



(No. 10)

(028)

REPUBLIC OF KENYA
TWELFTH PARLIAMENT – (SECOND SESSION)
THE NATIONAL ASSEMBLY
ORDERS OF THE DAY
WEDNESDAY, FEBRUARY 28, 2018 AT 9.30 A.M.
ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statements

8*. PROCEDURAL MOTION- EXEMPTION OF BUSINESS FROM THE PROVISIONS OF STANDING ORDER 40(3)

(The Leader of the Majority Party)

THAT, this House orders that the business appearing under Order Nos. 11, 12, 13, 14 and 15 be exempted from the provisions of Standing Order 40(3) being a Wednesday Morning, a day allocated for Business not sponsored by the Majority or Minority Party or Business sponsored by a Committee.

9*. PROCEDURAL MOTION – LIMITATION OF DEBATE ON MOTIONS FOR APPROVAL OF VARIOUS STATE AND PUBLIC APPOINTMENTS

(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 97(4), and notwithstanding the House resolution of February 14, 2018 limiting speech in a debate on any Motion, this House further orders that **debate on the Special Motions for approval for appointment of nominees to various state and public offices appearing in today's Order Paper** be limited as follows:- A maximum of one (1) hour, with not more than fifteen (15) minutes for the Mover in moving and five (5) minutes in replying, and not more than five (5) minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party; and further that priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

10*. THE KENYA ROADS BILL (NATIONAL ASSEMBLY BILL NO. 47 OF 2017)

(The Leader of the Majority Party)

Second Reading

(Question to be put)

11*. SPECIAL MOTION - APPROVAL FOR APPOINTMENT OF PRINCIPAL SECRETARY FOR STATE DEPARTMENT FOR AGRICULTURAL RESEARCH

(The Chairperson, Departmental Committee on Agriculture & Livestock)

THAT, this House adopts the Report of the Departmental Committee on Agriculture and Livestock on the Vetting of Nominee for Appointment as Principal Secretary laid on the Table of the House on Tuesday, February 27, 2018, and pursuant to the provisions of Article 155(3)(b) of the Constitution, **approves** the appointment of **Prof. Hamadi Iddi Boga** as the Principal Secretary, State Department for Agricultural Research.

12*. SPECIAL MOTION - APPROVAL FOR APPOINTMENT OF PRINCIPAL SECRETARIES FOR STATE DEPARTMENTS FOR DEVOLUTION & PLANNING

(The Chairperson, Departmental Committee on Finance and National Planning)

THAT, this House adopts the Report of the Departmental Committee on Finance and National Planning on the Vetting of Nominees for Appointment as Principal Secretaries, laid on the Table of the House on Tuesday, February 27, 2018, and pursuant to the provisions of Article 155(3)(b) of the Constitution, **approves** the appointment of **Dr. Julius Muia and Mr. Nelson Marwa** as Principal Secretaries, State Department for Planning and State Department for Devolution, respectively.

13*. SPECIAL MOTION - APPROVAL FOR APPOINTMENT OF PRINCIPAL SECRETARY FOR STATE DEPARTMENT FOR GENDER

(The Chairperson, Departmental Committee on Labour and Social Welfare)

THAT, this House adopts the Report of the Departmental Committee on Labour and Social Welfare on the Vetting of Nominee for Appointment as Principal Secretary, laid on the Table of the House on Tuesday, February 27, 2018, and

pursuant to the provisions of Article 155(3)(b) of the Constitution, **approves** the appointment of **Ms. Safina Kwekwe Tsungu** as the Principal Secretary, State Department for Gender.

14*. SPECIAL MOTION - APPROVAL FOR APPOINTMENT OF PRINCIPAL SECRETARY FOR STATE DEPARTMENT FOR HEALTH

(The Chairperson, Departmental Committee on Health)

THAT, this House adopts the Report of the Departmental Committee on Health on the Vetting of a Nominee for appointment as Principal Secretary, laid on the Table of the House on Tuesday, February 27, 2018, and pursuant to the provisions of Article 155(3)(b) of the Constitution, **approves** the appointment of **Mr. Peter Kiplagat Tum** as the Principal Secretary, State Department for Health.

15*. SPECIAL MOTION - APPROVAL FOR APPOINTMENT OF PRINCIPAL SECRETARY FOR STATE DEPARTMENT FOR HOUSING & URBAN DEVELOPMENT

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

THAT, this House adopts the Report of the Departmental Committee on Transport, Public Works and Housing on the Vetting of Nominee for Appointment as Principal Secretary, laid on the Table of the House on Tuesday, February 27, 2018, and pursuant to the provisions of Article 155(3)(b) of the Constitution, **approves** the appointment of **Mr. Charles Hinga Mwaura** as Principal Secretary, State Department for Housing and Urban Development.

