

[Third 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:

9
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

27
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], the ¹credit or deposit account of¹

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.

³ Assembly AES committee amendments adopted January 23, 1997.

1 which¹ is held and managed by the credit or debit card issuer¹[.]:¹

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

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

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

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

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

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

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

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

37 ³The financial institution may issue the New Jersey affinity card to
38 any person deemed qualified therefor by the financial institution upon
39 proper application. The financial institution shall publicize throughout
40 the State the availability of the New Jersey affinity card.³

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

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

3
4 ²[3. The moneys received from any fees collected pursuant to this
5 act shall be deposited with the State Treasurer for use by the State to
6 acquire lands for recreation and conservation purposes under the State
7 Green Acres program in the Department of Environmental Protection.]

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

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

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

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

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

32 (2) One-third for use by the State to provide State grants, on an up
33 to 50% matching basis, to qualifying tax exempt nonprofit
34 organizations to acquire lands for recreation and conservation
35 purposes in accordance with the program and criteria therefor
36 established for the award of matching grants to qualifying tax exempt
37 nonprofit organizations for recreation and conservation purposes
38 pursuant to the "Open Space Preservation Bond Act of 1989,"
39 P.L.1989, c.183, the "Green Acres, Clean Water, Farmland and
40 Historic Preservation Bond Act of 1992," P.L.1992, c.88, and the
41 "Green Acres, Farmland and Historic Preservation, and Blue Acres
42 Bond Act of 1995," P.L.1995, c.204, or similar Green Acres bond acts
43 that may be enacted into law and approved by the voters of the State
44 after the date of enactment of this act; ³[and]³

45 (3) ³[One-third] One-sixth³ for deposit in the "hunters' and anglers'
46 license fund" created pursuant to R.S.23:3-11 and R.S.23:3-12, to be

1 used by the Division of Fish, Game and Wildlife for the same purposes
2 as other moneys deposited in the "hunters' and anglers' license fund
3 ³["2] ." except such moneys deposited into that fund pursuant to this
4 paragraph shall not be allocated, appropriated, expended, or used by
5 the division for salaries, wages, or administrative costs; and

6 (4) One-sixth for deposit in the Monmouth County Clam
7 Depuration and Relay Program Fund established pursuant to section
8 3 of P.L.1995, c.335 (C.58:24-13) for the same purposes as other
9 moneys deposited in that fund.³

10

11 ²[4.] 5.² The State Treasurer shall adopt, pursuant to the
12 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
13 seq.), rules and regulations necessary to implement the provisions of
14 this act.

15

16 ²[5.] 6.² This act shall take effect immediately.

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21 _____
22 Authorizes creation of a State-sponsored affinity card and allocates
23 fees collected therefrom for Green Acres land acquisition and fish and
wildlife management.