



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FOURTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, FEBRUARY 27, 2020

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

The Honourable Speaker conveyed the following Petition:-

PETITION ON THE PLIGHT OF PENSIONERS

“Honourable Members, pursuant to the provisions of Standing Order 225(2) (b), I wish to report to the House a Petition submitted by the Kenya Association of Retired Officers, a duly registered association working towards better and improved terms and conditions of pensioners in Kenya which petition is tendered on behalf of over 200,000 government pensioners in the Country.

Honourable Members, the petitioners claim that majority of the pensioners especially those who retired before the year 2003, live in abject poverty and are unable to meet their monthly upkeep, food, clothing and medical expenses and that they have for long been neglected due to the perception that they are economically unproductive.

Honourable Members, the petitioners believe that they play a very significant role in national development in their own way and deserve better livelihoods through a Comprehensive Pension and Benefit Policy.

Honourable Members, the petitioners pray that this House intervenes through the implementation of the Salaries and Remuneration Commission (S.R.C.) Pension Increase Policy of 2015; amendment of the Pensions Act, Cap 189 and the Pensions (Increase) Act, Cap 190 of the Laws of Kenya; the provision of free and comprehensive healthcare for pensioners; as well as the development and implementation of a comprehensive pension policy for the Public Service in Kenya.

Honourable Members, pursuant to the provisions of Standing Order 227, this Petition stands committed to the Departmental Committee on Labour and Social welfare for consideration. The Committee is required to report its findings to the House and the Petitioner in accordance with Standing Order 227(2).

I thank you!”

5. **PAPERS LAID**

The following Papers were laid on the Table of the House -

- (i) Annual Reports and Financial Statements of the Higher Education Loans Board (HELB) for the financial years 2016/2017 and 2017/2018.

(Leader of the Majority Party)

- (ii) Progress Report of the Public Investments Committee on consideration of the Special Audit Report on procurement of pre-export verification of conformity to standards services for used motor vehicles, mobile equipment and used spare parts by Kenya Bureau of Standards.

(Chairperson, Public Investments Committee)

6. **NOTICE OF MOTION**

The following Notice of Motion was given –

Adoption of Public Investment Committee's Progress Report on Special Audit Report on procurement of Pre-Exportation Verification of Conformity

THAT, this House adopts the Progress Report of the Public Investments Committee on consideration of the Special Audit Report on procurement of pre-export verification of conformity to standards services for used motor vehicles, mobile equipment and used spare parts by Kenya Bureau of Standards, *laid on the Table of the House on Thursday, February 27, 2020.*

(Chairperson, Public Investments Committee)

7. **QUESTIONS**

The following Question was asked –

- (i) Question No.025/2020 by the Member for Embakasi Central (Hon. Benjamin Mwangi) regarding status of ownership of a five-acre piece of land registered as LR. No. Nairobi/Block/156/1 in Embakasi Central Constituency.

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

The following Questions were deferred at the request of the respective Members –

- (i) Question No.024/2020 by the Member for Kwale County (Hon. Zuleikha Hassan) regarding beneficiaries of Mwache Dam in Kwale County.
- (ii) Question No.026/2020 by the Member for Nyatike (Hon. Tom Mboya Odege) regarding list of Prison officers who have undertaken further studies and specialized training.

8. **STATEMENTS**

- (i) The Member for Rongai (Hon. Raymond Moi) issued a Personal Statement thanking the national leadership, Members of Parliament and the nation at large for support accorded during the burial of H.E. President Daniel arap Moi, EGH.
- (ii) Pursuant to the provision of Standing Order 44(2)(c), the Leader of the Majority Party issued a Statement regarding the Business of the House for the week commencing Tuesday, March 03, 2020.

9. **SPECIAL MOTION – APPROVAL OF NOMINEES FOR APPOINTMENT AS PRINCIPAL SECRETARIES IN THE STATE DEPARTMENTS FOR VOCATIONAL AND TECHNICAL TRAINING; AND UNIVERSITY EDUCATION AND RESEARCH**

Motion made and Question proposed –

THAT, taking into consideration the findings of the Departmental Committee on Education and Research in its report on the *Vetting of Nominees for Appointment as Principal Secretaries, laid on the Table of the House on Wednesday, February 26, 2020*, and pursuant to the provisions of Article 155(3) (b) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of the following persons as Principal Secretaries-

- (i) Dr. Julius Ouma Jwan - State Department for Vocational and Technical Training; and
- (ii) Amb. Simon Nabukwesi - State Department for University Education and Research

(Chairperson, Departmental Committee on Education and Research – 26.02.2020)

Debate on the Motion having been concluded on Wednesday, February 26, 2020;

Question put and agreed to.

10. **SPECIAL MOTION – APPROVAL OF NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY IN THE STATE DEPARTMENT FOR PHYSICAL PLANNING**

Motion made and Question proposed –

THAT, taking into consideration the findings of the Departmental Committee on Lands in its report on the *Vetting of the Nominee for Appointment as a Principal Secretary, laid on the Table of the House on Wednesday, February 26, 2020*, and pursuant to the provisions of Article 155(3)(b) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Mr. Enosh Onyango Momanyi** as the Principal Secretary, State Department for Physical Planning.

(Chairperson, Departmental Committee on Lands - 26.02.2020)

Debate on the Motion having been concluded on Wednesday, February 26, 2020;

Question put and agreed to.