16*. MOTION- ESTABLISHMENT OF A NATIONAL HEALTH REFERRAL HOSPITAL IN MOMBASA COUNTY

(The Hon. Mohamed Ali Mohamed, M.P.)

THAT, aware that Article 43 of the Constitution provides that every person has the right to the highest attainable standard of health, which includes the right to health care services, including reproductive health care; further aware that in the post-2015 development agenda, the world has committed to universal health coverage (UHC) and achievement of Sustainable Development Goal 3 – to ensure healthy lives and promote well-being for all at all ages; acknowledging that investment in a strong healthcare system is necessary to ensuring that everyone everywhere has access to basic health services irrespective of their geographical location or economic status; recognizing that over 80 per cent of Kenyans depend on the public sector for health care services yet there are only two national referral

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hospitals in the country namely, Kenyatta National Hospital in Nairobi, and Moi Referral and Teaching Hospital in Eldoret; cognizant of that Section 25 as read with First Schedule of the Health Act, 2017 provides that there shall be established in each county a National Health Referral Hospital (Level 6); this House urges the government to fast-track the establishment a National Health Referral Hospital in Mombasa County with a view to having a facility to cater for sophisticated diagnostic, therapeutic, and rehabilitative health care needs in the region requiring more complex technology and highly skilled personnel, as well as support training of health workers at both pre-service and in-service levels.

17*. MOTION - WAIVER OF CHARGES AND ESTABLISHMENT OF AN EMPLOYMENT DATABASE

(The Hon. Faith Wairimu Gitau, M.P.)

THAT, aware that the average youth population in Kenya is thirty five (35) percent of the total population of the country; further aware that majority of this population is in the job market entry level; noting that Article 55 of the Constitution obligates the State to take measures to ensure that the youth access employment; concerned that this access is hindered by the requirement to produce numerous documentation including a *tax compliance certificate (KRA)*, *certificate of good conduct (DCI)*, *higher education loan clearance certificate (HELB)*, *EACC clearance*, *Credit Reference Certificate (CRB)*; further concerned that these documents cost not less than four thousand five hundred shillings (Ksh.4,500) to acquire; deeply concerned that most of the jobseekers in the youth bracket cannot raise this prohibitive amount for purpose of job application; this House urges the Government through the Ministry of Public Service, Youth and Gender Affairs to waive the payment of these fees by job-seeking youth in the country, and further urges the Ministry to immediately fast-track implementation of the National Employment Authority Act which requires the establishment and maintenance of integrated and up-to-date database of all persons seeking employment.

*** Denotes Orders of the Day**

N O T I C E S

The House resolved on Wednesday, February 14, 2018 as follows:-

- I. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Motion**, including a Special motion be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

- II. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on **Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** be limited as follows:- A maximum of forty five (45) minutes for the Mover, in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each (if the Bill is not sponsored by either of them); and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.



NOTICE PAPER

Tentative business for

Wednesday (Afternoon), February 28, 2018

(Published pursuant to Standing Order 38(1))

The following tentative business may be transacted on Wednesday (Afternoon), February 28, 2018:-

- A. SPECIAL MOTION - APPROVAL FOR APPOINTMENT OF PRINCIPAL SECRETARY FOR STATE DEPARTMENT FOR IMMIGRATION, BORDER CONTROL AND REGISTRATION OF PERSONS
(The Chairperson, Departmental Committee on Administration & National Security)
- B. SPECIAL MOTION - APPROVAL FOR APPOINTMENT OF PRINCIPAL SECRETARY FOR STATE DEPARTMENT FOR VOCATIONAL & TECHNICAL TRAINING
(The Chairperson, Departmental Committee on Education and Research)
- C. SPECIAL MOTION - APPROVAL FOR APPOINTMENT OF PRINCIPAL SECRETARY FOR STATE DEPARTMENT FOR WATER & SANITATION
(The Chairperson, Departmental Committee on Environment & Natural Resources)
- D. SPECIAL MOTION - APPROVAL FOR APPOINTMENT OF PRINCIPAL SECRETARY FOR STATE DEPARTMENT FOR FOREIGN AFFAIRS
(The Chairperson, Departmental Committee on Defence & Foreign Relations)
- E. SPECIAL MOTION - APPROVAL FOR APPOINTMENT OF VARIOUS AMBASSADORS/HIGH COMMISSIONERS
(The Chairperson, Departmental Committee on Defence & Foreign Relations)
- F. SPECIAL MOTION - APPROVAL FOR APPOINTMENT FOR MEMBERS TO THE JUDICIAL SERVICE COMMISSION

