

3. Central Metal Industries, through a metamorphosis of corporate name, is now called Central Metal Products, Inc. and the complainant's requests were sufficient to identify records relating to the latter corporation.

4. The respondents did not reply to these requests and the present complaint was filed with this Commission on April 7, 1976.

5. The respondent CDA issued its commitment of mortgage insurance prior to the complainant's requests herein.

6. 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.

7. 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.

8. § 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. The respondents offered no evidence that any information contained in the requested documents were given to the respondents in confidence. Furthermore, it is found that §§ 32-15, 32-16(a)(2) and 32-23d(f), gen. stats., read together, require that applicants supply to the respondent CDA the information contained in the requested documents. 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.

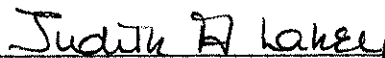
9. § 2(b)(6), in relevant part, exempts from disclosure the contents of real estate appraisals made for or by a public agency relative to the acquisition of property. The respondents offered no evidence concerning their acquisition of property. It is clear however, from the record herein that the transaction which premises this complaint concerns the acquisition of property by private parties. It is found that the respondent CDA is not now acquiring, nor has it acquired, property by this transaction within the meaning of § 2(b)(6). Consequently, it is concluded that § 2(b)(6) of P.A. 75-342 does not exempt the requested documents from disclosure in this case.

10. § 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 respondents offered no evidence that the requested documents contain statements of personal worth or personal financial data. 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 the requested documents described in paragraph 2, above, under the provisions of Public Act 75-342.

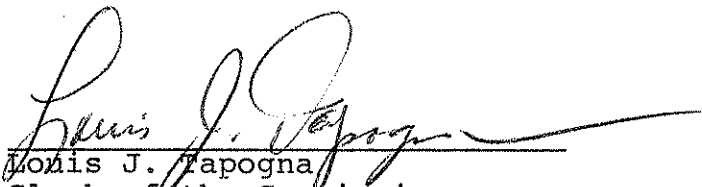
2. While the provisions of the findings and order herein may, in certain circumstances, undermine the effectiveness of the CDA in helping to develop the economic climate of Connecticut because some industrial concerns may be reticent to have disclosed otherwise confidential information, this Commission 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