

[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.

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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

**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:**

<sup>1</sup> 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.

20

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 <sup>1</sup>The 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.<sup>1</sup>

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."

45

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; <sup>1</sup>[and]<sup>1</sup>

37 (3) <sup>1</sup>[One-third] One-sixth<sup>1</sup> 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 <sup>1</sup>["."] , " 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.<sup>1</sup>

2

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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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.