SB 2416

Measure Title: RELATING TO THE CONVEYANCE TAX.

Report Title: Real Estate Conveyance Tax; Rate; Disposition

Increases the rate of real estate conveyance tax for properties with

a value of at least \$2,000,000. Amends the calculation for the

amount of conveyance taxes to be deposited into the rental housing

revolving fund.

Companion:

Description:

Package: None

Current Referral: HOU, WAM

Introducer(s): ESPERO, HARIMOTO, S. Chang



STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
677 QUEEN STREET, SUITE 300
Honolulu, Hawaii 96813
FAX: (808) 587-0600

IN REPLY REFER TO:

Statement of
Craig K. Hirai
Hawaii Housing Finance and Development Corporation
Before the

SENATE COMMITTEE ON HOUSING

January 30, 2018 at 2:45 p.m. State Capitol, Room 225

In consideration of S.B. 2416
RELATING TO THE CONVEYANCE TAX.

The HHFDC <u>offers the following comments and requested amendment</u> on S.B. 2416.

HHFDC appreciates the intent of Section 2 of the bill, which, like S.B. 2756, an Administration bill, repeals the statutory cap on the disposition of conveyance taxes for deposit into the Rental Housing Revolving Fund (RHRF). However, we are concerned about the cost implications of this proposal as, because it also increases the RHRF's allocation from 50 percent to 80 percent, it may adversely impact the State Financial Plan.

HHFDC also has concerns with the proposed increase in the conveyance tax rates on properties over \$2 million in value, because it would have a negative effect on the economic feasibility of affordable rental housing projects. Accordingly, we respectfully request that if the Committee intends to move this bill forward, that affordable housing be exempted from the conveyance tax. A proposed amendment is attached for the Committee's consideration.

Thank you for the opportunity to testify.

PROPOSED AMENDMENT TO S.B. 2416

SECTION X. Section 247-3, Hawaii Revised Statutes, is amended to read as follows:

"§247-3 Exemptions. The tax imposed by section 247-1 shall not apply to:

- (1) Any document or instrument that is executed prior to January 1, 1967;
- (2) Any document or instrument that is given to secure a debt or obligation;
- (3) Any document or instrument that only confirms or corrects a deed, lease, sublease, assignment, transfer, or conveyance previously recorded or filed;
- (4) Any document or instrument between husband and wife, reciprocal beneficiaries, or parent and child, in which only a nominal consideration is paid;
- (5) Any document or instrument in which there is a consideration of \$100 or less paid or to be paid;
- (6) Any document or instrument conveying real property that is executed pursuant to an agreement of sale, and where applicable, any assignment of the agreement of sale, or assignments thereof; provided that the taxes under this chapter have been fully paid upon the agreement of sale, and where applicable, upon such assignment or assignments of agreements of sale;
- (7) Any deed, lease, sublease, assignment of lease, agreement of sale, assignment of agreement of sale, instrument or writing in which the United States or any agency or instrumentality thereof or the State or any agency, instrumentality, or governmental or political subdivision thereof are the only parties thereto;
- (8) Any document or instrument executed pursuant to a tax sale conducted by the United States or any agency or instrumentality thereof or the State or any agency, instrumentality, or governmental or political subdivision thereof for delinquent taxes or assessments;
- (9) Any document or instrument conveying real property to the United States or any agency or instrumentality thereof or the State or any agency, instrumentality, or governmental or political subdivision thereof pursuant to the threat of the exercise or the exercise of the power of eminent domain;
- (10) Any document or instrument that solely conveys or grants an easement or easements;

