

**STATEMENT OF THE FREEDOM OF INFORMATION COMMISSION ON
RAISED BILL 33, AN ACT ESTABLISHING A
NEW HAVEN REGION DEVELOPMENT AUTHORITY.**

February 24, 2014

The Freedom of Information Commission would like to take this opportunity to object to a section in Raised Senate Bill 33, An Act Establishing a New Haven Region Development Authority.

While the overall goals of the bill are laudable, the FOIC feels that the Freedom of Information Act (FOIA) already contains provisions for the issues addressed in Section 1 (h) of Bill 33. That section declares that "All financial, credit and proprietary information contained in any application or request filed with the authority with respect to funding for any city project or authority development project shall be exempt from the provisions of subsection (a) of section 1-210 of the general statutes."

This exception, the FOIC feels, is overly broad and unnecessary. The FOIA, in Section 1-210 (b) (5A) and (5B) allows a permissive exemption to public agencies for documents that contain trade secrets as well as documents that contain commercial or financial information given in confidence, not required by statute.

It appears that the documents contemplated in this proposed bill would contain precisely the type of information described in Section 1-210 (b) (5A) and (5B).

This exemption already in place would allow the newly created development authority to withhold from public disclosure documents that contain trade secrets or financial information given in confidence. It is important to make the distinction that the New Haven Region Development Authority would make the decision about the exemption to disclosure, not any entity supplying the records.

The Freedom of Information Commission respectfully submits that this proposed exemption is unnecessary and should be stricken from the bill.

For further information contact: Colleen M. Murphy, Executive Director and General Counsel or Mary Schwind, Managing Director and Associate General Counsel at (860) 566-5682.