

[Second Reprint]
SENATE, No. 955

STATE OF NEW JERSEY

INTRODUCED MARCH 14, 1996

By Senators MATHEUSSEN, BENNETT and Kyrillos

1 AN ACT authorizing the creation of a State-sponsored affinity card
2 and allocating fees collected therefrom for ²[use by the State to
3 acquire lands for]² recreation and conservation ²and fish and
4 wildlife management² purposes, and supplementing Title 52 of the
5 Revised Statutes.

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

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

22 The Legislature therefore determines that it is appropriate for the
23 State to establish a State-sponsored affinity card, to be known as the
24 "New Jersey Nature Card," the proceeds from which shall be used for
25 recreation and conservation and fish and wildlife management
26 purposes.²

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28 ²[1.] 2.² As used in this act:

29 "Affinity card" means a credit or debit card bearing the name of the
30 sponsoring entity ¹[and whose], the¹ credit or deposit account¹of
31 which¹ is held and managed by the credit or debit card issuer¹[.].¹

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 Senate SNR committee amendments adopted June 6, 1996.

² Senate SBA committee amendments adopted June 20, 1996.

1 "Credit" means the right to defer payment of debt or the right to
2 incur debt and defer its payment¹[.]:¹

3 "Credit card" means any instrument or device, whether known as a
4 credit card, credit plate, or by any other name, issued by an issuer for
5 the use of the cardholder in obtaining money, goods, services, or
6 anything else of value on credit¹[.]:¹

7 "Debit card" means any card or devices which access a cardholder
8 deposit account with or without a line of credit¹[.]:¹

9 "Financial institution" means a State or federally chartered bank,
10 savings bank or savings and loan association with its headquarters and
11 card processing unit located in this State and which is directly licensed
12 by VISA or Mastercard for processing credit transactions and a direct
13 member of the MAC and NYCE networks for processing debit
14 transactions¹[.]:¹

15 "Issuer" means the financial institution ¹[which] that¹ issues a credit
16 or debit card¹,¹ or its duly authorized agent¹[.]:¹ and¹

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

21
22 ²[2.] 3.² a. The Department of the Treasury ~~is~~ authorized to
23 shall² participate in an affinity card program for the benefit of the
24 State. Within six months after the date of enactment of this act, the
25 State Treasurer shall determine which financial institutions in the State
26 issue or are able to issue affinity cards and develop and submit to these
27 financial institutions a request for proposal for a New Jersey affinity
28 card program.

29 b. Based on responses by financial institutions to its request for
30 proposal ²[, if the State Treasurer determines that it is feasible for the
31 State to be a sponsoring entity for an affinity card]², the State
32 Treasurer ²[is authorized to] shall² enter into a contract with a
33 financial institution to be the issuer of the New Jersey affinity card and
34 ²[to]² negotiate with the financial institution the most favorable rate
35 for the State's fee.

36 c. Upon entering into a contract with a financial institution
37 pursuant to subsection b. of this section, the ²[department] State
38 Treasurer² shall notify all State agencies possessing any credit or debit
39 card to replace any such cards with the State-sponsored affinity card
40 as soon as is reasonably practicable and to use the affinity card for all
41 new orders for which an agency normally uses a credit or debit card.

42 ²d. The State-sponsored affinity card shall be known as the "New
43 Jersey Nature Card."²

44
45 ²[3. The moneys received from any fees collected pursuant to this
46 act shall be deposited with the State Treasurer for use by the State to

1 acquire lands for recreation and conservation purposes under the State
2 Green Acres program in the Department of Environmental Protection.]

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

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

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

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

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

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

40 (3) One-third for deposit in the "hunters' and anglers' license fund"
41 created pursuant to R.S.23:3-11 and R.S.23:3-12, to be used by the
42 Division of Fish, Game and Wildlife for the same purposes as other
43 moneys deposited in the "hunters' and anglers' license fund."²

1 ²[4.] 5.² The State Treasurer shall adopt, pursuant to the
2 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
3 seq.), rules and regulations necessary to implement the provisions of
4 this act.

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6 ²[5.] 6.² 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
wildlife management.