- (11) Any document or instrument whereby owners partition their property, whether by mutual agreement or judicial action; provided that the value of each owner's interest in the property after partition is equal in value to that owner's interest before partition;
- (12) Any document or instrument between marital partners or reciprocal beneficiaries who are parties to a divorce action or termination of reciprocal beneficiary relationship that is executed pursuant to an order of the court in the divorce action or termination of reciprocal beneficiary relationship;
- (13) Any document or instrument conveying real property from a testamentary trust to a beneficiary under the trust;
- (14) Any document or instrument conveying real property from a grantor to the grantor's revocable living trust, or from a grantor's revocable living trust to the grantor as beneficiary of the trust;
- (15) Any document or instrument conveying real property, or any interest therein, from an entity that is a party to a merger or consolidation under chapter 414, 414D, 415A, 421, 421C, 425, 425E, or 428 to the surviving or new entity;
- (16) Any document or instrument conveying real property, or any interest therein, from a dissolving limited partnership to its corporate general partner that owns, directly or indirectly, at least a ninety per cent interest in the partnership, determined by applying section 318 (with respect to constructive ownership of stock) of the federal Internal Revenue Code of 1986, as amended, to the constructive ownership of interests in the partnership; [and]
- [\div](17)[\div]Any document or instrument that conforms to the transfer on death deed as authorized under chapter 527[\div]; and
 - (18) Any document or instrument conveying real property subject to a government assistance program qualified by the Hawaii housing finance and development corporation and administered or operated by the State, the corporation, the United States, or any of their political subdivisions, agencies, or instrumentalities, corporate or otherwise, which may be used to effectuate housing development and acquisition for the provision of affordable housing for qualified persons in the State."

DAMIEN A. ELEFANTE DEPUTY DIRECTOR



STATE OF HAWAII DEPARTMENT OF TAXATION

830 PUNCHBOWL STREET, ROOM 221 HONOLULU, HAWAII 96813

http://tax.hawaii.gov/ Phone: (808) 587-1540 / Fax: (808) 587-1560 Email: Tax.Directors.Office@hawaii.gov

To: The Honorable Will Espero

and Members of the Senate Committee on Housing

Date: Tuesday, January 30, 2018

Time: 2:45 P.M.

Place: Conference Room 225, State Capitol

From: Linda Chu Takayama, Director

Department of Taxation

Re: S.B. 2416, Relating to the Conveyance Tax

The Department of Taxation (Department) offers the following comments on H.B. 2416 for the committee's consideration.

Section 1 of S.B. 2416 increases the conveyance tax rate for properties with a value of at least \$2,000,000 as follows:

Value of Property	Proposed Rate	Current Rate
\$2,000,000 less than \$4,000,000	\$1.50 per \$100	\$.50 per \$100
\$4,000,000 less than \$6,000,000	\$2.50 per \$100	\$.70 per \$100
\$6,000,000 less than \$10,000,000	\$3.50 per \$100	\$.90 per \$100
\$10,000,000 or greater	\$4.50 per \$100	\$1.00 per \$100

Section 1 of S.B. 2416 also increases the conveyance tax for condominiums and single family residences with values of at least \$2,000,000 and for which the purchaser is ineligible for a county homeowner's exemption. The adjusted rates are as follows:

Value of Property	Proposed Rate	Current Rate
\$2,000,000 less than \$4,000,000	\$2.00 per \$100	\$.60 per \$100
\$4,000,000 less than \$6,000,000	\$3.00 per \$100	\$.85 per \$100
\$6,000,000 less than \$10,000,000	\$4.00 per \$100	\$1.10 per \$100
\$10,000,000 or greater	\$5.00 per \$100	\$1.25 per \$100

Under current law, 50% of the conveyance tax is allocated to the rental housing revolving fund with a \$38 million per year cap. Section 2 of this measure keeps the 50% allocation and removes the \$38 million cap.

Department of Taxation Testimony HOU SB 2416 January 30, 2018 Page 2 of 2

The Department is able to administer the changes proposed by this bill, but requests the effective date of the tax rate changes made by section 1 of the bill be changed to January 1, 2019 to allow the Department time to update the relevant forms and instructions.

Thank you for the opportunity to provide comments.

