

Freedom of Information Commission
of the State of Connecticut

In the Matter of a Complaint by)
Post-Newsweek Stations,) Final Decision
Connecticut, Inc., Complainant)
against) Docket #FIC 76-12
Joint Committee on Legislative)
Management of the General) March 10, 1976
Assembly of the State of Connecticut)
Respondent)

The Commission makes the following findings of fact and law:

1. The respondent is a public agency as it is the joint Committee on Legislative Management.
2. On January 14, 15, 20 and 22, 1976 the Executive Director polled the membership of the respondent committee by telephone to determine whether or not to appeal Docket #FIC 75-23.
3. The results of the poll which favored an appeal were announced at a meeting of the respondent on January 26, 1976.
4. The Appeal was commenced on January 28, 1976.
5. The respondent's Executive Director did not know whether or not this poll was necessary under its own rules to delegate authority to commence an appeal to the Court of Common Pleas from this Commission's decision.
6. The poll was more than a preliminary discussion for the following reasons:
 - a. Several days before the meeting of January 26 the attorneys for respondent were beginning their draft of appeal.
 - b. The appeal could not have been decided upon and drafted in the time between the meeting of January 26 and the appeal on January 28, 1976.
 - c. Each member of respondent was polled and the staff waited until each was contacted before writing a memorandum on the result of the poll.

7. The poll was a "meeting" as defined in section 1(b) of P.A. 75-342.

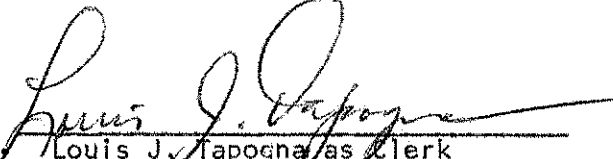
8. The conduct of the poll as a meeting by means of electronic equipment was neither noticed nor conducted pursuant to section 6 of P.A. 75-342.

The following order is hereby entered:

The Commission having found that the meeting conducted by poll was illegally held, any decision reached by the poll is declared null and void.

By Order of the
Freedom of Information Commission

By



Louis J. Tapogna, as Clerk
of the Commission

Dated March 10, 1976