(The Chairperson, Departmental Committee on
Justice & Legal Affairs)

**G. MOTION - ADOPTION OF THE REPORT OF BUDGET AND
APPROPRIATIONS COMMITTEE ON THE BUDGET
POLICY STATEMENT**

(The Chairperson, Budget & Appropriations Committee)



REPUBLIC OF KENYA
TWELFTH PARLIAMENT – (SECOND SESSION)
THE NATIONAL ASSEMBLY
ORDERS OF THE DAY
WEDNESDAY, FEBRUARY 28, 2018 AT 2.30 P.M.
ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statements

- 8*. SPECIAL MOTION - APPROVAL FOR APPOINTMENT OF PRINCIPAL SECRETARY FOR STATE DEPARTMENT FOR IMMIGRATION, BORDER CONTROL AND REGISTRATION OF PERSONS**
(The Chairperson, Departmental Committee on Administration & National Security)

THAT, this House adopts the Report of the Departmental Committee on Administration and National Security on the Vetting of Persons for Appointment as Principal Secretaries, laid on the Table of the House on Tuesday, February 27, 2018, and pursuant to the provisions of Article 155(3)(b) of the Constitution, **approves** the appointment of **Maj. Gen. (Rtd) Dr. Gordon Odemo Kihalangwa** as the Principal Secretary, State Department for Immigration, Border Control and Registrations of Persons.

- 9*. SPECIAL MOTION - APPROVAL FOR APPOINTMENT OF PRINCIPAL SECRETARY FOR STATE DEPARTMENT FOR VOCATIONAL & TECHNICAL TRAINING**
(The Chairperson, Departmental Committee on Education and Research)

THAT, this House adopts the Report of the Departmental Committee on Education and Research on the Vetting of Nominee for Appointment as Principal

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Secretary, laid on the Table of the House on Tuesday, February 27, 2018, and pursuant to the provisions of Article 155(3)(b) of the Constitution, **approves** the appointment of **Dr. Kevit Desai** as Principal Secretary, State Department for Vocational and Technical Training.

10*. SPECIAL MOTION - APPROVAL FOR APPOINTMENT OF PRINCIPAL SECRETARY FOR STATE DEPARTMENT FOR WATER & SANITATION
(The Chairperson, Departmental Committee on Environment & Natural Resources)

THAT, this House adopts the Report of the Departmental Committee on Environment and Natural Resources on the Vetting of Nominee for Appointment as Principal Secretary, laid on the Table of the House on Tuesday, February 27, 2018, and pursuant to the provisions of Article 155(3)(b) of the Constitution, **approves** the appointment of **Mr. Joseph Wairagu Irungu** as Principal Secretary, State Department for Water and Sanitation.

11*. SPECIAL MOTION - APPROVAL FOR APPOINTMENT OF PRINCIPAL SECRETARY FOR STATE DEPARTMENT FOR FOREIGN AFFAIRS
(The Chairperson, Departmental Committee on Defence & Foreign Relations)

THAT, this House adopts the Report of the Departmental Committee on Defence and Foreign Relations on the Vetting of Nominees for Appointment as Principal Secretary, laid on the Table of the House on Tuesday, February 27, 2018, and pursuant to the provisions of Article 155(3)(b) of the Constitution, **approves** the appointment of **Amb. Macharia Kamau** as Principal Secretary, State Department for Foreign Affairs.

12*. SPECIAL MOTION - APPROVAL FOR APPOINTMENT OF VARIOUS AMBASSADORS/HIGH COMMISSIONERS
(The Chairperson, Departmental Committee on Defence & Foreign Relations)

THAT, this House adopts the Report of the Departmental Committee on Defence and Foreign Relations on the Vetting of Nominees for appointment as Ambassadors/High Commissioners, laid on the Table of the House on Tuesday, February 27, 2018, and pursuant to the provisions of Article 132(2)(e) of the Constitution and Standing Order 216(5)(f), **approves** the appointment of the following persons-

