

NYC - Business Integrity Commission
October 2, 2019

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THE CITY OF NEW YORK
BUSINESS INTEGRITY COMMISSION

AMENDMENT OF SEAFOOD DISTRIBUTION MARKET RULES AND
PENALTY SCHEDULE FOR VIOLATIONS RELATING TO PHOTO
IDENTIFICATION CARD COMPLIANCE

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100 Church Street
New York, New York

October 2, 2019
10:33 a.m.

Reported By:
Sabrina Brown Stewart

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A P P E A R A N C E S:

PATRICK Z. SCOTTI, Executive Agency Counsel and
Market Manager

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2 MR. SCOTTI: Good morning, and welcome
3 to today's public hearing. The time is 10:34
4 on Wednesday, October 2, 2019. We are in
5 Conference Room 1 on the 20th Floor of
6 100 Church Street. My name is Patrick C.
7 Scotti. I am Executive Agency Counsel and
8 Marketing Manager of the New York City
9 Business Integrity Commission. Thank you for
10 attending today's hearing.

11 The Commission is conducting this
12 hearing pursuant to the requirements set
13 forth by the City Administrative Procedure
14 Act, commonly referred to as CAPA.

15 The purpose of this hearing is to
16 receive comments from the public on the
17 Commission's proposed rules regarding the
18 amendment of seafood distribution market
19 rules and penalty schedule for violations
20 relating to photo identification card
21 compliance.

22 The Commission published the proposed
23 rules in the City Record on August 27, 2019.
24 We also disseminated a copy of the rules via
25 e-mail to all New York City local elected

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officials, the managers in all 59 community boards, several media organizations in the City, and other interested parties.

Lastly, we posted the proposed rules on both the Commission's and the New York City rules' website. Currently, BIC's rules authorize BIC to issue penalties to businesses located in public wholesale markets regulated by the Commission that are not located in a seafood distribution area for employing an individual without an approved photo identification card. But there currently is no corresponding rule for businesses located in a seafood distribution area.

Instead, BIC is restricted to penalizing individual employees for failure to obtain an approved photo identification card. The proposed rule would authorize BIC to issue penalties to the businesses in the seafood distribution areas for employing an individual without an approved photo identification card, rather than solely relying on penalizing the individual

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employee.

The proposed rule would also significantly lower the penalties associated with the rule for all affected businesses. In addition, it adds several new penalties to the penalty schedule, which are all already prohibited by BIC's rules in 17 RCNY 12-18, but lacked specific penalties.

This change will allow BIC to penalize companies in a seafood distribution area that continually fail to inform their employees that they must submit a photo identification card application to the Commission upon attempting to work for a Commission-registered business. It will also reduce the total amount of the issued penalty from a maximum of \$10,000 to a maximum of \$1,000, thereby lessening the impact of issuance on business operations while still penalizing failure to comply with the law.

This concludes the summary of the proposed rule changes at issue at this hearing. You may present an oral statement for the record or submit written comments

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concerning the proposed rule changes.
Additionally, the Commission has been accepting written comments on the proposed rule since the publication in the City Record and will continue to do so until the close of business today.

The Commission will make available a copy of any written comments that are received in connection with today's hearing on its website. The Commission will carefully review and consider all comments and submissions and make changes if the Commission deems them necessary. The rules will go into effect thirty days after they are published in the City Record.

Since there is no one currently in attendance from the public who has signed up to speak, we will go to a short recess to ensure there are no straddlers attempting to get through security. We will go off the record.

(Whereupon, a short recess was taken.)

MR. SCOTTI: The time is now 10:45

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a.m., and we are back on the record.

During the break, no members of the public arrived to give testimony. So, we will close the record for this hearing. As a reminder, we will continue to accept written comments through the close of business today. This hearing is now closed. Thank you.

(TIME ADJOURNED: 10:45 a.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)

:SS

COUNTY OF QUEENS)

I, Sabrina Brown Stewart, a shorthand reporter within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the statement taken on October 02, 2019.

I further certify that I am not related to any of the parties to this action by blood or by marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of October, 2019.

Sabrina Brown Stewart
Sabrina Brown Stewart

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