

*PUBLIC HEARING AND ADVANCE NOTICE
OF PROPOSED RULEMAKING*

*PROCEEDINGS
January 9, 2020*



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**PUBLIC HEARING AND ADVANCE NOTICE
OF PROPOSED RULEMAKING**

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22 Reade Street
New York, NY 10007

January 9, 2020
10:00 a.m.

BEFORE:
AMANDA SALANITRO, Certified Shorthand Reporter

**ELLEN GRAUER COURT REPORTING CO. LLC
126 East 56th Street, Fifth Floor
New York, New York 10022
212-750-6434
REF: 295976**

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P R O C E E D I N G S

MS. CHENITZ: Good morning. I'm Zoey Chenitz, Senior Policy Counsel at the New York City Commission on Human Rights. I've been designated as the hearing officer for the public hearing to receive public comments in anticipation of proposed rulemaking on Local Law 91 of 2019 concerning potential exceptions to the general prohibition on preemployment testing for marijuana and tetrahydrocannabinols, or THC.

The hearing is being held in Spector Hall at 22 Reade Street. It is now 10:13 on Thursday, January 9th, 2020, and I am hereby convening the public hearing.

Local Law 91 of 2019 currently provides for certain exceptions to the general prohibition on preemployment testing for THC. In addition, it authorizes the Commission to creat

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2 additional exceptions through
3 rulemaking, where it determines that
4 there is the, quote, potential to
5 significantly impact the health or
6 safety of employees or members of the
7 public, end quote.

8 This hearing affords the public to
9 provide input that can inform any
10 future rulemaking that the Commission
11 may engage in pursuant to its authority
12 under Local Law 91. The Commission
13 will carefully review all testimony and
14 written comments received at this
15 hearing and will give due weight and
16 consideration to all adequately
17 sustained -- excuse me -- substantiated
18 proposals and recommendations that are
19 submitted within the public comment
20 period, which closes today.

21 To ensure that everyone seeking to
22 testify will have an opportunity to do
23 so, I will strictly follow these simple
24 ground rules: Signing in and order of
25 appearance, anyone seeking to testify

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2 must complete a registration card so
3 you can be correctly identified in the
4 hearing records. Witnesses will be
5 called to testify in the order that
6 they have signed in. Anyone who does
7 not appear when their name is called
8 will be deemed to have passed over to
9 opportunity testify. Anyone whose
10 passed will be called at the end of the
11 hour, and anyone that still does not
12 appear must sign in again if they wish
13 to testify.

14 Time limits on testimony, each
15 witness will have a maximum of three
16 minutes to testify. There is a
17 timekeeper, and to be fair to everyone
18 who's going to testify, I will strictly
19 apply the three-minute limit to every
20 speaker. If your comments take longer
21 than three minutes, synthesize your
22 oral testimony and leave a written copy
23 for the record.

24 Written testimony, unlike the limit
25 on the time for testimony -- for oral

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2 testimony, there is no limit on the
3 number of pages you can submit as
4 written comments or as documents for
5 the record. The written submissions
6 will be made part of the record as
7 exhibits presented with your testimony.

8 I must also make a couple of
9 housekeeping announcements. First,
10 emergency exits are located at the
11 front and back of this hall. Restrooms
12 are located through the waiting area
13 for the Commission on Human Rights,
14 which can be accessed from the building
15 lobby. Please turn off all cell phones
16 or turn them to vibrate.

17 And now seeing no one present to
18 offer testimony, I'll adjourn the
19 hearing until an individual appears to
20 offer testimony or until 11:00 a.m.,
21 whichever comes first.

22 (Thereupon, a break was taken at
23 10:16 a.m. and the deposition resumed
24 at 10:47 a.m.)

25 MS. CHENITZ: The time is now

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10:47. Seeing no one present to offer testimony, I'll now conclude the public hearing on potential exceptions to Local Law 91. Thank you for attending and for your contributions. We'll now go off the record.

(Time noted: 10:47 a.m.)

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