

Twelfth Parliament



Second Session  
Afternoon sitting

(No. 70)

(655)

**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – (SECOND SESSION)**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, AUGUST 08, 2018 AT 2.30 P.M**

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

**The following two Petitions were conveyed:-**

**1). Petition presented by the Honourable Speaker on behalf of the Petitioner proposing to amend the Constitution**

"Hon. Members, Standing Order 225(2)(b) requires that the Speaker reports 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 from a Dr. Gibson Maachanga Mareko, regarding proposals to amend the Constitution. The petitioner is asking the National Assembly to amend Articles 81, 138, 144, 145 and 148 of the Constitution to provide that:

- (i) No person shall hold the same elective office for more than two terms;
- (ii) A person shall be elected President of the Republic if they receive more than 70 per cent of all valid votes cast in an election;
- (iii) If the threshold is not reached, the two leading candidates should be declared first and second Presidents, having garnered at least 30 per cent of the valid votes cast, and each serve one term.

The petitioner, therefore, prays that the National Assembly amends the Constitution as proposed to increase the threshold for the presidency so as to eliminate negative ethnicity, ensure Government inclusivity, promote nationalism and political tolerance and foster political maturity. Pursuant to the provisions of Standing Order 227, this petition stands committed to the Departmental Committee on Justice and Legal Affairs for consideration. The Committee is requested to consider the petition and report its findings to the House and to the petitioner within 60 days in accordance with Standing Order 227(2)."

**2). Petition presented by Hon. Alfred Keter (Nandi Hills Constituency) on delayed payment to farmers by the National Cereals and Produce Board**

"I, the UNDERSIGNED, on behalf of the farmers of the Rift Valley Counties;

DRAW, the attention of the House to the following: -

1. THAT, aware that Kenya depends on Agriculture for economic growth and development over the decades and that agriculture is the largest contributor to Kenya's gross domestic product (GDP);
2. THAT, Rift Valley Region has been the backbone of maize growing in the country and that maize is Kenya's staple food consumed by 90% of the population;
3. THAT, since January 2018 to-date, maize producers in the Rift Valley Region delivered maize to the National Cereals and Produce Board (NCPB) and to-date, they have not been paid their dues totaling to Kshs.3.5 Billion;
4. THAT, during the season 2017-2018, the National Cereals and Produce Board committed over Kshs. 11 Billion in Strategic Food Reserves (SFR) for maize purchases, out of which Kshs. 7 Billion was disbursed to NCPB from Strategic Food Reserve Accounts for payment to farmers leaving an outstanding balance of About Kshs. 3.5 Billion;
5. THAT, the aforementioned money was never paid to the farmers and instead was irregularly disbursed to certain individuals and traders who are not the intended beneficiaries;
6. THAT, farmers are decriing the fact that the delayed payments have made it difficult for them to meet their financial obligations for instance purchase of farm inputs like fertilizers, maize seeds among other essentials;
7. THAT, the increased cost of farm inputs like fertilizers have forced farmers to reduce acreage under the crop hence posing a threat to the country's food security;
8. THAT, in the recent past, farmers have become victim of cartels and exploitation by middlemen for instance, the Government purchased subsidized fertilizers to be sold to farmers through the NCPB and the same never got to the farmers but instead was irregularly sold to unscrupulous middlemen;
9. THAT, efforts to have these matters addressed by the relevant authorities have been futile; and

10. THAT, none of the issues raised in this Petition is pending in any Court of Law, Constitutional or legal body.

THEREFORE, your humble Petitioners pray that the National Assembly through the Departmental Committee on Agriculture and Livestock: -

- i) Causes National Cereals and Produce Board (NCPB) to speedily pay farmers their dues;
- ii) Causes National Cereals and Produce Board (NCPB) to put in place mechanisms of registering all farmers for ease of payments and supply of farm inputs.
- iii) Makes any other direction it deems fit in the circumstance of this matter.

And your PETITIONERS will ever pray."

5. **MOTION -REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE LAND VALUE INDEX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2018)**

Bill reported with amendments.

Motion made and Question proposed:-

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Land value Index Laws (Amendment) Bill (National Assembly Bill No. 3 of 2017)

*(The Chairperson of the Departmental Committee on Lands)*

Question put and agreed to.

Motion made and Question proposed

THAT, the Land Value Index Laws (Amendment) Bill (National Assembly Bill No.3 of 2018) be now read a Third time.

*(The Chairperson of the Departmental Committee on Lands)*

Question put and agreed to.

Bill read a Third time and **Passed.**

6. **THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2018)**

Motion having been made and Question having been proposed –

THAT, the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) be now read a Second Time

*(The Leader of the Majority Party)*

Question put and agreed to;

**7. SPECIAL MOTION – APPROVAL OF A NOMINEE FOR APPOINTMENT AS THE PRINCIPAL SECRETARY FOR STATE DEPARTMENT OF YOUTH**

Motion made and Question proposed –

THAT, taking into consideration the recommendations of the Departmental Committee on Labour and Social Welfare in their Report on the *Vetting of the Nominee for approval as the Principal Secretary for State Department of Youth*, laid on the Table of the House on Tuesday, August 7, 2018, and pursuant to the provisions of Article 155(3)(b) of the Constitution, this House **approves** the appointment of **Dr. Francis Otieno Owino** as the Principal Secretary for State Department of Youth.

