



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT - (FIFTH SESSION)

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, MARCH 14, 2017

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. Presiding - the Speaker
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following Communication –

Delegation of Mau Mau Veterans

"Honourable Members,

I wish to recognize a delegation of members of the Mau Mau War Veterans Association from across the country seated in the Speaker's Gallery. The delegation is led by the Secretary General of the Association, Shujaa Hon. (Dr.) Gitu wa Kahengeri and comprises the following members –

1. Mr. M'Mburugu M'Marete - Meru County
2. Mr. Mungai Kimani - Kiambu County
3. Mr. Francis Mutiso - Machakos County
4. Mr. J. Nkaiwartei Larus - Narok County
5. Ms. Grace Nyambura Ngugi - Kiambu County
6. Mr. A. Rwamba Nyaga - Narok County
7. Mr. Mwaura Muchiri - Murang'a County
8. Ms. Annah Ngichu - Kajiado County
9. Mr. Henry Mundia Kahari - Kiambu County
10. Mr. Simon Ntoruru John - Meru County
11. Mr. Musembi Mutia Kungu - Machakos County
12. Mr. T. Waweru Kihia - Nyeri County
13. Mr. Kanyuiro - Kirinyaga County
14. Ms. Grace Wanjiru Kinyua - Laikipia County
15. Mr. Jared Odera Auko - Siaya County
16. Mr. Jacob Wamacheche - Bungoma County

17. Mr. Ndung'u Kariuki - Trans Nzoia County
18. Mr. Samuel Onsare Kobira - Kisii County
19. Ms. Njoki Wachira - Nakuru County
20. Mr. D. Macharia - Nairobi County
21. Ms. Lucy Ng'endo Muigai - Turkana County
22. Mr. Kamotho Kamau - Nyandarua County

Honourable Members, you recall that on 24th June 2014, I conveyed a Petition from the Mau Mau War Veterans Association which sought to have the Government recognise and adequately compensate the country's freedom fighters and/or their dependants. The Justice and Legal Affairs Committee considered the Petition and tabled a report on 13th April 2016 which largely recommended the actualisation of the prayers of the Petitioners. The membership of the association wishes to express their gratitude to the Committee and indeed to the House for the recommendations made with regard to their prayers.

Therefore, on my own behalf and that of the House, I wish to welcome them to the National Assembly and accept their gratitude and promise to continue to engage for the betterment of our nation.

I thank you".

5. MESSAGES

The Speaker conveyed the following Messages–

- (i) **Decision of the Senate on the Division of Revenue Bill(National Assembly Bill No. 2 of 2017 Amendment to the Statute Law Miscellaneous (Amendment) Bill (Senate Bill No. 6 of 2014)**

"Honourable Members,

Standing Order 41(4) requires the Speaker to report to the House any Message(s) received from the Senate at the first convenient opportunity. In this regard, I wish to report to the House that, on Thursday, March 2, 2017, I received a Message regarding the decision of the Senate on the Division of Revenue Bill (National Assembly Bill No. 2 of 2017).

Honourable Members, the Message reads in part, and I quote, *"...on Wednesday, March 1, 2017, the Senate considered the Division of Revenue Bill (National Assembly Bill No.2 of 2017) and **passed** the said Bill **with amendments**."*

Honourable Members, you may wish to note that in accordance with the requirements of Standing Order 145, the Clerk has published the notification on today's Order Paper showing the Senate amendments and also the schedule as passed by the National Assembly for your information.

Honourable Members, with that decision of the Senate, the Senate's amendments to the Bill are referred to the Budget and Appropriations Committee for consideration. Due to the urgency of the passage of this Bill, I hereby direct the Committee to expeditiously consider the amendments proposed by the Senate and report to the House within seven (7) days in order to guide the House accordingly.

I thank you".

(ii) **Establishment of Joint Select Committee on the Election of members to EALA**

"Honourable Members,

Pursuant to provisions of Standing Order 41, I wish to report to the House that I have received a message from the Senate regarding its decision on the establishment of a Joint Select Committee on Election of Members to the EALA.

Honourable Members, the Message reads in part and I quote –

"... cognizant that the five-year term of the current 3rd East African Legislative Assembly (EALA) is due to expire on 4th June 2017; in accordance with Rule 9 of the Houses of Parliament (Joint Sittings) Rules and Senate Standing Order 216, the Senate, by a resolution passed on Thursday, 2nd March 2017, resolved to establish a Joint Committee comprising of the following seven (7) Senators, to consider certain matters related to the election of Members of EALA in the light of Kenya's bicameral nature –

- (i) Sen. Kimani Wamatangi;
- (ii) Sen. Peter Mositet;
- (iii) Sen. Kipchumba Murkomen;
- (iv) Sen. Mshenga Mvita;
- (v) Sen. Mutula Kilonzo Jnr;
- (vi) Sen. Elizabeth Ongoro; and,
- (vii) Sen. Henry ole Ndiema."