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- (i) Prof. Judy Wakhungu - Ambassador to France
- (ii) Dr. Cleopa Mailu - Permanent Representative to UN Geneva
- (iii) Hon. Dan Kazungu - High Commissioner to the United Republic of Tanzania
- (iv) Mrs. Phyllis Kandie - Ambassador to Belgium, Luxemburg and the European Union
- (v) Mr. Willy Bett Kipkorir - High Commissioner to India
- (vi) Prof. Jacob Kaimenyi - Permanent Representative to UNESCO
- (vii) Dr. Hassan Wario Arero - Ambassador to Austria
- (viii) Mr. Lawrence N. Lenayapa - Ambassador to the Kingdom of Netherlands

13*. SPECIAL MOTION - APPROVAL FOR APPOINTMENT OF MEMBERS TO THE JUDICIAL SERVICE COMMISSION

(The Chairperson, Departmental Committee on Justice & Legal Affairs)

THAT, this House adopts the Report of the Departmental Committee on Justice and Legal Affairs on the Vetting of Nominees for Appointment as Members of the Judicial Service Commission, laid on the Table of the House on Tuesday, February 27, 2018, and pursuant to the provisions of Article 171(2) of the Constitution, **approves** the appointment of the following as Members to the Judicial Service Commission-

- (i) *Under Article 171(2)(g) of the Constitution:*
Mr. Patrick Gichohi, CBS
- (ii) *Under Article 171(2)(h) of the Constitution:*
a) Prof. Olive Mugenda; and
b) Mr. Felix Koskei

14*. MOTION - ADOPTION OF THE REPORT OF BUDGET AND APPROPRIATIONS COMMITTEE ON THE BUDGET POLICY STATEMENT

(The Chairperson, Budget & Appropriations Committee)

THAT, this House adopts the Report of the Budget and Appropriations Committee on the Budget Policy Statement and the Debt Management Strategy for 2018/2019 and the Medium-Term, laid on the Table of the House on Tuesday, February 27, 2018.

(No. 11)

WEDNESDAY, FEBRUARY 28, 2018

(036)

N O T I C E S

The House resolved on Wednesday, February 14, 2018 as follows:-

- I. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Motion**, including a Special Motion be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

The House resolved on Wednesday, February 28, 2018 as follows:-

- II. **THAT**, pursuant to the provisions of Standing Order 97(4), and notwithstanding the House resolution of February 14, 2018 limiting speech in a debate on any Motion, **debate on the Motions for approval for appointment of nominees to various state and public offices appearing in today's Order Paper** shall be limited as follows:- A maximum of one (1) hour, with not more than fifteen (15) minutes for the Mover in moving and five (5) minutes in replying, and not more than five (5) minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party; and further that priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

NOTICE PAPER

Tentative business for

Thursday, March 01, 2018

(Published pursuant to Standing Order 38(1))

It is notified that the House Business Committee, at their last meeting, approved the following tentative business to appear in the Order Paper for Thursday, March 01, 2018:-

A. MOTION - ALTERATION OF THE CALENDAR

B. MOTION - ADOPTION OF THE REPORT OF BUDGET AND APPROPRIATIONS COMMITTEE ON THE BUDGET POLICY STATEMENT

(The Chairperson, Budget & Appropriations Committee)

(Resumption of debate if not concluded on Wednesday, February 28, 2018 – Afternoon sitting)

C. MOTION – REPORTS OF MEETINGS OF THE INTER-PARLIAMENTARY UNION (IPU)

(Leader of Delegation to the 129th and 130th IPU Sessions)

D. MOTION – REPORT OF MEETINGS OF THE ACP-EU JOINT PARLIAMENTARY ASSEMBLY

(Leader of Delegation to the 47th and 48th Sessions of the ACP Parliamentary Assembly)

APPENDIX

PETITIONS to be presented on

Wednesday (Afternoon), February 28, 2018

It is notified that, pursuant to Standing Order 225, the following Petitions will be presented to the House **today, Wednesday (Afternoon) February 28, 2018:-**

NO.	<u>PETITION TO BE PRESENTED BY</u>	<u>SUBJECT</u>	<u>PETITIONER(S)</u>
1.	The Hon. Raphael Wanjala, MP, <i>pursuant to Standing Order 225(2)(a)</i>	Recent recruitment exercise by the Kenya Defence Force	Residents of Budalangi Constituency.
2.	The Hon. Patrick Mariru, MP, <i>pursuant to Standing Order 225(2)(a)</i>	Human – Wildlife conflict in Laikipia West Constituency	Residents of Laikipia West Constituency
