions and when people hear about schools closing and sports being canceled, it is not as black and white as it seems. She explained that they have struggled with it just in the past two days. She stated that there are six leaders used to making decisions who are going back and forth unsure of what the final decision will be but knowing they must make one. She asked for patience and understanding because it's a lot more complicated than it appears to be. She thanked the leaders and the Governor and

closed by saying that there are lot of partisan things to do in the building, but this isn't one of them.

Senator Looney wanted to note a few things in the language of the declaration itself. He explained that the correspondence regarding the Declaration of Public Health and Civil Preparedness Emergencies was directed by the Governor to the Secretary of the State and to the clerks of the two chambers of the General Assembly. He furthered stating that in it he notes that "in accordance with Connecticut General Statutes Section 19a-13 la (f), I hereby authorize and direct the Commissioner of Public Health to delegate the powers regarding isolation or quarantine to municipal and district directors of public health. Municipalities, local health officials, and local education officials are directed to follow previously issued guidance and apply relevant principles of risk management to decisions about whether to cancel, modify, or postpone large gatherings, public events, or travel. Orders regarding additional measures to protect public health and safety, including suspension or modification of specific statutes, will follow as I determine to be necessary. I am filing this declaration with you under my hand and seal on this 10th day of March 2020." He explained that it was done on March 10th at 2:25 PM and it is in effect until September 9th so it's for a six-month period unless the Governor terminates it early. He explained that it's going to take significant leadership on a municipal level and a lot of coordination on all levels with municipal public health leaders and public safety leaders, so there are decisions to be made all the way down the line in connection with this. He furthered by saying again, under the statutes, this committee has the right to veto the Governor's plan within 72 hours of this taking action so the committee has until Friday at 2:25 PM if they were to feel differently about his plan. He reiterated that it's a good and responsible plan so there isn't any reason to consider a veto or doing anything differently than what he has laid out.

Representative Aresimowicz agreed with Senator Looney. He stated that the action they could take would be to veto and based on the information provided, the Governor is going in the right direction. He explained that this suggests no action needs to be taken other than to meet to know what the committee's rights were. He reiterated that the Governor is acting in a way that puts the public interests at the center.

Senator Fasano stated that it was important for people to understand that the leaders believed it was important for this committee to meet since this was the first time this has happened; for precedent, it was important to meet even though they weren't going to veto the Governor's actions. He also asked if after six months when the emergency declaration ends, the Governor would reinvoke it and then the committee would have the opportunity over the 72 hours following to meet again. Senator Looney stated that that was correct. Senator Looney said that since he made it through September 9th, 2020, if he wanted to extend it beyond that time, it would require a new order and they would have a new opportunity to meet like they did this time.

Senator Somers asked that should they find, for any reason, a municipal health district not complying in a way they felt was necessary, according to this, would the Commissioner of the Department of Public Health have the ability to revoke the power from a municipality back to the Commissioner if they weren't complying in the best way for the public's health. Senator Looney said yes, but should they not be up to the task then the state power would come into play. Senator Somers didn't know if the committee had to meet again and said that regarding her question, she was not saying they wouldn't be prepared but was just curious.

Representative Steinberg stated that Senator Somers' comment provokes curiosity. He asked if there was any role for this committee besides the disapproval or approval. Representative Aresimowicz said he didn't think it was an official role but rather an advisory role in a team-like atmosphere. He stated that the 72-hour window will expire but Governor's staff has committed to an ongoing sharing of information and role for all of them.

Senator Daugherty Abrams thanked Senator Looney for convening the committee, acknowledges these powers to the Governor, and stated that there needs to be a system of checks and balances. She stated that she is in full support of the Governor, the agencies, and the cooperation with one another and the ongoing communication with them. She explained that she appreciates the fact that they're following the process but also supporting the good decision making that's protecting citizens. Senator Looney thanked her.

Representative Ritter stated that to Representative Steinberg's point, there are limitations to what can be done through the declarations and that legislators will have to vote on something eventually. He stated that they have been receiving plenty of emails from constituents, so their role doesn't go away even if the committee does.

Representative Petit stated that his comments to constituents would be to get back to basics as people can only control certain things. He furthered to wash their hands, appropriately disinfect things, and if you're sick to not go to school or work. He explained that on another level, they've been inundated especially with the CIAC cancellations, people have wanted to go after their local boards. He stated that he believes, along with the Governor, that being overprepared is better than being underprepared. He stated that the General Assembly is in constant contact with the Executive Branch trying to do what's best for the entire population using the best experts in their fields to make decisions.

Senator Looney stated that he doesn't want municipalities to feel isolated and doesn't want them to feel like they have too much discretion and freelance. He explained that the ultimate responsibility lies at the state level and is delegated as they choose to the municipal level like the Governor's Executive Order states. He furthered that the Governor's office wants to take responsible and aggressive action.

Senator Duff wanted to respond to Representative Klarides' comments. He stated that since they've had conference calls and been in discussions, to constituents some decisions may seem premature because Connecticut hasn't seen a huge breakout of coronavirus but due to a lack of testing, there are likely to be more cases. He explained that the goal is to flatten the curve, so any steps right now help so that we don't have to take more drastic steps later this spring. He furthered that Connecticut has the ability and opportunity to be as proactive as possible; he stated that it is extremely important to residents and the more we can do to ensure that even if they aren't the most popular ideas, they are going to keep doing what they can to keep everyone safe, especially those who are most vulnerable.

Representative Aresimowicz stated that he would rather take the criticism six months from now from people if that meant taking more drastic actions now could slow the spread. He further commended the work being done by the Governor.

Senator Looney stated that it is within the committee's capacity to convene again by Friday at 2:25 PM but barring some other emergency, the committee has met the statutory requirements.

A motion was duly made by Representative Aresimowicz and seconded by Senator Fasano to adjourn the meeting.

The meeting was adjourned at 10:58 AM.

Kirstin L. Breiner
Committee Administrator