Honourable Members, you will recall that this House by a resolution passed on Wednesday, 1st March 2017, the National Assembly, appointed seven members to form part of the Joint Committee on the Election of Members of EALA and related matters.

Following the appointment of Members to the Joint Select Committee by both Houses, the Committee is urged to fast-track consideration of the Election Rules to enable the process of March 14, 2017 notifications, nominations and elections to be conducted and concluded within the timelines proposed in the Election Rules. I am informed that the first sitting of the Committee was scheduled to take place today, Tuesday, 14th March, 2017. However, there was no quorum. This meeting ought to be prioritised given that the House will be proceeding on a long recess in early April 2017.

I thank you."

6. **PETITION**

The Member for Kathiani (Hon. Robert Mbui) presented a petition on behalf of parents/guardians of victims and survivors of the Kyanguli Secondary School fire tragedy regarding delayed payment of compensation to

7. **PAPERS LAID**

The following papers were laid on the Table –

- (i) The Office of the Controller of Budget First Quarter National Government Budget Implementation Review Report for the Financial Year 2016/2017;
- (ii) The Independent Electoral and Boundaries Commission Report on Diaspora Voter Registration;
- (iii) The Independent Electoral and Boundaries Commission Policy on Voter Registration and Voting for citizens residing outside Kenya;
- (iv) The Independent Electoral and Boundaries Commission Annual Report for the financial year 2014/2015;
- (v) The Reports of the Auditor-General on the Financial Statements in respect the following institutions for the year ended 30th June, 2016 and the certificates therein:-
 - a) National Police Service Commission;
 - b) Independent Electoral and Boundaries Commission;
 - c) Government Clearing Agency Fund;
 - d) Rivatex East Africa Ltd;
 - e) Independent Police Oversight Authority;
 - f) Intelligence Service Development Fund;
 - g) National Authority for the Campaign against Alcohol and Drug Abuse;
 - h) Government Press Fund;
 - i) Tourism Fund;
 - j) Kenya Medical Supplies Authority;
 - k) National Aids Control Council; and
 - l) Machakos University.
- (vi) The Report of the Auditor-General on the Financial Statements in respect of Outstanding Obligations Guaranteed by the Government of Kenya for year ended 30th June, 2016; and,
- (vii) The Report of the Auditor-General on the Financial Statements in respect of Outstanding Loans for year ended 30th June, 2016.

(The Leader of the Majority Party)

8. **NOTICE OF MOTION** – The Leader of the Majority Party

The following Notice of Motion was given –

THAT, notwithstanding the provisions of Standing Order 30 relating to Hours of Meeting, this House resolves not to hold a morning sitting on Wednesday, March 15, 2017.

9. **PROCEDURAL MOTION - ALTERATION OF SITTING SCHEDULE OF THE HOUSE**

Motion made and Question proposed:-

THAT, notwithstanding the provisions of Standing Order 30 relating to Hours of Meeting, this House resolves not to hold a morning sitting on Wednesday, March 15, 2017.

(The Leader of the Majority Party)

Debate arising;

Mover replied;

Question put and agreed to.

10. **PROCEDURAL MOTION - REDUCTION OF PUBLICATION PERIOD OF A BILL**

Motion made and question proposed-

THAT, pursuant to the provisions of Standing Order 120, this House resolves to reduce the publication period of the Elections Laws (Amendment) Bill (National Assembly Bill No. 10 of 2017), from fourteen (14) to twelve (12) days.

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Debate arising;

Question put and agreed to.

11. **THE ELECTIONS LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 10 OF 2017**

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Order for First Reading read;

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

12. **THE LEGAL METROLOGY BILL (NATIONAL ASSEMBLY BILL NO. 8 OF 2017)**

(The Leader of the Majority Party)

Order for First Reading read;

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

13. **MOTION – REPORT OF THE CONSTITUTIONAL IMPLEMENTATION OVERSIGHT COMMITTEE ON OVERSIGHT OVER THE IMPLEMENTATION OF DEVOLUTION**

THAT, this House adopts the Report of the Constitutional Implementation Oversight Committee on Oversight over the Implementation of Devolution up to the year 2016, laid on the Table of the House on Tuesday, February 21, 2017.

(Chairperson, Constitutional Implementation Oversight Committee)

Debate interrupted on Tuesday, February 28, 2017 resumed;

(Change of Speaker from the Honourable Speaker to the Deputy Speaker);

Mover replied;

Question deferred to another day.

And the time being thirty minutes past Six O'clock, the Deputy Speaker interrupted the proceedings and adjourned the House without question put pursuant to the Standing Orders.

14. HOUSE ROSE - at thirty minutes past Six O'clock

M E M O R A N D U M

The Speaker will take the Chair on
Wednesday, March 15, 2017 at 2.30 p.m.

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