TAX FOUNDATION OF HAWAII

126 Queen Street, Suite 304

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: CONVEYANCE, Tax Hike on Properties Above \$2M

BILL NUMBER: SB 2416

INTRODUCED BY: ESPERO, HARIMOTO, S. Chang

EXECUTIVE SUMMARY: Increases the rates for certain conveyance tax categories. Repeals the statutory cap on the disposition of conveyance taxes dedicated for deposit into the rental housing revolving fund for the financing of affordable rental housing development

SYNOPSIS: Amends section 247-2, HRS, to raise the conveyance tax rates as follows:

For a condominium or single-family residence for which the purchaser is ineligible for a county homeowner's exemption on real property tax:

Minimum Property Value	Current Tax (per \$100 of consideration)	New Tax (per \$100 of consideration)
\$0	\$ 0.15	\$ 0.15
\$600,000	0.25	0.25
\$1,000,000	0.40	0.40
\$2,000,000	0.60	2.00
\$4,000,000	0.85	3.00
\$6,000,000	1.10	4.00
\$10,000,000	1.25	5.00

For all other conveyances:

Minimum Property Value	Current Tax (per \$100 of consideration)	New Tax (per \$100 of consideration)
\$0	\$ 0.10	\$ 0.10
\$600,000	0.20	0.20
\$1,000,000	0.30	0.30
\$2,000,000	0.50	1.50
\$4,000,000	0.70	2.50
\$6,000,000	0.90	3.50
\$10,000,000	1.00	4.50

Amends section 247-7, HRS, to repeal the ceiling (now \$38 million) on money distributable to the rental housing revolving fund.

EFFECTIVE DATE: July 1, 2018.

Re: SB 2416 Page 2

STAFF COMMENTS: The conveyance tax was enacted by the 1966 legislature after the repeal of the federal law requiring stamps for transfers of real property. It was enacted for the sole purpose of providing the department of taxation (which at the time also administered the real property tax) with additional data for the determination of market value of properties transferred. This information was also to assist the department in establishing real property assessed values and at that time the department stated that the conveyance tax was not intended to be a revenue raising device.

Prior to 1993, the conveyance tax was imposed at the rate of 5 cents per \$100 of actual and full consideration paid for a transfer of property. At the time all revenues from the tax went to the general fund. The legislature by Act 195, SLH 1993, increased the conveyance tax to 10 cents per \$100 and earmarked 25% of the tax to the rental housing trust fund and another 25% to the natural area reserve fund. As a result of legislation in 2005 and in 2009, the conveyance tax rates were substantially increased and bifurcated between nonowner-occupied residential properties and all other properties. Tax brackets were based on the amount of the value transferred. Until 2005, 50% of the receipts went into the general fund and the other half was split with the affordable rental housing program and the natural area reserve program. Beginning in 2005, another 10% was taken for the land conservation fund. In 2009, legislators reduced the amount of conveyance tax revenues earmarked to the rental housing trust fund from 30% to 25% until June 30, 2012 in an effort to generate additional revenues for the state general fund. Act 164, SLH 2014, increased the earmark to 50% as of July 1, 2014, and Act 84, SLH 2015, imposed the \$38 million cap on the earmark.

This bill raises the conveyance tax to feed the rental housing revolving fund, land conservation fund, and the general fund.

The first question lawmakers need to ask is which taxpayers are going to be impacted by these hikes. Although the intent may be to soak the rich fat cats, the increases will affect developments of multi-unit property, including affordable housing being developed.

Next, the earmark deserves scrutiny. As with any earmarking of revenues, the legislature will be preapproving each of the programs fed by the fund into which the tax monies are diverted, expenses from the funds largely avoid legislative scrutiny, and the effectiveness of the programs funded becomes harder to ascertain. It is also difficult to determine whether the fund has too little or too much revenue.

If the legislature deems the programs and purposes funded by this special fund to be a high priority, then it should maintain the accountability for these funds by appropriating the funds as it does with other programs. Earmarking revenues merely absolves elected officials from setting priorities. If the money were appropriated, lawmakers could then evaluate the real or actual needs of each program.

Digested 1/25/2018



49 South Hotel Street, Room 314 | Honolulu, HI 96813 www.lwv-hawaii.com | 808.531.7448 | voters@lwv-hawaii.com

COMMITTEE ON HOUSING

TUESDAY, January 30, 2018, 2:45 PM, Conference Room 225 SB 2400, Relating to the Conveyance Tax SB 2416, Relating to the Conveyance Tax

TESTIMONY

Nina Eejima, Legislative Committee, League of Women Voters of Hawaii

Chair Espero, Vice-Chair Harimoto, and Committee Members:

The League of Women Voters of Hawaii supports both proposed measures, except as specified below:

- SB 2400 that removes the cap on the amount of conveyance taxes that may be paid into the rental housing revolving fund, and increases the percentage of conveyance taxes collected that shall be paid into the rental housing revolving fund; and
- SB 2416 that increases the rate of real estate conveyance tax for properties with a value of at least \$2,000,000 and amends the calculation for the amount of conveyance taxes to be paid into the rental housing revolving fund.