11. **SPECIAL MOTION – APPROVAL OF NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY IN THE STATE DEPARTMENT FOR TRADE**

Motion made and Question proposed –

THAT, taking into consideration the findings of the Departmental Committee on Lands in its report on the *Vetting of the Nominee for Appointment as a Principal Secretary, laid on the Table of the House on Wednesday, February 26, 2020*, and pursuant to the provisions of Article 155(3)(b) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Amb. Johnson Mwangi Weru** as the Principal Secretary, State Department for Trade.

(Chairperson, Departmental Committee on Trade, Industry & Cooperatives - 26.02.2020)

Debate on the Motion having been concluded on Wednesday, February 26, 2020;

Question put and agreed to.

12. **SPECIAL MOTION – APPROVAL OF NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY IN THE STATE DEPARTMENT FOR TRANSPORT**

Motion made and Question proposed –

THAT, taking into consideration the findings of the Departmental Committee on Transport, Public Works and Housing in its report on the *Vetting of the Nominee for Appointment as a Principal Secretary, laid on the Table of the House on Wednesday, February 26, 2020*, and pursuant to the provisions of Article 155(3)(b) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Mr. Solomon Kitungu** as the Principal Secretary, State Department for Transport.

(Chairperson, Departmental Committee on Transport, Public Works & Housing -26.02.2020)

Debate on the Motion having been concluded on Wednesday, February 26, 2020;

Question put and agreed to.

13. **THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2020)**

(Chairperson, Constitutional Implementation Oversight Committee)

Order for First Reading read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

14. **SPECIAL MOTION – APPROVAL OF NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY IN THE STATE DEPARTMENT FOR PUBLIC SERVICE**

Motion made and Question proposed-

THAT, taking into consideration the findings of the Departmental Committee on Administration and National Security in its report on the *Vetting of the Nominee for Appointment as a Principal Secretary, laid on the Table of the House on Wednesday, February 26, 2020*, and pursuant to the provisions of Article 155(3)(b) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Mrs. Mary Wanjira Kimonye** as the Principal Secretary, State Department for Public Service.

(Hon. Wafula Wamunyinyi on behalf of the Chairperson, Departmental Committee on Administration and National Security)

Debate arising;

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

And the Honourable Speaker acceding to the claim;

Question put and agreed to;

Thereupon, Mover replied;

Question put and agreed to.

14. **THE COUNTY ROADS, WALKWAYS AND PARKING BAYS BILL (SENATE BILL NO. 18 OF 2018)**

Order for Second Reading read;

Motion made and Question proposed-

THAT, the County Roads, Walkways and Parking Bays Bill (Senate Bill No. 18 of 2018) be now read a Second Time.

(Chairperson, Departmental Committee on Transport, Public Works and Housing)

Debate arising;

Rising in his place on a point of order, the Member for Luanda (Hon. Christopher Omulele) raised an issue on the constitutionality of the Bill, with other Members also questioning its’ validity;

Subsequently, the Honourable Speaker suspended further debate on the Bill pending his determination regarding the constitutionality of the Bill, among other issues raised;

Debate deferred.

15. **MOTION - INQUIRY INTO THE CHALLENGES FACING THE COFFEE RESEARCH INSTITUTE**

Motion made and Question proposed:-

THAT, this House **adopts** the Report of the Departmental Committee on Agriculture & Livestock on its Inquiry into the Challenges Facing the Coffee Research Institute, *laid on the Table of the House on Tuesday, November 26, 2019.*

(Vice-Chairperson, Departmental Committee on Agriculture and Livestock)

[Change of Chair from the Honourable Speaker to the Fourth Chairperson of Committees]

Debate arising;

[Change of Chair from the Fourth Chairperson to the First Chairperson of Committees]

Question deferred

16. MOTION - ANNUAL REPORTS ON THE STATE OF THE JUDICIARY

(The Chairperson Departmental Committee on Justice & Legal Affairs)

Order read;

THAT, this House **notes** the annual Reports on the **State of the Judiciary** for the financial years 2016/2017 and 2017/2018, submitted to the House pursuant to the provisions of Article 254(1) of the Constitution, and **adopts** the recommendations of the Departmental Committee on Justice and Legal Affairs as contained in the Reports of the Committee *laid on the table of the House on Thursday, May 9, 2019.*

Motion deferred.

17. MOTION - REPORT ON AUDITED FINANCIAL STATEMENTS FOR THE UWEZO FUND AND THE WOMEN ENTERPRISE FUND

(The Chairperson, Special Funds Accounts Committee)

Order read;

Motion made and Question proposed;

THAT, this House **adopts** the Report of the Special Funds Accounts Committee on Audited Financial Statements for the Uwezo Fund for the financial year 2016/17; and the Women Enterprise Fund for the financial year 2017/18, *laid on the Table of the House on Tuesday, November 5, 2019.*

(The Hon. Nzioka Kivasu, MP on behalf of the Chairperson, Special Funds Accounts Committee)

And the time being Two Minutes to Seven O'clock, the First Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

18. HOUSE ROSE - at Two Minutes to Seven O'clock.

M E M O R A N D U M

The Speaker will take the Chair on Tuesday, March 03, 2020 at 2.30 p.m.

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