

[First Reprint]
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.

5

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.

26

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

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AES committee amendments adopted January 23, 1997.

1 incur debt and defer its payment;

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

6 "Debit card" means any card or devices which access a cardholder
7 deposit account with or without a line of credit;

8 "Financial institution" means a State or federally chartered bank,
9 savings bank or savings and loan association with its headquarters and
10 card processing unit located in this State and which is directly licensed
11 by VISA or Mastercard for processing credit transactions and a direct
12 member of the MAC and NYCE networks for processing debit
13 transactions;

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

16 "Sponsoring entity" means an entity that contracts with a particular
17 financial institution whereby the financial institution agrees to be an
18 issuer of an affinity card bearing the sponsoring entity's name in
19 exchange for a fee.

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21 3. a. The Department of the Treasury shall participate in an
22 affinity card program for the benefit of the State. Within six months
23 after the date of enactment of this act, the State Treasurer shall
24 determine which financial institutions in the State issue or are able to
25 issue affinity cards and develop and submit to these financial
26 institutions a request for proposal for a New Jersey affinity card
27 program.

28 b. Based on responses by financial institutions to its request for
29 proposal, the State Treasurer shall enter into a contract with a
30 financial institution to be the issuer of the New Jersey affinity card and
31 negotiate with the financial institution the most favorable rate for the
32 State's fee.

33 ¹The financial institution may issue the New Jersey affinity card to
34 any person deemed qualified therefor by the financial institution upon
35 proper application. The financial institution shall publicize throughout
36 the State the availability of the New Jersey affinity card.¹

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

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

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46 4. a. The State Treasurer shall establish a special non-lapsing fund,

1 to be known as the "New Jersey Nature Card Fund," and the moneys
2 therein are to be held in those depositories as the State Treasurer may
3 select. The State Treasurer shall deposit into the fund all proceeds
4 received from any fees collected pursuant to this act. The moneys in
5 the fund are specifically dedicated to be used only for the purposes set
6 forth in this section.

7 b. Moneys deposited in the fund shall be held in interest-bearing
8 accounts in public depositories as defined pursuant to section 1 of
9 P.L.1970, c.236 (C.17:9-41), and may be invested or reinvested in
10 such securities as are approved by the State Treasurer. Interest or
11 other income earned on moneys deposited in the fund, and any moneys
12 that may be appropriated or otherwise become available for the
13 purposes of the fund, shall be credited to and deposited in the fund for
14 use only as set forth in this section.

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

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

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

24 (2) One-third for use by the State to provide State grants, on an up
25 to 50% matching basis, to qualifying tax exempt nonprofit
26 organizations to acquire lands for recreation and conservation
27 purposes in accordance with the program and criteria therefor
28 established for the award of matching grants to qualifying tax exempt
29 nonprofit organizations for recreation and conservation purposes
30 pursuant to the "Open Space Preservation Bond Act of 1989,"
31 P.L.1989, c.183, the "Green Acres, Clean Water, Farmland and
32 Historic Preservation Bond Act of 1992," P.L.1992, c.88, and the
33 "Green Acres, Farmland and Historic Preservation, and Blue Acres
34 Bond Act of 1995," P.L.1995, c.204, or similar Green Acres bond acts
35 that may be enacted into law and approved by the voters of the State
36 after the date of enactment of this act; ¹[and]¹

37 (3) ¹[One-third] One-sixth¹ for deposit in the "hunters' and anglers'
38 license fund" created pursuant to R.S.23:3-11 and R.S.23:3-12, to be
39 used by the Division of Fish, Game and Wildlife for the same purposes
40 as other moneys deposited in the "hunters' and anglers' license fund
41 ¹[."], except such moneys deposited into that fund pursuant to this
42 paragraph shall not be allocated, appropriated, expended, or used by
43 the division for salaries, wages, or administrative costs; and

44 (4) One-sixth for deposit in the Monmouth County Clam
45 Depuration and Relay Program Fund established pursuant to section
46 3 of P.L.1995, c.335 (C.58:24-13) for the same purposes as other

1 moneys deposited in that fund.¹

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3 5. The State Treasurer shall adopt, pursuant to the "Administrative
4 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and
5 regulations necessary to implement the provisions of this act.

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7 6. This act shall take effect immediately.

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11

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