

ASSEMBLY, No. 2663

STATE OF NEW JERSEY

INTRODUCED JANUARY 14, 1997

By Assemblyman CORODEMUS

1 AN ACT authorizing the creation of a State-sponsored affinity card  
2 and allocating fees collected therefrom for recreation and  
3 conservation and fish and wildlife management purposes, and  
4 supplementing Title 52 of the Revised Statutes.

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6 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
7 *of New Jersey:*

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9 1. The Legislature finds that the provision of lands for public  
10 recreation and the conservation of natural resources promotes the  
11 public health, prosperity, and general welfare and is a proper  
12 responsibility of State government; that lands now dedicated to these  
13 purposes will not be adequate in the years to come to meet the needs  
14 of the citizens of New Jersey; that the fish and wildlife resources of the  
15 State add immeasurably to the quality of life of the citizens of New  
16 Jersey and provide recreation and economic benefits as well; that the  
17 need for funding sources for all of these purposes is ever present and  
18 expanding; and that the citizens of the State, in numerous forums, have  
19 expressed a willingness to personally participate in efforts to preserve  
20 and manage the environment.

21 The Legislature therefore determines that it is appropriate for the  
22 State to establish a State-sponsored affinity card, to be known as the  
23 "New Jersey Nature Card," the proceeds from which shall be used for  
24 recreation and conservation and fish and wildlife management  
25 purposes.

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27 2. As used in this act:

28 "Affinity card" means a credit or debit card bearing the name of the  
29 sponsoring entity, the credit or deposit account of which is held and  
30 managed by the credit or debit card issuer;

31 "Credit" means the right to defer payment of debt or the right to  
32 incur debt and defer its payment;

33 "Credit card" means any instrument or device, whether known as a  
34 credit card, credit plate, or by any other name, issued by an issuer for  
35 the use of the cardholder in obtaining money, goods, services, or  
36 anything else of value on credit;

37 "Debit card" means any card or devices which access a cardholder

1 deposit account with or without a line of credit;

2 "Financial institution" means a State or federally chartered bank,  
3 savings bank or savings and loan association with its headquarters and  
4 card processing unit located in this State and which is directly licensed  
5 by VISA or Mastercard for processing credit transactions and a direct  
6 member of the MAC and NYCE networks for processing debit  
7 transactions;

8 "Issuer" means the financial institution that issues a credit or debit  
9 card, or its duly authorized agent; and

10 "Sponsoring entity" means an entity that contracts with a particular  
11 financial institution whereby the financial institution agrees to be an  
12 issuer of an affinity card bearing the sponsoring entity's name in  
13 exchange for a fee.

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15 3. a. The Department of the Treasury shall participate in an  
16 affinity card program for the benefit of the State. Within six months  
17 after the date of enactment of this act, the State Treasurer shall  
18 determine which financial institutions in the State issue or are able to  
19 issue affinity cards and develop and submit to these financial  
20 institutions a request for proposal for a New Jersey affinity card  
21 program.

22 b. Based on responses by financial institutions to its request for  
23 proposal, the State Treasurer shall enter into a contract with a  
24 financial institution to be the issuer of the New Jersey affinity card and  
25 negotiate with the financial institution the most favorable rate for the  
26 State's fee.

27 c. Upon entering into a contract with a financial institution  
28 pursuant to subsection b. of this section, the State Treasurer shall  
29 notify all State agencies possessing any credit or debit card to replace  
30 any such cards with the State-sponsored affinity card as soon as is  
31 reasonably practicable and to use the affinity card for all new orders  
32 for which an agency normally uses a credit or debit card.

33 d. The State-sponsored affinity card shall be known as the "New  
34 Jersey Nature Card."

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36 4. a. The State Treasurer shall establish a special non-lapsing fund,  
37 to be known as the "New Jersey Nature Card Fund," and the moneys  
38 therein are to be held in those depositories as the State Treasurer may  
39 select. The State Treasurer shall deposit into the fund all proceeds  
40 received from any fees collected pursuant to this act. The moneys in  
41 the fund are specifically dedicated to be used only for the purposes set  
42 forth in this section.

43 b. Moneys deposited in the fund shall be held in interest-bearing  
44 accounts in public depositories as defined pursuant to section 1 of  
45 P.L.1970, c.236 (C.17:9-41), and may be invested or reinvested in  
46 such securities as are approved by the State Treasurer. Interest or

1 other income earned on moneys deposited in the fund, and any moneys  
2 that may be appropriated or otherwise become available for the  
3 purposes of the fund, shall be credited to and deposited in the fund for  
4 use only as set forth in this section.

