

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by)	
William J. Kimball,)	Report of Hearing Officer
Complainant)	on Motion to Dismiss
)	
against)	Docket #FIC76-212
)	
State of Connecticut and)	January 10, 1977
Connecticut State Building Code)	
Standards Committee,)	
Respondents)	
)	

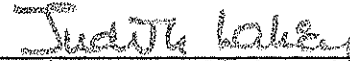
The above captioned matter was heard as a contested case on January 4, 1977, at which time both the complainant and the respondents appeared and presented argument on the complaint.

After consideration of the entire record and the arguments of both parties on the motion to dismiss, the following facts are found:

1. The respondents are public agencies as defined by §1-18a(a) of the General Statutes.
2. At the hearing herein, the respondent commission moved to dismiss the complaint on the ground that there was no denial of any right conferred by P.A. 75-342.
3. By letter of complaint filed with this Commission on December 7, 1976, the complainant alleged that on December 3, 1976, the respondent commission held a meeting.
4. The complainant further alleged that during the course of this meeting, the respondent commission issued a public warning against the use, by individuals, of certain information found during inspection of plans, drawings and/or specifications filed for building permits in Connecticut.
5. By same letter, the complainant asserted that the respondent commission has threatened the imposition of a fine penalty for violations thereof.
6. The complainant treated the above warning as a violation of the Act Concerning Freedom of Information.
7. The complainant conceded that he did not make a request to inspect or copy the aforesaid plans, drawings and specifications.
8. It is found that there was no denial of the right to inspect or copy records within the meaning of §1-21i(b) of the General Statutes, or any other right conferred by P.A. 75-342.

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

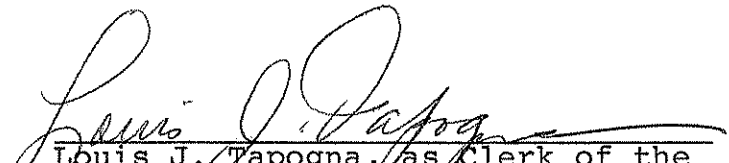
1. The complaint is hereby dismissed since the Commission lacks jurisdiction over same under §1-21i(b), of the General Statutes.



Commissioner Judith Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission
on January 26, 1977.



Louis J. Tapogna, as Clerk of the
Freedom of Information Commission