



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, OCTOBER 09, 2019

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Hon. Speaker
4. **PAPERS LAID**

The following Papers were laid on the Table –

(i) Reports of the Departmental Committee on Health on its consideration of: -

- a) Public Petition No. 59 of 2019 regarding Mental Health Issues and the need for more counselors in public facilities; and
- b) Public Petition No. 60 of 2019 regarding management of Hemophilia and other bleeding disorders among patients in Kenya.

(Hon. Ranjan Mishra-Vice Chairperson, Departmental Committee on Health)

(ii) Reports of the Departmental Committee on Energy on its consideration of: -

- a) Public Petition regarding water supply constraints caused by the Kenya Power Tariffs in Kilifi County;
- b) Public Petition regarding Demolition of houses in Chokaa, Mihango area, Embakasi East Constituency by Kenya Power;
- c) Public Petition regarding Wayleave compensation to land owners in Maraigishu by the Kenya Electricity Transmission Company (KETRACO);
- d) The 63rd General Conference of the International Atomic Energy Agency (IAEA) in Vienna, Austria from 16th to 20th September, 2019; and

- e) The Conference of the Africa Oil, Gas and Energy in Fraser Suites, Perth, Australia from 2nd to 7th September, 2019.

(Hon. David Gikaria- Chairperson, Departmental Committee on Energy)

5. NOTICES OF MOTION

The following Notice of Motion was given: -

THAT, aware that according to the World Health Organization, an estimated 15 percent of the world's population live with some form of disability or different ability, with 80 percent of them living in developing countries; further aware in Kenya, approximately 6.5 million people live with some form of disability out of whom, 3.8 million are women and girls, while approximately 85 percent of the total number live in abject poverty; concerned that a majority Persons Living with Disabilities (PLWDs) face numerous challenges including being denied their fundamental rights and freedoms including the right to education and opportunities to work, virtually guaranteeing that they will live their lives in poverty which often exacerbates their vulnerability and dependency on other people, assistive devices and critical medical items and requirements; deeply concerned that lack of these devices, medical items and requirements makes it impossible for PLWDs to live normal and dignified lives; this House urges the National Government to provide assistive devices and required medical items and requirements free of charge to Persons Living with Disabilities at the Constituency level through government hospitals or any other government body and to put in place mechanisms for replacement of worn-out devices to enable them live a dignified life, be more productive and coexist with other people the society.

(Hon. Dennitah Ghati)

6. QUESTIONS

The following Question were asked –

- (i) **Question by Private Notice No.37/2019** by the Member for Embakasi Central (Hon. Benjamin Mwangi) regarding arrest of innocent citizens walking along Spine road in Kayole 1, Masimba Roand and Junction Area in Embakasi Central;

(To be replied by the Cabinet Secretary for Interior and Coordination of National Government before the Departmental Committee on Administration and National Security)

- (ii) **Question No.447/2019** by the Member for Bomachoge Chache (Hon. Alfah Ondieki) regarding provision of details on the Public Service Commission's policy on requirmenets for job entry in the public service;

(To be replied by the Cabinet Secretary for Public Service, Youth and Gender Affairs before the Departmental Committee on Administration and National Security)

- (iii) **Question No.448/2019** by the Member for Mathare (Hon. Athony Oluoch) regarding the ownership status of the parcel of land LR. No. 209/8600 located in Hospital Ward, Mathare Constituency;

(To be replied by the Cabinet Secretary for Lands before the Departmental Committee on Lands)

- (iv) **Question No.449/2019** by the Member for Mathioya (Hon. Peter Kihara) regarding non equipping of Nyangiti borehole in Gitugi ward since 2017;

(To be replied by the Cabinet Secretary for National Treasury and Planning before the Departmental Committee on Finance and National Planning)

7. STATEMENTS

The following Statements were made:-

- (i) The Member for Mathare (Hon. Anthony Tom Oluoch) pursuant to the provisions of Standing Order 44(2) (c), requested for a Statement from the Chairperson of the Departmental Committee on Education and Research regarding eminent closure of informal schools in the country;
- (ii) The Member for Igembe South (Hon. John Paul Mwirigi), pursuant to the provisions of Standing Order 44(2) (c), requested for a Statement from the Chairperson of the Departmental Committees on Lands and Administration and National Security regarding eviction of residents of the parcel of land in Amungenti B Subsection D Adjudication Area of Igembe South Constituency, Meru County;
- (iii) The Member for Endebess (Hon. Robert Pukose), pursuant to the provisions of Standing Order 44(2) (c), requested for a Statement from the Chairperson of the Departmental Committees on Finance and National Planning regarding procurement of police vehicles; and
- (iv) The Leader of the Majority Party, pursuant to the provisions of Standing Order 44(2) (a), made a Statement regarding the Business of the House for the week commencing Tuesday, October 15, 2019.

8. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2018)

Motion made and Question proposed –

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Sacco Societies (Amendment) Bill (National Assembly Bill No.1 of 2018).

(Leader of the Majority Party)

Question put and agreed to;

Motion made and Question proposed –

THAT, the Sacco Societies (Amendment) Bill (National Assembly Bill No.1 of 2018) be now read a Third Time

(Leader of the Majority Party)

Question put and agreed to;

Bill read a Third Time and **passed**.

9. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE SECTIONAL PROPERTIES BILL (NATIONAL ASSEMBLY BILL NO. 23 OF 2019)

Motion made and Question proposed –

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Sectional Properties Bill (National Assembly Bill No.23 of 2019).

(Leader of the Majority Party)

Question put and agreed to;

Motion made and Question proposed –

THAT, the Sectional Properties Bill (National Assembly Bill No.23 of 2019) be now read a Third Time

(Leader of the Majority Party)

Question put and agreed to;

Bill read a Third Time and **passed**.

10. MOTION - REPORT ON A FACT-FINDING MISSION ON THE WELFARE OF MIGRANT KENYAN WORKERS IN THE KINGDOM OF SAUDI ARABIA

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Labour and Social Welfare on the visit to Riyadh, Saudi Arabia on a Fact-Finding Mission on the Welfare of Migrant Kenyan Workers in the Kingdom of Saudi Arabia from February 27 to March 3, 2019, laid on the Table of the House on Thursday, August 8, 2019.

Debate interrupted on Tuesday; October 08, 2019 resumed;

Rising in his place on a Point of Order under Standing Order 95, the Member for Endebeess (Hon. Robert Pukose) claimed to move that “the Mover be now called upon to reply”;

And the Speaker acceding to the claim;

Question put and agreed to;

Thereupon, the Mover replied;

Question put and agreed to.

11. SPECIAL MOTION – APPROVAL OF REVISED DEBT CEILING FOR THE NATIONAL GOVERNMENT

Motion made and Question proposed –

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Public Finance Management (National Government)(Amendment) Regulations, 2019, *laid on the Table of the House on Wednesday, October 09, 2019*, and pursuant to the provisions of section 205(4) of the Public Finance Management Act, 2012, section 18 of the Statutory Instruments Act, 2013, approves the amendments to the Public Finance Management (National Government) Regulations, 2015 (principal Regulations) as effected through **Legal Notice No. 155 of 26th September, 2019**, as follows-

- (a) in regulation 26(1), sub paragraph (c) by deleting the words “50 percent of Gross Domestic Product (GDP) in net present value terms” and substituting therefor the words “nine trillion shillings”; and,
- (b) in regulation 196, paragraph (1) by deleting the words “net present value of the total public debt that is” and substituting therefor the words “set limit”.

(Chairperson, Committee on Delegated Legislation)

Debate arising;

Rising on a Point of Order pursuant to Standing Order 95, the Member for Kangema Constituency (Hon. Muturi Kigano) claimed to move that that “the Mover be now called upon to reply”;

And the Speaker acceding to the claim;

Question put and agreed to;

Thereupon Mover replied;

Question put and agreed to.

12. MOTION – PETITION BY THE EXECUTIVE FOR THE VARIATION OF THE BOUNDARIES OF MOUNT ELGON FOREST RESERVE

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Departmental Committees on Environment and Natural Resources and Lands on their consideration of a Petition by the Executive regarding the Variation of the Boundaries of Mount Elgon Forest Reserve, laid on the Table of the House on Thursday, July 4, 2019, and pursuant to the provisions of section 34(5)(b) of the Forest Conservation and Management Act, 2016 and noting the finding of the Committees that the Petition discloses ground for variation of boundaries of the particular forest, this House-

- (i) **approves** the variation of the boundaries of Mount Elgon Forest Reserve to exclude Chepyuk Phases II and III comprising of a total area of 4,607 Hectares; and
- (ii) **resolves** that the Government secures the remaining forest area within Mount Elgon Forest Reserve particularly in Chepkitale area in line with the need to achieve the United Nation's recommended ten percent forest cover in the country.

(Chairperson, Departmental Committee on Environment & Natural Resources)

Debate arising;

(Change of Chair from the Hon. Speaker to the Third Chairperson)

(Change of Chair from the Third Chairperson to the Second Chairperson)

And the time being Seven o'clock, the Second Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

13. **HOUSE ROSE** - at Seven o'clock

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, October 15, 2019 at 2.30 p.m.

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