

**THE NINETY-SECOND DAY**

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CARSON CITY (Monday), May 6, 2013

Assembly called to order at 11:57 a.m.

Madam Speaker presiding.

Roll called.

All present except Assemblymen Duncan, Ellison, Hogan, Munford, and Pierce, who were excused.

Prayer by the Chaplain, Pastor Bob Chambers.

Gracious God, Our Heavenly Father,

We come to You this morning acknowledging Your care and tender mercies. We recognize Your divine providence and ascribe to Your power and wisdom and greatness. Grant us this day to find wisdom that is from above. Thank You for men and women who are willing to serve You in the affairs of government. This is a noble service for which we are thankful. We ask for clarity of thought and a willingness to cooperate as the issues of this hour are considered. Thank You for Your presence with us today.

We ask this in the Name of Him who Loves us with everlasting love.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Horne moved that further reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

## REPORTS OF COMMITTEES

*Madam Speaker:*

Your Committee on Legislative Operations and Elections, to which was referred Senate Joint Resolution No. 5, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES OHRENSCHALL, *Chair*

*Madam Speaker:*

Your Committee on Ways and Means, to which was referred Assembly Bill No. 478, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MAGGIE CARLTON, *Chair*

## MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 6, 2013

*To the Honorable the Assembly:*

It is my pleasure to inform your esteemed body that the Senate on this day passed Senate Bill No. 488.

SHERRY L. RODRIGUEZ  
*Assistant Secretary of the Senate*

## MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Horne moved that all rules be suspended, reading so far had considered second reading, rules further suspended, and Senate Joint Resolution No. 5, just reported out of committee, be declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried.

## INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 488.

Assemblyman Horne moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

## GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 5.

Resolution read third time.

Remarks by Assemblymen Martin, Hickey, and Madam Speaker.

## ASSEMBLYMAN MARTIN:

Senate Joint Resolution No. 5 urges the United States Congress to pass the Marketplace Fairness Act which would provide the states the authority to require out-of-state retailers, such as online and catalog retailers, to collect and remit sales tax on purchases shipped into the state.

## ASSEMBLYMAN HICKEY:

I rise in support of Senate Joint Resolution No. 5. This marketplace fairness resolution precedes a vote that is going to take place today, or is believed to, on the U.S. Senate floor. This, from my colleagues from my caucus, has been determined by most not to be a new tax. It is called marketplace fairness because it is a tax that already brick and mortar stores are paying. But because of the law, the way it is currently written, online businesses in Nevada are not paying this tax, or people that purchase from online businesses as Nevadans are not paying it, although many are voluntarily. This bill would bring us in compliance with a tax that already should be collected. It is supported by our Governor and by Representative Amodei on our side of the aisle, and I urge its passage.

Madam Speaker requested the privilege of the Chair for the purpose of making the following remarks:

This has been an ongoing process for a good 15 to 18 years, and the Internet was not that popular back then, but now it is a sign of the times.

Roll call on Senate Joint Resolution No. 5:

YEAS—37.

NAYS—None.

EXCUSED—Duncan, Ellison, Hogan, Munford, Pierce—5.

Senate Joint Resolution No. 5 having received a constitutional majority, Madam Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 449.

Bill read third time.

Roll call on Assembly Bill No. 449:

YEAS—37.

NAYS—None.

EXCUSED—Duncan, Ellison, Hogan, Munford, Pierce—5.

Assembly Bill No. 449 having received a constitutional majority, Madam Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 471.

Bill read third time.

Roll call on Assembly Bill No. 471:

YEAS—37.

NAYS—None.

EXCUSED—Duncan, Ellison, Hogan, Munford, Pierce—5.

Assembly Bill No. 471 having received a constitutional majority, Madam Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

#### GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Benitez-Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to the following students from Warner Elementary School: Billy Acosta, Patrick Acosta, Naila Adame, Roberto Ayala-Cervantes, Logan Castro, McKenna Chapman, Kayla Copeland, Emily Criss, Victoria Ebersole, Loren Elder, Ethan Ellis, Tevin Ferguson, Ethan Gomez, Damon Granadoz, Gabriela Gullatt, Edward Hernandez Rodriguez, Anthony Hopkins, Michael Lawton, Rachel Metzker, Francisco Posada Lopez, Miguel Rivera, Jakeem Rivera-Soto, Marcelena Scollard, Lenore Silva, Seth Soberanes, Amanda Warner, Samantha Watson, Hannah Williams, Juan Ayala-Duron, Garret Camp, Curtis Carsen-Burge, Julieri Chagolla Munoz, Adrian Chavez, Deija Chavez, Gerardo Cruz-Bautista, Chelsea Eslit, Jeremy Flint, Edwin Gil-Alas, Annaliese Harnes, Vanessa Hernandez, Johnathan Hopkins, Sayra Huizar Gonzalez, Bradley Hutchison, Alexandria Laughman, Carlos Lorenzo Valente, Isreal Luna Alvarez, Evelyn Maxwell, Alasandra Ordaz, Kyla Peaua, Noah Rickett, Jalisa Romero, Thomas Schlesinger, Shansen Ternora, Andrew Theall, Kaileigh Ward, and Maria Zamudio.

On request of Assemblyman Kirner, the privilege of the floor of the Assembly Chamber for this day was extended to Forest Schafer and Norb Szczurek.

On request of Assemblyman Livermore, the privilege of the floor of the Assembly Chamber for this day was extended to Ed Smith and Marie Bresch.

Assemblyman Horne moved that the Assembly adjourn until Wednesday, May 8, 2013, at 11:30 a.m.

Motion carried.

Assembly adjourned at 12:13 p.m.

Approved:

MARILYN K. KIRKPATRICK  
*Speaker of the Assembly*

Attest: SUSAN FURLONG

*Chief Clerk of the Assembly*