

AMNH's Admission Policy Breaches New York State Law

Free Admission Written in Law	Current Admissions Policy
<p>See: Chapter 31 of the Laws of the State of New York of 1893 which amended Chapter 270 of the Laws of the State of New York of 1892 states</p> <p>“Sec. 1 ... upon the condition that the collections in the exhibition halls of said American museum of natural history shall be kept open and accessible to the public hereafter free of charge throughout the year for five days in each week, one of which shall be Sunday afternoon, and also two evenings in each week ...the said department of public parks is hereby authorized, with the consent of such trustees, to modify to that extent the contract now existing between said department and the trustees of said museum.” [emphasis added]</p> <p>NOTE: In the AMNH’s Fifty-Eighth Annual Report, 1926, at p. 265, find a “NOTE” at the end of a digitized version of the AMNH’s and City of New York’s 1878 Lease Agreement evidencing the AMNH Trustees’ “consent” to accepting the New York State legislated admission Amendments provided for in Chapter 31 of 1893 which amended Chapter 270 of 1892, stating as follows:</p> <p>“NOTE.--July 25, 1892, by consent of the Trustees, section fourth was modified to enable the Trustees to open the Museum free to the public "throughout the year, excepting Mondays, but including Sunday afternoons and two evenings of each week."</p> <p>June 29, 1893, by consent of the Trustees, section fourth was modified to enable the Trustees to open the Museum free of charge to the public 'throughout the year for five days in each week, one of which shall be Sunday afternoon, and also two evenings of each week.'" [emphasis added]</p> <p>In response to FA's Freedom of Information Law [FOIL] request, New York City's Department of Cultural Affairs [DCA] [not the Department of Parks (DPR), which is the City agency that is party to the Agreement], produced copies of</p>	<p>See: Tickets/Visit</p> <p>AMNH offers three different admission packages to non-Member visitors, one of which provides for a “the amount you pay is up to you” policy for New Yorkers as well as New Jersey and Connecticut residents with identification, which in effect is a mandatory fee for admission for New Yorkers, since you must pay something on every visit. Special exhibits are not included in “the amount you pay is up to you” option.</p>

1. Lease Agreement modifications to include the provisions in Chapters 270 and 31, respectively, as well as
2. An [April 22, 1968, jointly executed letter](#) modifying the Section FOURTHLY of the Lease Agreement to include City approval to exclude Christmas Day and Thanksgiving Day as “public holidays” to close,

Chapter 31 of 1893 does **not** include provision for closure on Christmas Day and Thanksgiving Day and should make moot adherence to the AMNH’s governing rules and regulations. Also, NYC’s Parks Department is **not** authorized to Amend provisions of New York State law.

While seeming small in nature, **larger anomalies exist** in the application of laws to Agreements entered between the City of New York and the PPP/PEC custodians over the PPP/PEC’s century-and-one-half and as such, **necessitates a forensic review and codification of the entirety of the PPP/PEC venture.** In the current instance, it is assumed that **either Chapter 31 should be Amended, or these holiday closings should be reinstated.** This type of wink-and-nod also demonstrates the need for transparency and continued State oversight.

In addition, a copy of a [2013 Lease Amendment Agreement](#) between AMNH and the City of New York was produced in response to FA’s Freedom of Information Law [FOIL] request and **if proper attention was paid to reviewing controlling laws makes clear that the DPR, DCA and AMNH Trustees should have known that the 2013 Amended Agreement violated 1983 law.** The 2013 Lease Agreement Amendment should be properly and legally scrutinized regarding compliance with controlling State laws. **Generally, State laws supersede City agreements.**

AMNH’s ADMISSION POLICY DOES NOT COMPLY with Chapter 31 of 1893 because it:
[1] **Denies New Yorkers free of charge admittance** for five days, with one being Sunday afternoon and two evenings in each week.

[2] **Denies New Yorkers free access** to its “collections in the exhibition halls” by excluding “special exhibits” from its “the amount you pay is up to you” policy.

Free access to the PEC institutions is unique to New Yorkers and is provided for in the laws and contracts applicable to the PPP structure. Stewards of PEC institutions may choose to charge an admission fee to other visitors.