We note that SB 2400 provides that for the taxes collected under the conveyance tax law sixty percent collected each fiscal year shall be paid into the rental housing revolving fund; whereas SB 2416, provides *inter alia*, for an amount of fifty percent. Given the current affordable housing crises and the need to aggressively address this challenge, we support the sixty per cent deposit amount into the rental housing revolving fund provided under SB 2400.

Thank you for the opportunity to submit testimony.

OFFICERS DIRECTORS MAILING ADDRESS

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Gloria Borland Chuck Huxel

January 26, 2018

TO: Honorable Chair Espero and Members of Housing Committee

RE: SB 2416 Relating to the Conveyance Tax

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Support for hearing on Jan 30

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

We support both parts of SB 2416 to increase the rate of the real estate conveyance tax for properties with a value of at least \$2,000,000 and to amend the calculation for the amount of conveyance taxes to be deposited into the rental housing revolving fund. We support a more progressive conveyance tax and more money for the rental housing revolving fund. The State should discourage people from using our housing units for investment above housing Hawai'i residents. We also need to support more affordable rental projects.

Thank you for your favorable consideration.

Sincerely,

John Bickel President 46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Executive Director

TESTIMONY FOR SENATE BILL 2416, RELATING TO THE CONVEYANCE TAX

Senate Committee on Housing Hon. Will Espero, Chair Hon. Breene Harimoto, Vice Chair

Tuesday, January 30, 2018, 2:45 PM State Capitol, Conference Room 225

Honorable Chair Espero and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 400 members. On behalf of our members, we offer this testimony in support of Senate Bill 2416, relating to the conveyance tax.

Hawai'i residents face the highest housing costs in the nation, at more than twice the national average. Researchers who authored the National Low Income Housing Coalition's Out of Reach 2017 report found that a full-time worker would need to earn \$35.20/hour to afford a twobedroom apartment at fair market value in our state, with Honolulu experiencing a 67 percent increase in fair market rent between 2005 and 2015. Average rent for a two-bedroom unit surpassed \$2,000 in recent years, with minimum wage workers needing to log 116 hours per week to afford a modest one-bedroom apartment at fair market value and 139 hours per week to afford a twobedroom—a number that is equivalent to working 20 hours a day with no days off year-round. In the past three years alone, Honolulu rent has increased by more than 25 percent. While 46 percent of Hawai'i residents are renters (a number that does not include individuals and families renting outside of the regulated rental market), they earn an average wage of \$16.53/hour, scarcely enough to meet their basic needs. One out of every four households in Hawai'i report that they are "doubling up" or are three paychecks or less away from being homeless, per the Hawai'i Appleseed Center for Law and Economic Justice. Additionally, 54 percent of households are cost-burdened, meaning that they pay more than 30 percent of their income for housing costs, a number that rises to 83 percent of extremely low-income households. Homelessness is directly tied to our state's exorbitant cost of living and penchant for catering to people who use the islands as their own private Monopoly board. We beseech you to seek innovative ways of making Hawai'i more affordable for our economically disadvantaged neighbors.

Kris Coffield (808) 679-7454 imuaalliance@gmail.com

Our state's cost of housing has skyrocketed over the last decade, leaving many families searching for affordable alternatives, in shelters, or on the streets. For context, the median price of condominiums on O'ahu increased 6 percent in the summer of 2017 to a record \$425,000, while the median price for single-family homes increased by 3 percent to \$795,000, according to the Honolulu Board of Realtors, a number that they expect to increase by at least another 5 percent in 2018. Average fair market rent for two-bedroom apartments in *outlying* communities in the City and County of Honolulu now exceeds \$2,000, with the cost of a four-bedroom home in urban Honolulu now exceeding \$1.1 million. At least 46 percent of residences in Hawai'i are owner unoccupied, according to the National Low-Income Housing Coalition, meaning that nearly 50 percent—and by some estimates over half—of Hawai'i's homes are likely investment properties.

