



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, MARCH 12, 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. **PETITION**

The Speaker conveyed the following Petition –

Amending the Constitution of Kenya to alter the system of representation of the people

“Honourable Members,

Standing Order 225(2) (b) requires the Speaker to report to the House any Petition, other than those presented through a Member. I therefore wish to convey to the House that my office has received a Petition submitted by Mr. Julius Kipkoech Bores requesting that Parliament, pursuant to Articles 93, 94 and 95 considers amending the Constitution of Kenya to alter the system of representation of the people.

Honourable Members, the citizen has submitted the public petition in exercise of his “right to petition Parliament to consider any matter within its authority, including enacting, amending or repealing any legislation”. Petitioner Mr. Julius Kipkoech Bores proposes that this House considers several amendments to the Constitution affecting the bicameral nature of the legislature, the two-third gender principle, among other proposals.

Honourable Members, pursuant to the provisions of Standing Order 227, this petition therefore stands committed to the Departmental Committee on Justice and Legal Affairs. The Committee is requested to consider the petition and 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 –

- (i) Bilateral Air Service Agreements for ratification between Kenya and Cambodia; Kenya and Burkina Faso; Kenya and Finland; Kenya and Seychelles; and Kenya and the Hellenic Republic and the Explanatory Memoranda (*Referred to the Departmental Committee on Transport, Public Works and Housing*);
- (ii) Report on deployment and discontinuation of the deployment of the Kenya Defence Forces in Support of the Kenya Wildlife Service in response to fire outbreaks at the Mt. Kenya National Park (*Referred to the Departmental Committee on Defence and Foreign Relations*);
- (iii) The Agreement for the setting up of a Regional Maritime Information Exchange and Sharing Mechanism in the Western Indian Ocean Region and the Explanatory Memorandum (*Referred to the Departmental Committee on Defence and Foreign Relations*);
- (iv) The Regional Agreement on the Co-ordination of Operations at Sea in the Western Indian Ocean and the Explanatory Memorandum (*Referred to the Departmental Committee on Defence and Foreign Relations*);
- (v) Annual Reports and Financial Statements of the Teachers Service Commission for the year ended 30th June 2017;
- (vi) The Reports of the Auditor-General on the Financial Statements in respect of the following Institutions for the year ended 30th June, 2018 and the certificates therein:-
 - a. the Technical and Vocational Education and Training Curriculum Development, Assessment and Certification Council;
 - b. Nursing Council of Kenya;
 - c. Laikipia University;
 - d. Pwani University; and
 - e. Kenya Climate Smart Agriculture Project.

(The Leader of the Majority Party)

- (vii) Report of the Select Committee on National Government Constituencies Development Fund on the vetting of nominees for appointment as members of the National Government Constituencies Development Fund Board.

(The Hon. Maoka Maore - Chairperson, Select Committee on National Government Constituencies Development Fund).

- (viii) The Reports of the Departmental Committee on Transport, Public Works and Housing on its consideration of:
- The Revised Constitution of the African Civil Aviation Commission (AFCAC) for Ratification; and
 - Senate Amendments to the Kenya Roads Bill, 2017.

(The Hon. David Pkosing - Chairperson, Transport, Public Works & Housing Committee)

6. **NOTICES OF MOTION**

The following Notices of were given:-

- (i) **Notice of Motion – Approval of Nominees For Appointment To The National Government Constituencies Development Fund Board**
(The Chairperson, Select Committee on the National Government Constituencies Development Fund)

THAT, this House adopts the Report of the Select Committee on the National Government Constituencies Development Fund on the Vetting of Nominees for appointment as Members of the National Government Constituencies Development Fund Board, *laid on the Table of House on Tuesday, March 12, 2019*, and pursuant to section 15(1)(e) of the National Government Constituencies Development Fund Act, 2015 and section 8(1) of Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of the following persons to the National Government Constituencies Development Fund Board-

- (a) Mr. Robert Nyariki Momanyi Masese;
- (b) Ms. Irene C. Masit;
- (c) Mr. Abdiaziz Bulle Yarrow;
- (d) Ms. Isabel Nyambura Waiyaki;
- (e) Ms. Maria Lekoloto;
- (f) Hon. Peter Edick Omondi Anyanga; and
- (g) Mr. George Kasatua Ole Meshuko.

- (ii) **Notice of Motion – Adoption of the Report on Revised Constitution of the African Civil Aviation Commission (AFCAC) for Ratification**
(The Chairperson, Departmental Committee on Transport, Public Works and Housing)

THAT, this House adopts the Report of Departmental Committee on Transport, Public Works and Housing on its consideration of the Revised Constitution of the African Civil Aviation Commission (AFCAC) for Ratification, *laid on the Table of the House on Tuesday 12, 2019*, and pursuant to section 8 of the Treaty Making and Ratification Act, 2012, approves the Ratification of the Revised Constitution of the African Aviation Commission.

