



CONNECTICUT ASSOCIATION OF
REALTORS[®] INC.

Statement on

R.B. 6662: AAC THE CERTAIN REVISIONS TO THE CITIZENS' ELECTION PROGRAM

... OPPOSE SECTION 10

Submitted to the Committee on Government Administration and Elections

March 13, 2009

by

Tim Calnen

Connecticut Association of REALTORS[®]

Good day, Senator Slossberg, Representative Spallone and members of the committee. My name is Tim Calnen. I am testifying on behalf of the REALTORS[®] Political Action Committee. As many of you may know, the REALTOR'S[®] PAC exercised their right of free speech by supporting candidates, during the 2008 elections.

My testimony concerns Section 10 of the proposed legislation. Current law protects participating candidates from attacks from independent expenditures. The proposed changes to this section will result in the State Elections Enforcement Commission providing grants in the amount of the Independent Expenditure to opponents of candidates that have received support from a positive independent expenditure.

We understand the proposal is intended to create parity among political candidates; in fact it may do the exact opposite. Such parity can be difficult if not impossible to attain. The allowance made for independent expenditures in the original legislation recognized the right of citizens, acting either singly or collectively, to support candidates who reflected the views of those citizens. The right to speak and act in support of a candidate is enshrined in our Federal and State constitutions. The proposed change to the legislation will not result in parity but in fact provide State support to advantage the other candidate.

An independent expenditure, by law, must be conducted independently with no communication nor coordination with the candidate or the candidate's campaign.

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The design and implementation of the independent expenditure is carried out with no coordination with the candidate. The message to be delivered, the media chosen and the voters targeted are all done independently. The independent expenditure may not conform to the actual candidate's strategy/message. At the very least, such expenditure may not provide assistance where it is most needed. This wisely protects the rights of citizens to speak and act collectively.

When the opponent is given a grant of equal amount, the opponent has the opportunity to utilize the funding in the most effective manner as determined by their campaign's strategy. Advantage goes to the opponent. This does not create parity and serves as a State penalty for exercising rights guaranteed by the Federal and State constitutions. At the very least, this State penalty has a chilling effect on citizens exercising their right to effectively speak to their fellow voters concerning a particular candidate.

The proposal does not result in parity, but in facts tips the advantage from one candidate to the other.

Not to be lost in today's difficult economy and the fiscal challenges faced by the State this change may very well result in additional State spending, beyond that already required of the State in the coming statewide general elections which will include State Constitutional officers.

If the intent is to discourage independent expenditure campaigns, I question whether that is the proper role of the legislature to discourage a right that is granted by the Federal and State constitution and has been affirmed by the Supreme Court.

Thank you for the opportunity to address the committee.