5 c. Moneys in the fund shall not be expended except in accordance  
6 with appropriations from the fund made by law. Any act appropriating  
7 moneys from the "New Jersey Nature Card Fund" shall identify the  
8 particular project or projects to be funded by the moneys.

9 d. Moneys in the fund shall be allocated, appropriated, and  
10 expended according to the following formula:

11 (1) One-third for use by the State to acquire lands for recreation  
12 and conservation purposes under the State Green Acres program in the  
13 Department of Environmental Protection;

14 (2) One-third for use by the State to provide State grants, on an up  
15 to 50% matching basis, to qualifying tax exempt nonprofit  
16 organizations to acquire lands for recreation and conservation  
17 purposes in accordance with the program and criteria therefor  
18 established for the award of matching grants to qualifying tax exempt  
19 nonprofit organizations for recreation and conservation purposes  
20 pursuant to the "Open Space Preservation Bond Act of 1989,"  
21 P.L.1989, c.183, the "Green Acres, Clean Water, Farmland and  
22 Historic Preservation Bond Act of 1992," P.L.1992, c.88, and the  
23 "Green Acres, Farmland and Historic Preservation, and Blue Acres  
24 Bond Act of 1995," P.L.1995, c.204, or similar Green Acres bond acts  
25 that may be enacted into law and approved by the voters of the State  
26 after the date of enactment of this act; and

27 (3) One-third for deposit in the "hunters' and anglers' license fund"  
28 created pursuant to R.S.23:3-11 and R.S.23:3-12, to be used by the  
29 Division of Fish, Game and Wildlife for the same purposes as other  
30 moneys deposited in the "hunters' and anglers' license fund."  
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32 5. The State Treasurer shall adopt, pursuant to the "Administrative  
33 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and  
34 regulations necessary to implement the provisions of this act.  
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36 6. This act shall take effect immediately.  
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#### 39 STATEMENT

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41 This bill requires the Department of the Treasury to establish a  
42 State-sponsored affinity card program. The card will be known as the  
43 "New Jersey Nature Card."

44 The bill requires the State Treasurer to determine which financial  
45 institutions could participate as an issuer of affinity cards and to send  
46 to them a request for proposal (RFP) regarding a New Jersey affinity

1 card program. The State Treasurer will then enter into a contract with  
2 a financial institution to be the issuer of the State-sponsored affinity  
3 card and negotiate the most favorable rate for the State's fees.

4 The bill also requires that fees raised from the State-sponsored  
5 affinity card program are to be deposited by the State Treasurer into  
6 a special non-lapsing fund. The moneys in the fund will not be  
7 expended except in accordance with appropriations from the fund  
8 made by law. Any act appropriating moneys from the fund will  
9 identify the particular project or projects to be funded by the moneys.

10 Moneys in the fund will be appropriated according to the following  
11 formula:

12 (1) One-third for use by the State to acquire lands for recreation  
13 and conservation purposes under the State Green Acres program in the  
14 Department of Environmental Protection;

15 (2) One-third for use by the State to provide State grants, on an up  
16 to 50% matching basis, to qualifying tax exempt nonprofit  
17 organizations to acquire lands for recreation and conservation  
18 purposes in accordance with the program and criteria therefor  
19 established for the award of matching grants to qualifying tax exempt  
20 nonprofit organizations for recreation and conservation purposes  
21 pursuant to the "Open Space Preservation Bond Act of 1989,"  
22 P.L.1989, c.183, the "Green Acres, Clean Water, Farmland and  
23 Historic Preservation Bond Act of 1992," P.L.1992, c.88, and the  
24 "Green Acres, Farmland and Historic Preservation, and Blue Acres  
25 Bond Act of 1995," P.L.1995, c.204, or similar Green Acres bond  
26 acts; and

27 (3) One-third for deposit in the "hunters' and anglers' license fund"  
28 created pursuant to R.S.23:3-11 and R.S.23:3-12, to be used by the  
29 Division of Fish, Game and Wildlife for the same purposes as other  
30 moneys deposited in the "hunters' and anglers' license fund."

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36 Authorizes creation of a State-sponsored affinity card and allocates  
37 fees collected therefrom for Green Acres land acquisition and fish and  
wildlife management.