



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – THIRD SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**THURSDAY, MAY 09, 2019**

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

4. **QUESTIONS**

The following Questions were asked –

- a) Ordinary Question No. 220/2019 by the Member for Bonchari (Hon. John Oroo Oyioka) regarding the number of university and colleges graduates with degrees, diplomas and certificates have secured internship opportunities in the public service since the enactment of the National Employment Authority Act, No.3 of 2016 and measures the Ministry is putting in place to facilitate Kenyans in securing internship and attachment opportunities in public service;  
*(to be replied by the Cabinet Secretary for Public Service, Youth and Gender Affairs before the Departmental Committee on Labour and Social Welfare)*
- b) Ordinary Question No. 026/2019 by the Member for Matungu (Hon. Justus M. Murunga) regarding increased incidences of insecurity in Matungu Constituency of Kakamega County in the last few months where more than twelve (12) people have been killed including two (2) students and measures the Ministry is putting in place to end these killings and improve security in Matungu Constituency;  
*(to be replied by the Cabinet Secretary for Ministry of Interior and Coordination of National Government before the Departmental Committee on Administration and National Security)*
- c) Ordinary Question No. 227/2019 by the Member for Keiyo North Constituency (Hon. (Dr.) James Kipkosgei Murgor, MP) regarding payment of retirement benefits and gratuity dues to Mrs. Philomena Chebiwot Chemitei, of Personal No. 21617 who retired from Public Service in February 1990 where she worked since 1971;  
*(to be replied by the Cabinet Secretary for National Treasury and Planning before the Departmental Committee on Finance and National Planning)*

- d) Ordinary Question No. 228/2019 by the Member for Samburu North Constituency (Hon. Alois Lentoimaga, MP) regarding when the Ministry would operationalise the administrative units of Samburu North Constituency that were gazetted in 2017 that included two divisions, seven locations and thirteen sub-locations;  
*(to be replied by the Cabinet Secretary for Ministry of Interior and Coordination of National Government before the Departmental Committee on Administration and National Security)*
- e) Ordinary Question No. 229/2019 by the Member for Yatta (Hon. Charles Mutavi Kilonzo) regarding alleged irregular issuance of a Title Deed for a parcel of Land Ref. No. 808/Nzukini Phase IV to a private developer despite the area being reserved for public use as part of the Ndalani Settlement Scheme of Ndalani sub-county, Yatta Constituency and action the Ministry has taken to ensure the land reverts back to public use and guarantee the residents of Ndalani lasting access to the natural spring and its water;  
*(to be replied by the Cabinet Secretary for Lands and Physical Planning before the Departmental Committee on Lands)*
- f) Ordinary Question No. 231/2019 by the Member for Gem (Hon. Elisha Ochieng' Odhiambo) regarding the recent sudden increase of local telephone call charges from Ksh. 4.00 per minute to Ksh 7.00 per minute charged by Safaricom PLC, the criteria used by telecommunication companies in charging mobile data given the recent complaints by a section of Safaricom subscribers regarding the mobile data charges and mechanisms put in place by the Ministry to protect unsuspecting subscribers from manipulation by such telecommunication service providers.  
*(to be replied by the Cabinet Secretary for Information, Communication and Technology before the Departmental Committee on Communication, Information and Innovation)*

The following Question was deferred:-

Question No. 230/2019 by the Member for Kirinyaga County (Hon. Purity W. Ngirici) regarding recent fire outbreak in Mt. Kenya Forest and its environs and measures taken to mitigate rampant cases of fires and destructive effects of fire on forests to the Cabinet Secretary for Environment and Forestry.

5. **MOTION - REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE STATUTE LAW (MISCELLANEOUS AMENDMENTS)(No.2) BILL (NATIONAL ASSEMBLY BILL NO. 13 OF 2018)**

Motion having been made and Question proposed -

**THAT**, this House do agree with the Report of the Committee of the whole House on its consideration of the Statute Law (Miscellaneous Amendments)(No.2) Bill (National Assembly Bill No. 13 of 2018).

*(The Leader of the Majority Party)*

Question put and agreed to.

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 Third Time;

*(The Leader of the Majority Party)*

Debate arising;

Question put and agreed to.

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

6. **MOTION - APPROVAL OF NOMINEES TO EMBAKASI SOUTH CONSTITUENCY COMMITTEE OF THE NATIONAL GOVERNMENT CONSTITUENCY DEVELOPMENT FUND**

Motion made and Question proposed -

**THAT**, pursuant to the provisions of Section 43(4) of the National Government Constituency Development Fund Act, 2015 and paragraph 5 (9 & 10) of the National Government Constituency Development Fund Regulations, 2016, this House **approves** the following nominees for appointment to the Embakasi South Constituency Committee of the National Government Constituency Development Fund, laid on the Table of the House on Wednesday, May 08, 2019-

(i)	Stephen Omari Odera	-	Male Youth Representative
(ii)	Dancan Mulwa Nduva	-	Male Adult Representative
(iii)	Sabina Warukira Wanjohi	-	Female Youth Representative
(iv)	Linet Mugasiali Madete	-	Female Adult Representative
(v)	Vincent Odongo Bunde	-	Representative of Persons living with Disability
(vi)	Urbanus Mwikya Musau	-	Nominee of the Constituency Office (Male)
(vii)	Lydia Kwamboka Obwogi	-	Nominee of the Constituency Office (Female)

*(Chairperson, Select Committee on National Government Constituencies Development Fund)*

Debate arising;

Question put and agreed to.

