



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – FIRST SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, DECEMBER 06, 2017 (AFTERNOON)**

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Honourable Speaker
4. **COMMUNICATIONS FROM THE CHAIR ON DEMISE OF THE LATE HON. FRANCIS NYENZE, MEMBER FOR KITUI WEST CONSTITUENCY**

The Speaker conveyed the following Communication –

“Honourable Members, as you are all already aware, today, Wednesday, 6th December, 2017 is a sad day for the National Assembly and indeed the nation as a whole as we have lost one of our most vibrant colleagues, the Hon. Francis Nyenze, the Member of Parliament for Kitui West Constituency who passed away while undergoing treatment at the Nairobi Hospital.

Honourable Members, the late Hon. Francis Nyenze was born on 2nd June 1957 in Kitui County. He attended Kyome Boys Secondary School, between 1974 and 1977 for his O-Level Certificate. Thereafter, in 1978, he proceeded to Kagumo High School where he sat for his A-Level Certificate in 1980. Between 1980 and 1984 he attended the University of Nairobi where he graduated with a Bachelor of Arts Degree in Design. Later, the late Hon. Nyenze attended the Moi University for his Master of Business Administration (MBA) between 2003 and 2005.

Honourable Members, the late Hon. Nyenze made his debut in national politics in the run-up to the 1997 General Elections when he successfully vied for the Kitui West Constituency seat where he served between 1997 to 2002. He was re-elected in the 2013 General Election and subsequently appointed as the Leader of Minority Party, the Coalition for Reforms and Democracy - (CORD) where he served diligently until the end of the 11th Parliament. His swift mastery and grasp of parliamentary business ensured that

his contributions were keenly followed by all; particularly his contributions on legislations related to the agriculture sector were insightful and tremendously enriching to the matters under debate.

In the 8th Parliament (1997-2002), he served in various Committees where his contribution and participation was commendable. He was an active Member of the House Business Committee as well as the Public Investment Committee in the 11th Parliament.

Honourable Members, the late Hon. Nyenze served this country in various capacities. Just to mention a few, he served as a Cabinet Minister for Sports and Heritage between 1997 and 2002; and Minister for the Environment and Natural Resources between 2011 and 2012. He also served as the Chairperson of the Water Resources Management Authority; the famous Task Force for Investigating Pyramid Schemes; and Community Aid for Development (CAD). He started his career as a designer with the Ministry of Health in 1985 where he served until 1989. Between 1986 and 1989 he served diligently as the National Treasurer for one of the largest SACCO in the Country, the Afya SACCO.

Honourable Members, on behalf of all Members of the National Assembly and the Parliamentary Service Commission and indeed on my own behalf, I wish to take this opportunity to condole with the family of the late brother Hon. Francis, the people of Kitui West Constituency and his friends for the loss of this great legislator at this trying moment. As the National Assembly, we assure the family of our support during this period of great sorrow.

In tribute to our departed colleague, I request that we all stand to observe a minute of silence.

I thank you.”

## 5. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) Annual Report on Bank Supervision by the Central Bank of Kenya for the year 2016;
- (ii) The Reports of the Auditor-General on the Financial Statements in respect of the following Constituencies for the year ended 30<sup>th</sup> June, 2016 and the certificates therein:-
  - (a) Suba Constituency;
  - (b) Lamu East Constituency.
- (iii) The Report of the Auditor-General on the Financial Statements of National Exchequer Account for the year ended 30<sup>th</sup> June, 2016 and the certificate therein.

- (iv) Report of the Cabinet Secretary for the National Treasury on all new loans contracted by the government from 1<sup>st</sup> July to 31<sup>st</sup> October, 2017.

*(The Majority Party Whip)*

6. **NOTICE OF MOTION ON A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE -ONGOING KILLINGS OF PEOPLE IN KIMILILI CONSTITUENCY**

The following Notice of Motion was given:

“Honourable Speaker, pursuant to Standing Order 33, I wish to seek leave of the House in order to discuss the matter of on-going killings of people in Kimilili Constituency and areas bordering Mount Elgon Constituency in Bungoma County, where close to forty two people have been brutally been murdered in a span of three months now.

Honourable Speaker, among the people killed were women who have been gang raped and minors defiled by gangsters before they were brutally murdered in cold blood.

Honourable Speaker, The Chilling murder of the innocent citizens has sparked fears of the re-emergence of a killer outlawed gang in the name of Sabaot Land Defense Force that terrorized the residents of Bungoma County in the 2006 and 2007.

Honourable Speaker, appreciating that the efforts of the security and intelligence agencies to investigate and apprehend the perpetrators of the killings have bore no fruits, I wish with your indulgence, to seek leave of the House to discuss this matter of national concern and explore measures to be put in place to mitigate the situation before it goes out of hand.