*(The Chairperson, Departmental Committee on Labour & Social Welfare)*

Debate arising;

Hon. Millie Odhiambo rose on a point of order under Standing Order 95 seeking to have the Mover reply to the Motion;

Honourable Speaker acceded to the request;

Question that the Mover be Called Upon to Reply put and agreed to;

Mover replied;

Question on Motion put and agreed to;

**8. SPECIAL MOTION – APPROVAL OF A NOMINEE FOR APPOINTMENT AS THE PRINCIPAL SECRETARY FOR STATE DEPARTMENT OF TRANSPORT**

Motion made and Question proposed –

THAT, taking into consideration the recommendations of the Departmental Committee on Transport, Public Works & Housing in their Report on the *Vetting of the Nominee for approval as the Principal Secretary for State Department of Transport*, laid on the Table of the House on Tuesday, August 7, 2018, and pursuant to the provisions of Article 155(3)(b) of the Constitution, this House **approves** the appointment of **Ms. Esther Koimett** as the Principal Secretary for State Department of Transport

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

Debate arising;

Mover replied;

Question put and agreed to;

**9. SPECIAL MOTION – APPROVAL OF NOMINEES FOR APPOINTMENT AS CHAIRPERSON AND MEMBERS OF THE NATIONAL GENDER AND EQUALITY COMMISSION**

Motion made and Question proposed –

THAT; taking into consideration the recommendations of the Departmental Committee on Labour & Social Welfare) in their Report on the *Vetting of the Nominees for approval as the Chairperson and Members of National Gender and Equality Commission*, laid on the Table of the House on Tuesday, August 7, 2018, and pursuant to the provisions of Article 250(2)(b) of the Constitution and section 11(7) *National Gender and Equality Commission Act, 2011*, this House **approves** the appointment of the following persons as the Chairperson and Members of the National Gender and Equality Commission:-

- (i) **Dr. Joyce Mwikali Mutinda - Chairperson;**
- (ii) **Hon. Priscilla Nyokabi Kanyua – Member; and**
- (iii) **Dr. Murithi J. Chomba Munyi- Member (Person with Disability).**

*(The Chairperson, Departmental Committee on Labour & Social Welfare)*

Debate arising;

Mover replied;

Question put and agreed to;

**10. SPECIAL MOTION – APPROVAL OF NOMINEES FOR APPOINTMENT AS HIGH COMMISSIONERS AND AMBASSADORS**

Motion made and Question proposed –

THAT, taking into consideration the recommendations of the Departmental Committee on Defence and Foreign Relations in their Report on the *Vetting of the Nominees for approval as High Commissioners and Ambassadors*, laid on the Table of the House on Tuesday, August 7, 2018, and pursuant to the provisions of Article 132(2)(e) of the Constitution, this House **approves** the appointment of the following persons as High Commissioners and Ambassadors:-

- (i) **Mr. Francis Ndegwa Muhoro**- High Commissioner to Malaysia;
- (ii) **Mr. Manoah Esipisu** - High Commissioner to the United Kingdom;
- (iii) **Hon. Benjamin Langat** - High Commissioner to Namibia;
- (iv) **Ms. Sarah Serem** - Ambassador to China;
- (v) **Lt. Gen. Samuel Thuita**- Ambassador to Israel;

- (vi) **Hon. Patrick Cornel Odero Ahenda** - Ambassador to Qatar;
- (vii) **Amb. Peter Nicholas Oginga Ogego** - Ambassador to Saudi Arabia;
- (viii) **Lt. Gen. Johnson Kimani Ondieki** - Ambassador to Turkey; and
- (ix) **Mr. Chris Karumba Mburu** - Ambassador to South Sudan.

*(The Chairperson, Departmental Committee on Defence & Foreign Relations)*

Debate arising;

Hon. David Gikaria rose on a point of order under Standing Order 95 seeking to have the Mover reply to the Motion;

Honourable Speaker acceded to the request;

Question that the Mover be Called Upon to Reply put and agreed to;

Mover replied;

Question on Motion put and agreed to;

**11. THE URBAN AREAS AND CITIES (AMENDMENT) BILL (SENATE BILL NO. 4 OF 2017)**

Order Deferred.

**12. THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 11 OF 2017)**

Order Deferred.

**13. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2018)**

Order Deferred.

**14. MOTION - REPORT ON THE INQUIRY INTO ALLEGED IMPORTATION OF ILLEGAL AND CONTAMINATED SUGAR IN THE COUNTRY**

Order Deferred.

**15. FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2018)**

Order Deferred.

(No.70)

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(661)

And the time being twenty two minutes to Seven O'clock the Honourable Speaker interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

16. HOUSE ROSE - at twenty two minutes to Seven O'clock.

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

The Speaker will take the Chair on  
Thursday, August 9, 2018, at 2.30 p.m.

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