



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FIRST SESSION

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, OCTOBER 10, 2017 AT 2.30 P.M.

1. The Senate assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with prayer said by the Speaker.

3. **PETITION**

Pursuant to Standing Order 220(1) (a) and 224(2) (b), the Speaker reported to the Senate that a petition had been received from the Council of Chairpersons of the County Wildlife Conservation and Compensation Committees concerning non operationalization of certain provisions of the Wildlife Conservation and Management Act (No. 47 of 2013).

Pursuant to Standing Order 225, the Speaker invited Senators to comment on the Petition and, subsequently, committed the Petition to the Standing Committee on Land, Environment and Natural Resources pursuant to Standing Order 226.

4. **PAPERS LAID**

The following papers were laid on the Table of the Senate-

- i. The Public Service Commission Annual Report for the Financial Year 2016/17;
- ii. The National Irrigation Policy;
- iii. National Slum Upgrading and Prevention Policy (Sessional Paper No. 2 of 2016); and
- iv. The National Urban Development Policy, 2016
(The Senate Deputy Majority Leader)

5. **STATEMENTS****(i) Statement Pursuant to Standing Order 46 (2) (a)**

The Senator for Vihiga County (Sen. George Khaniri) made a statement on a topical issue regarding the action by the Confederation of Africa Football (CAF) to strip Kenya of the rights to host the 2018 African Nation Championship (CHAN);

(ii) Statements Pursuant to Standing Order 46 (2) (b)

- (a) The Senator for Vihiga County (Sen. George Khaniri) sought a statement from the Senate Majority Leader regarding the failure by the national government to disburse funds to the county governments hampering their operations;
- (b) The Senator for Narok County (Sen. Ledama Olekina) sought a statement from the Senate Majority Leader regarding the alleged use of excessive force and Police brutality during peaceful demonstrations and picketing in the country and in particular during the raid at the University of Nairobi on Thursday, 28th September, 2017;
- (c) The Senator for Narok County (Sen. Ledama Olekina) sought a statement from the Senate Majority Leader regarding the withdrawal of security officers attached to the former Prime Minister, the Rt. Hon. Raila Odinga and former Vice President, Hon. Stephen Kalonzo Musyoka;
- (d) Nominated Senator (Sen. Petronila Were) sought a statement from the Senate Majority Leader regarding the ongoing strike by nurses in public hospitals in the country;
- (e) Nominated Senator (Sen. Getrude Musuruve) sought a statement from the Senate Majority Leader regarding the alleged abuse of human rights of persons with disabilities;
- (f) Nominated Senator (Sen. Getrude Musuruve) sought a statement from the Senate Majority Leader regarding the mainstreaming of learners with disabilities in the education curriculum.

6. **THE ELECTION LAWS (AMENDMENT) BILL (SENATE BILL NO. 3 OF 2017)**
(The Senate Majority Leader)

Second Reading;

Order deferred.

7. **MOTION – ESTABLISHMENT OF A SPECIAL FUND FOR REMITTANCE OF CONTRIBUTIONS TO THE NATIONAL HOSPITAL INSURANCE FUND (NHIF) FOR PERSONS LIVING WITH DISABILITIES**

(Department of Social Protection)

Motion made and Question proposed;

AWARE that about 15% of the Kenyan population are persons living with disabilities;

APPRECIATING that the Government has taken several measures to avail certain privileges through the National Council for Persons with Disabilities to registered persons living with disabilities;

NOTING that the National Hospital Insurance Fund (NHIF) is a contributory health insurance cover and the remittance of contributions for persons living with disabilities by government for the cover, is not among the privileges extended to persons living with disabilities;

CONCERNED that most persons living with disabilities have difficulties engaging in gainful income generating activities that would enable them pay the contributions to NHIF, hence are without any medical cover;

FURTHER CONCERNED that many persons with disabilities are unable to access medical services leading to high mortality rate;

NOW THEREFORE, the Senate urges the National Government to put in place the following measures through the Ministry of Health and the Ministry of East African Community, Labour and Social Protection-

1. Undertake vetting of all persons living with disabilities in Kenya to ascertain those who are unable to afford payment of contributions to the NHIF; and
2. Set aside a special fund for remittance of contributions to NHIF for those persons who are living with disabilities and cannot afford to pay the contributions.

(Sen. Isaac Mwaura on behalf of the Senate Majority Leader)

Debate arising;

And there being no other Senator wishing to contribute;

Mover replied;

Before the Question was put, and pursuant to Standing Order No. 73, the Temporary Speaker (Sen. Kang'ata) informed the House that the Motion did not affect counties.

Question put and **agreed to.**

RESOLVED ACCORDINGLY

AWARE that about 15% of the Kenyan population are persons living with disabilities;

APPRECIATING that the Government has taken several measures to avail certain privileges through the National Council for Persons with Disabilities to registered persons living with disabilities;

NOTING that the National Hospital Insurance Fund (NHIF) is a contributory health insurance cover and the remittance of contributions for persons living with disabilities by government for the cover, is not among the privileges extended to persons living with disabilities;

CONCERNED that most persons living with disabilities have difficulties engaging in gainful income generating activities that would enable them pay the contributions to NHIF, hence are without any medical cover;

FURTHER CONCERNED that many persons with disabilities are unable to access medical services leading to high mortality rate;

NOW THEREFORE, the Senate urges the National Government to put in place the following measures through the Ministry of Health and the Ministry of East African Community, Labour and Social Protection-

1. Undertake vetting of all persons living with disabilities in Kenya to ascertain those who are unable to afford payment of contributions to the NHIF; and
2. Set aside a special fund for remittance of contributions to NHIF for those persons who are living with disabilities and cannot afford to pay the contributions.

And there being no other business, the Senate adjourned at six minutes past Five O'clock without Question put, pursuant to the Standing Orders.

8. **SENATE ROSE** – at six minutes past Five O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday, October 11, 2017 at 2.30 p.m.*

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