The time for deliberation is over. It's time to act. Experts at the Department of Business, Economic Development, and Tourism now estimate that Hawai'i needs 66,000 new housing units by the year 2025 to keep up with demand, more than 80 percent of which is needed to meet the demand of people who qualify for affordable housing. Yet, for every 100 extremely low-income renters on O'ahu, there exist only 40 affordable rentals, according to the Urban Institute, of which only 11 are "naturally affordable," meaning they are affordable without federal subsidies. Though our state is committed to a goal of building 22,500 affordable rental housing units in the next 10 years, figures from the Hawai'i Housing Finance and Development Corporation show that in 2015 and 2016, we added only approximately 1,000 affordable rental units to our state's inventory, with further plans finalized for a mere 3,240 more affordable rentals by 2022. Analysts believe that boosting the overall housing supply will lower home prices—and, in turn, rent—for all residents, an ancillary benefit that cannot be overstated in our undersaturated, luxury-driven, "investor first" housing market.

Conveyance taxes are levied on transfers of real property. Currently, HRS §247-7 caps the amount of conveyance tax collections paid into the rental housing revolving fund at the lesser of 50 percent or \$38 million. Per the Hawai'i Housing Finance and Development Corporation, the revolving fund exists "for the development, pre-development, construction, acquisition, preservation, and substantial rehabilitation of rental housing units." To increase available funding for affordable housing, we support eliminating the cap on conveyance tax collections paid into the revolving fund and increasing conveyance taxes on properties valued in excess of \$2,000,000. That said, we urge the committee to consider amending this measure to increase conveyance taxes for all properties valued at \$1,000,000 and above, noting that the wealth gap in our state is widening and an exponentially greater number of residents are unable to afford rent, much less the benefits of buying and selling a home. According to a study released in May of 2016 by DBEDT, there are "clear distinctions" between the average price of homes bought by local residents, mainlanders, and foreigners. Analyzing purchases made between 2008 and 2015, DBEDT found: "The average sale price was highest among foreign buyers. The average sale price of the total of 5,775 homes sold to foreign buyers from 2008 to 2015 was \$786,186, 28.3 percent higher than the average sale price to the mainlanders (\$612,770) and 64.7 percent higher than the average sale

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price to local buyers (\$477,460)." Thus, increasing conveyance tax prices directly impacts the real estate speculators driving up Hawai'i's housing costs and, in turn, rental prices, i.e. those most responsible for pricing local residents out of paradise.

We need housing now. Mahalo for the opportunity to testify in support of this bill.

Sincerely, Kris Coffield Executive Director IMUAlliance

Kris Coffield (808) 679-7454 imuaalliance@gmail.com



Building Housing, Building Hope

January 28, 2018

From: George S. Massengale

To: Senate Committee on Housing

Date: Hearing January 30, 2019 at 2:45 P.M.

Subj: SB2416 & SB2400, Relating To The Conveyance Tax

Testimony in Support

Chair, Senator Espero, Vice Chair, Senator Harimoto and members of the Committee on Housing,

We are here today to provide testimony in support of both of these measures, which pertain to the Conveyance Tax.

SB2416 would increase the rate of the conveyance tax for properties with a value of \$2,000,000 or more. SB2400 would remove the existing conveyance tax cap of \$30,000,000 while increasing the percentage of tax revenues from 50% to 60% to be paid into the rental housing revolving trust fund.

Both measures if passed would provide additional funds that would be used to develop affordable rental housing.

We would respectfully request that §247-7 (2) be further amended to read <u>55</u> percent shall be paid into the rental housing revolving fund...And that a new section <u>(3)</u> be added to read <u>(3) Five percent shall be paid into the home ownership housing revolving fund...</u> as provided by SB2472.

We believe that doing so would provide a dedicated source of revenues to both the existing rental housing revolving fund and proposed ownership housing revolving fund.

Because of the exigency of our housing crisis, we should ensure that housing funds are available to meet the housing demands in both rental and ownership housing.

Cordially,

George S. Massengale, J.D.

