

## NYBG's Incorporating Purpose vs. Current Purpose

NYBG was envisioned to be for “the advancement of botanical science and knowledge and the prosecution of original researches therein and in kindred subjects, **for affording instruction** in the same ... and **for the entertainment, recreation and instruction**” of **New Yorkers** and **not** to act as a “**wide-ranging research ... International Plant Science Center.**” Though NYBG’s incorporating purpose broadened to act beyond New York’s five boroughs in 1933, international travel was far from ubiquitous. Further, its education purpose – available to New Yorkers – deepened, when NYBG was mandated to become an “education institution” [see **Incorporating v. Current Purpose** chart below].

**In addition to NYBG’s antics to remove** New York State control of its admission provisions [to the detriment of New Yorkers], NYBG’s current purpose makes clear that New York City’s Office of the Mayor must have controlling laws and contracts codified so that the City’s oversight agencies can ensure that the policies and practices that NYBG and the other PEC institutions put in place are compliant [see [PUBLIC-PRIVATE PARTNERSHIP](#), [PARK INSTITUTIONS](#) and [LAWS](#).]

| Incorporating Purpose of the NYBG   | Current Purpose of NYBG   |
|---|---|
| <p>See: <b>Chapter 285 of the Laws of 1891</b></p> <p>“... [to establish and maintain] a botanical garden and museum and arboretum therein, for the collection and culture of plants, flowers, shrubs and trees, the advancement of botanical science and knowledge and the prosecution of original researches therein and in kindred subjects, <b>for affording instruction</b> in the same, for the prosecution and exhibition of ornamental and decorative horticulture and gardening, <b>and for the entertainment, recreation and instruction of the people.</b>” [emphasis added]</p> <p><b>Chapter 611 of the Laws of 1933 [p. 1291 #1327] amended the incorporating purpose</b> of the NYBG as follows:</p> <p>“ ... for the purpose of establishing and maintaining a botanical garden and museum and arboretum therein <i>and elsewhere within or without the state of New York,</i> ...” [italics added]</p> | <p>See: <a href="#">NYBG Mission &amp; Overview</a></p> <p>“... The New York Botanical Garden is an advocate for ... its role <b>as a museum</b> of living plant collections ... through its comprehensive education programs in horticulture and plant science; and through the <b>wide-ranging research programs of the International Plant Science Center.</b>” [emphasis added]</p> |

NOTE: Chapter 611 **broadened** NYBG's geographic public from residents of the city of New York to those "*within or without the state of New York ...*" [see "Botanical Garden To Expand Its Work: Dr. Howe, in Annual Report, Hopes for Funds to Make It Unsurpassed in World - Fears Play Encroachment - Wants Walks and Railings Built to Halt Invasion of Children Using Grounds Merely for Sport. *The New York Times*. 1/14/1930].

Chapter 499 of the Laws of 1991 amended the incorporating purpose provided for in Chapter 285 and Chapter 611 as follows:

"... for the purpose of establishing and maintaining a botanical **garden [and], museum [and], arboretum, library and education institution** therein and elsewhere within or without the state of New York, ..."

**EXPLANATION** - Matter in *italics* is new; matter in brackets [ ] is old law to be omitted. [emphasis in original]

NOTE: Chapter 499 added "library" and "education institution" [see Incorporating Educational Corporation].