7. **MOTION - MEDIATED VERSION OF THE WAREHOUSE RECEIPT SYSTEM BILL (SENATE BILL NO. 10 OF 2017)**

Motion made and Question proposed -

**THAT**, pursuant to the provisions of Article 113 (2) of the Constitution and Standing Order 150, this House adopts the Report of the Mediation Committee on the Warehouse Receipt System Bill (Senate Bill No. 10 of 2017) *laid on the Table of the House on Wednesday, May 8, 2019*, and **approves** the Mediated Version of the Warehouse Receipt System Bill (Senate Bill No. 10 of 2017).

*(Vice-Chairperson, Mediation Committee on the Warehouse Receipt System Bill (Senate Bill No. 11 of 2017)*

Debate arising;

Question put and agreed to.

8. COMMITTEE OF THE WHOLE HOUSE

Order for Committee read;

IN THE COMMITTEE

The Second Chairperson in the Chair

The National Cohesion and Integration (Amendment) Bill (National Assembly Bill No. 12 of 2019)

Clause 2 - amendment proposed –

**THAT**, clause 2 of the Bill be amended in the proposed section 17 in subsection (1) by –  
(i) deleting the word “seven” in paragraph (b) and substituting therefor the word “four”;  
(ii) deleting paragraph (c);  
(iii) deleting paragraph (d);  
(iv) deleting paragraph (e).

*(Chairperson, Select Committee on National Cohesion and Equal Opportunity)*

Question of the amendment proposed;

Debate arising;

Question on the amendment put and **agreed to**;

Further amendment proposed –

**THAT**, clause 2 of the Bill be amended in the proposed section 17 –

(a) in subsection (1) by –  
(i) deleting the word “seven” in paragraph (b) and substituting therefor the word “four”;  
(ii) deleting paragraph (c);  
(iii) deleting paragraph (d);  
(iv) deleting paragraph (e).

(b) by inserting the following new subsection immediately after subsection (1) –  
“(1A) The members of the Commission shall serve on a part-time basis”.

*(Hon. Anthony Oluoch)*

Proposed Amendment **withdrawn**;

Clause 2 - **as amended agreed to**;

Clause 3 - **agreed to**;

Clause 4 - amendment proposed –

**THAT**, clause 4 of the Bill be amended in the proposed section 18 (1) in paragraph (b) by deleting the word “five” and substituting therefor the word “ten”;

*(Chairperson, Select Committee on National Cohesion and Equal Opportunity)*

Question of the amendment proposed;

Debate arising;

Question on proposed amendment put and agreed to;

Further amendment proposed -

**THAT**, clause 4 of the Bill be amended in the proposed section 18 (1) in paragraph (b) by deleting the word “five” and substituting therefor the word “fifteen”;

*(Hon. Anthony Oluoch)*

Proposed amendment **withdrawn**;

Further amendment proposed -

**THAT**, clause 4 of the Bill be amended in the proposed section 18 (1) in paragraph (b) by inserting the word “law” immediately after the word “race”.

*(Hon. Anthony Oluoch)*

Question of the further amendment proposed;

Debate arising;

Question put and **negatived**;

Further amendment proposed -

**THAT**, clause 4 of the Bill be amended in the proposed section 18 (2) by deleting paragraph (a) and substituting therefor the following new paragraph –

“(a) is a State Officer;”

*(Chairperson, Select Committee on National Cohesion and Equal Opportunity)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed –

Clause 4 - **as amended agreed to**;

Clause 5 - agreed to;

Clause 6 - amendment proposed –

**THAT**, clause 6 of the Bill be amended in the proposed First Schedule by inserting the words “who shall not be the Chairperson of the National Gender and Equality Commission” immediately after the word “Commission” in paragraph 2 (e).

*(Chairperson, Select Committee on National Cohesion and Equal Opportunity)*

Proposed amendment **withdrawn**

Further amendment proposed –

**THAT**, clause 6 of the Bill be amended in the proposed First Schedule by deleting the word “seven” and substituting therefor the word “four” in paragraph 8.

*(Hon. Anthony Oluoch)*

Proposed amendment **withdrawn**

Clause 6 - agreed to.

Title - agreed to

Clause 1 - agreed to

Bill to be reported with amendments.

Question deferred.

9. **HOUSE RESUMED - The Second Chairperson in the Chair**

The National Cohesion and Integration (Amendment Bill (National Assembly Bill No.12 of 2019)

Bill Reported with amendments

Motion made and question proposed

**THAT**, the House do agree with the Report of the Committee of the Whole House on its consideration of the National Cohesion and Integration (Amendment) Bill (National Assembly Bill No.12 of 2019)

*(Chairperson, Select Committee on National Cohesion and Equal Opportunity)*

Putting of Question deferred to another Sitting

10. **THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2019)**

Order for Second Reading read;

Motion made and question proposed;

That, the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 21 of 2019) be now read a Second Time;

*(The Leader of the Majority Party)*

Debate arising;

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

11. **HOUSE ROSE** - at One O'clock

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**M E M O R A N D U M**

The Speaker will take the Chair today,  
Thursday, May 09, 2019 at 2.30 p.m.

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