

Freedom of Information Commission
of the State of Connecticut

In the Matter of a Complaint by)
John W. Roberts, Complainant) Report of Hearing Officer
against) Docket #FIC 76-62
State of Connecticut; and) May 13, 1976
Connecticut Development Authority,
Respondents)

The above captioned matter was heard as a contested case on April 27, 1976, at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found:

1. The respondents are public agencies as they are the State of Connecticut and the Connecticut Development Authority (hereinafter referred to as CDA).

2. By letter dated April 5, 1976, the complainant requested of the respondent CDA access to inspect or copy records of the CDA which would disclose the identity, addresses and business connections of the individuals and firms who comprise the group of investors involved in the purchase of the brass mill and General Products Division of Scovill Manufacturing Company.

3. The respondents did not reply to this request and the present complaint was filed with this Commission on April 12, 1976.

4. The respondents contend that the requested documents are exempt from disclosure pursuant to §§ 2(b)(1), (4), (6) and (7) of P.A. 75-342. Each claimed exemption will be treated seriatim.

5. The respondents offered no evidence that the documents requested were either preliminary drafts or notes or that the respondent CDA determined that the public interest in withholding such documents clearly outweighs the public interest in disclosure. Consequently, it is concluded that the relevant part of § 2(b)(1) of P.A. 75-342 does not exempt the requested documents from disclosure in the present case.

6. § 2(b)(4) of P.A. 75-342, in relevant part, exempts from disclosure commercial or financial information given in confidence which information is not required by law. While the information requested was given to the respondent CDA in confidence, it is found that §§ 32-15, 32-16(a) (2) and 32-23d(f), gen. stats., read together, require that the respondent CDA obtain such information. Consequently, it is concluded that §2(b)(4) of P.A. 75-342 does not exempt the requested documents from disclosure in the present case.

7. The exemption from disclosure provided by § 2(b)(6) of P.A. 75-342 is not applicable in this case since the complainant does not seek access to any information or records described therein.

8. § 2(b)(7) of P.A. 75-342, in relevant part, exempts from disclosure statements of personal worth or personal financial data required by a licensing agency. The complainant is not seeking herein access to statements of personal worth. It is also found that the respondent CDA is not a licensing agency within the meaning of §2(b)(7). Consequently, it is concluded that § 2(b)(7) of P.A. 75-342 does not exempt the requested documents from disclosure in this case.

The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The respondent CDA shall forthwith provide the complainant with access to inspect or copy the requested documents described in paragraph 2, above, in accordance with §2(a) of P.A. 75-342.

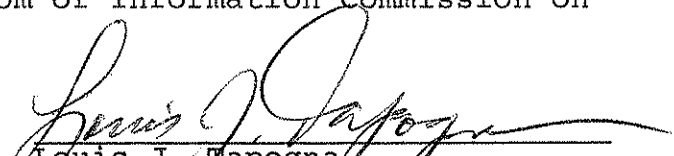
2. While the provisions of the findings and order herein may, in certain circumstances, undermine the effectiveness of the CDA in helping to develop the economic climate of Connecticut because some investors may be reticent to have disclosed their names, addresses and business connections, this Commission is bound by the provisions of P.A. 75-342. Any exception to public disclosure in this regard must be mandated by statute and is therefore within the exclusive province of the General Assembly.



Commissioner Judith A. Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on
May 26, 1976.


Louis J. Papogna
Clerk of the Commission