7. **QUESTIONS**

The following Questions were asked –

- (i) Question No. 080/2019 by Member for Member for Saboti Constituency (Hon. Caleb Amisi, MP) to the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development regarding the status of Kambimiwa - Lukhome - Kaptama, Kitale - Kinyoro- Baraton - Saboti - Kisawai and Kiminini - Lukhome Roads in Saboti Constituency. Question referred for response before the Departmental Committee on Transport, Public Works and Housing.
- (ii) Question No. 093/2019 by the Member for Igembe Central Constituency (Hon. Kubai Ingingo, MP) to the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development concerning the status of Meru-Maua Road. Question referred for response before the Departmental Committee on Transport, Public Works and Housing.
- (iii) Question No. 095/2019 by the Member for Chuka/Igambang'ombe (Hon. Patrick Munene) to the Cabinet Secretary for Interior and Coordination of National Government regarding the allocation of a Sub-County Code to Chuka/Igambang'ombe Constituency. Question referred for response before the Departmental Committee Administration and National Security.
- (iv) Question No. 096/2019 by the Member for Nakuru East (Hon. David Gikaria) to the Cabinet Secretary for Energy on non-payment of local subcontractors by the Ms. AEE Power Holdings, a Spanish international contractor and power developer which had been contracted by Kenya Power and Lighting Company (KPLC). Question referred for response before the Departmental Committee on Energy.
- (v) Question No. 097/2019 by the Member for Bomachoge Borabu (Hon. (Prof) Zadoc Abel Ogutu) to the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development regarding the status of the construction of Mogonga – Kenyeny – Riokindo – Magenche – Eberege Road in Bomachoge Borabu Constituency. Question referred for response before the Departmental Committee on Transport, Public Works and Housing.

(vi) Question No. 098/2019 by the Member for Member for Kiambu (Hon. Jude Njomo, MP) to the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development concerning the recent public pronouncement on the reduction of the age limit for imported second-hand motor vehicles with engine capacity above 1500cc from eight to five years. Question referred for response before the Departmental Committee on Trade, Industry and Co-operatives.

8. **PROCEDURAL MOTION - REDUCTION OF PUBLICATION PERIOD FOR A SPECIFIED BILL**

Motion made and Question proposed –

THAT, notwithstanding the provisions of Standing Order 120, and cognizant of the timelines contemplated under Article 218 of the Constitution and section 42 of the Public Finance Management Act regarding period for passage of a Division of Revenue Bill, this House resolves to reduce the publication period of the Division of Revenue Bill (National Assembly Bill No. 11 of 2019) from **7 to 6 days**.

(Hon. Kimani Ichungwah - Chairperson, Budget & Appropriations Committee)

There being no debate arising;

Question put and agreed to.

9. **THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2019)**

(The Chairperson, Budget & Appropriations Committee)

Order for First Reading read;

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

10. **THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO.13 OF 2018)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Statute Law (Miscellaneous amendments) (No.2) Bill (National Assembly Bill No.13 of 2018 be now read a Second Time.

(The Leader of the Majority Party – 08.11.2018)

Debate interrupted on Tuesday, November 13, 2018 resumed;

Rising in his place on a point of order under Standing Order 95, the Member for Kiminini (Hon. Chris Wamalwa) claimed to move that ‘the Mover be called upon to reply.’

And the Speaker acceding to the claim, question put and agreed to.

Thereupon Mover replied;

Question for Second Reading put and agreed to.

Bill read a Second Time and committed to the Committee of the whole House

11. **MOTION - REPORT ON ALLEGED IRREGULAR SPECIALIST RECOGNITION OF DR. SAMIRA SONI BY THE KENYA MEDICAL PRACTITIONERS AND DENTISTS BOARD**

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Health on alleged irregular specialist recognition of Dr. Samira Soni by the Kenya Medical Practitioners and Dentists Board, laid on the Table of the House on Wednesday, October 17, 2018.

(Hon. Sabina Chege - Chairperson, Departmental Committee on Health)

Debate arising;

Rising in her place on a point of order, the Member for Suba North (Hon. Millie Odhiambo-Mobona), sought the Hon. Speaker’s clarification as to whether it was within the mandate of the House to discuss the subject-matter of the Report regarding recognition of a specialist by a professional body.

She stated that the statutory body that is mandated to determine whether a person is or not qualified to be recognized as a medical specialist is the Kenya Medical Practitioners and Dentists Board through its laid down procedures and regulations;

And several other Members having made their contribution on the matter giving their input or seeking further clarification on the matter;

The Speaker thereupon adjourned debate on the Motion and undertook to guide the House during the following sitting;

12. **THE COUNTY GOVERNMENTS (REVENUE RAISING PROCESS) BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2018)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the County Governments (Revenue Raising Process) Bill (National Assembly Bill No.24 of 2018) be now read a Second Time

(The Leader of the Majority Party)

Order Deferred;

13. **MOTION - INQUIRY INTO THE KENYA-SOMALIA BORDER SECURITIZATION PROJECT**

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Defence and Foreign Relations on the Inquiry into the Kenya-Somalia Border Securitization Project, *laid on the Table of the House on Tuesday, 20th November 2018.*

Hon (Major) (Rtd). Bashir Sheikh Abdullah, MP on behalf of the Chairperson, Departmental Committee on Defence and Foreign Relations)

Debate arising;

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.

14. **HOUSE ROSE** - at Seven O'clock

MEMORANDUM

The Speaker will take the Chair on
Wednesday, March 13, 2019 at 9.30 a.m.

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