Director, Community Engagement









January 30, 2018

The Honorable Will Espero, Chair Senate Committee on Housing State Capitol, Room 225 Honolulu, Hawaii 96813

RE: S.B. 2416, Relating to the Conveyance Tax

HEARING: Tuesday, January 30, 2018, at 2:45 p.m.

Aloha Chair Espero, Vice Chair Harimoto, and Members of the Committee,

I am Ken Hiraki, Director of Government Affairs, here to testify on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i, and its over 9,500 members. HAR **opposes** S.B. 2416 which increases the rate of real estate conveyance tax for properties with a value of at least \$2 million. Additionally, this measure amends the calculation for the amount of conveyance taxes to be deposited into the Rental Housing Trust Fund.

In 2005, the Conveyance Tax was increased on a tiered scale on 1) the sale of realty for all transfers or conveyance of realty or any interest (i.e. commercial, timeshare, agricultural, industrial, etc. and condominium or single-family residences for which the purchaser is eligible for a county homeowner's exemption); and 2) the sale of a condominium or single-family residence for which the purchaser is ineligible for a county homeowner's exemption.

In 2009, the Legislature once again increased the Conveyance Tax on 1) the sale of realty from 30 cents per \$100 (.30%) for properties over \$1,000,000 to a maximum of \$1.00 (1%) per \$100 for properties over \$10,000,000 -- an increase of over 333%, and 2) the sale of a property ineligible for a county homeowner exemption from 30 cents per \$100 to \$1.25 per \$100 (1.25%) -- an increase of over 416.66%.

This measure proposes to increase the Conveyance Tax to the following:

Property Value:	Current Rate:	Proposed Rate:	Rate Increase:	In Dollars (rounded):
\$2 mil - \$3.99 mil	50 cents per \$100	\$1.50 per \$100	300%	\$60,000 (\$3.99 mil property)
\$4 mil - \$5.99 mil	70 cents per \$100	\$2.50 per \$100	357%	\$150,000 (\$5.99 mil property)
\$6 mil - \$9.99 mil	90 cents per \$100	\$3.50 per \$100	388%	\$350,000 (\$9.99 mil property)
\$10 mil +	\$1.00 per \$100	\$4.50 per \$100	450%	\$450,000 (\$10 mil property)











For the sale of a condo or single-family residence for which the purchaser is ineligible for a county homeowner's exemption, the conveyance tax is increased at the following rates:

Property Value:	Current Rate:	Proposed Rate:	Rate Increase:	In Dollars (rounded):
\$2 mil - \$3.99 mil	60 cents per \$100	\$2.00 per \$100	333%	\$80,000 (\$3.99 mil property)
\$4 mil - \$5.99 mil	80 cents per \$100	\$3.00 per \$100	375%	\$180,000 (\$5.99 mil property)
\$6 mil - \$9.99 mil	\$1.10 per \$100	\$4.00 per \$100	363%	\$400,000 (\$9.99 mil property)
\$10 mil +	\$1.20 per \$100	\$5.00 per \$100	416%	\$500,000 (\$10 mil property)

The Conveyance Tax applies to the conveyance of multi-family rentals, land for residential subdivisions, mixed-income and multi-use properties, commercial properties, resort properties, and agricultural lands, as well as condominium and single-family homes. It applies whether or not a property is sold at a gain or a loss.

The tax applies to the entire purchase price, and does not take into account the amount of indebtedness that may be on the property being sold, or whether the seller may be selling at less than what the seller originally acquired the property for. Thus, in certain circumstances the seller may not have the cash to be able to pay the Conveyance Tax, or the amount of tax may be so high relative to the net proceeds that the seller is receiving as to become confiscatory.

Furthermore, the problem linking funding to the Conveyance tax is that when the real estate market is down, there are not enough funds to pay for the programs and special funds it covers. Then, the Conveyance Tax would need to be increased to cover the programs. However, when the market is up, there are excess funds over and above the program's needs. This becomes a cyclical issue, and unreliable in forecasting these program's needs.

While HAR supports the Rental Housing Trust Fund and increasing the allocation of funds to the program, we oppose increasing the Conveyance Tax to do so.

Mahalo for the opportunity to testify in opposition to this measure.