*(Member for Kimilili Constituency)*

*Having attained the support of not less than twenty Members pursuant to Standing Order 33(3), the Speaker approved that the Motion be considered by the House at 6.00 pm today.*

7. **THE COPYRIGHT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.33 OF 2017)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Public Trustee (Amendment) Bill (National Assembly Bill No.32 of 2017) be now read a Second Time

*(The Leader of the Majority Party – 30.11.2017)*

Debate on the Second Reading having been concluded on Tuesday, 5.12.2017;

Question put and agreed to;

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

8. **MOTION –ALTERATION OF THE CALENDAR OF THE HOUSE**

Motion made and Question proposed –

**THAT**, pursuant to the provisions of Standing Order 28(4) and notwithstanding the provisions of Standing Order 27(1), this House resolves to alter its Calendar for the First Session of the Assembly (2017) as adopted on September 27, 2017 by extending its regular sittings to Thursday, December 14, 2017.

*(The Leader of the Majority Party)*

Debate arising;

Mover replied;

Question put and agreed to;

9. **MOTION – APPROVAL OF NOMINEES TO VARIOUS CONSTITUENCY COMMITTEES 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 list of nominees for appointment to the following four (4) Constituency Committees of the National Government Constituency Development Fund, laid on the Table of the House on Tuesday, December 05, 2017:-

### 1. NAROK EAST CONSTITUENCY

(i)	Rapanket Daniel Koisikir	Male Youth Representative
(ii)	Tapaiya Olngashar Punyua	Male Adult Representative
(iii)	Sointa Kuyoo Parkire	Female Youth Representative
(iv)	Peninah Sein Benson	Female Adult representative Olturoomum
(v)	Dominic Tira Dikirr	Representative of Persons living with Disability
(vi)	William Kabaka Kirtelah	Nominee of the Constituency Office (Male)
(vii)	Gladys Wanjiru Soitara	Nominee of the Constituency Office (Female)

### 2. GATANGA CONSTITUENCY

***(Additional names to those approved by the House on Wednesday, November 8, 2017)***

(i)	Peter Mulwa Mutune	Nominee of the Constituency Office (Male)
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- (ii) Naomi Wairimu Ndarua Nominee of the Constituency Office (Female)

**3. MVITA CONSTITUENCY**

- (i) Easter Oduor Oremo Male Youth Representative  
(ii) Omar Shariff Ali Male Adult Representative  
(iii) Sylvia Buluma Adikinyi Female Youth Representative  
(iv) Anna Nyambura Female Adult Representative  
(v) Amina Saud Ali Representative of Persons with Disability  
(vi) Jamal Ali Mohamed Noor Nominee of the Constituency Office (Male)  
(vii) Fatuma Mbeyu Khamis Nominee of the Constituency Office (Female)

**4. NYANDO CONSTITUENCY**

- (i) Joseph Rocky Odada Male Youth Representative  
(ii) Marcella Amondi Onyango Female Youth Representative  
(iii) Hellen Adhiambo Muga Female Adult Representative  
(iv) Zedekiah Odalo Hongo Representative of Persons with Disability  
(v) Henry India Odep Nominee of the Constituency Office (Male)  
(vi) Eunice Awino Ochieng Nominee of the Constituency Office (Female)

*(The Leader of the Majority Party)*

Debate arising;

*(Change of chair from the Honourable Speaker to the First Chairperson)*

Mover replied;

Question deferred.

10. **THE BUILDING SURVEYORS BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2017)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Building Surveyors Bill (National Assembly Bill No.35 of 2017) be now read a Second Time

*(The Leader of the Majority Party)*

Debate arising;

Debate to resume.

11. **MOTION ON A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE- ONGOING KILLINGS OF PEOPLE IN KIMILILI CONSTITUENCY**

Motion made-

“Honourable Speaker, pursuant to Standing Order 33, I wish to seek leave of the House in order to discuss the matter of on-going killings of people in Kimilili Constituency and areas bordering Mount Elgon Constituency in Bungoma County, where close to forty two people have been brutally been murdered in a span of three months now.

Honourable Speaker, among the people killed were women who have been gang raped and minors defiled by gangsters before they were brutally murdered in cold blood.

Honourable Speaker, The Chilling murder of the innocent citizens has sparked fears of the re-emergence of a killer outlawed gang in the name of Sabaot Land Defense Force that terrorized the residents of Bungoma County in the 2006 and 2007.

Honourable Speaker, appreciating that the efforts of the security and intelligence agencies to investigate and apprehend the perpetrators of the killings have bore no fruits, I wish with your indulgence, to seek leave of the House to discuss this matter of national concern and explore measures to be put in place to mitigate the situation before it goes out of hand.”

*(Member for Kimilili Constituency)*

Debate arising;

And the time being three minutes past seven O'clock, the First Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

12. **HOUSE ROSE** - at three minutes past seven O'clock

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

The Speaker will take the Chair on  
Thursday, December 07, 2017 at 2.30 p.m.

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