



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – FOURTH SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, FEBRUARY 18, 2020**

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

The Speaker conveyed the following Communication –

**Honourable Members,**

You may recall that on November 12, 2019, I conveyed to the House a Message from the Senate regarding the passage of the **Commission on Administrative Justice (Amendment) Bill (Senate Bill No.6 of 2019)** and the **Natural Resources (Benefit Sharing) Bill (Senate Bill No. 31 of 2018)**.

**Honourable Members,** following First Reading of the two Bills on November 13, 2019, I did forward the Bills to the technical offices pursuant to Standing Order 143(2) which provides that-

*“Following First Reading, the Speaker shall, within reasonable time, pronounce his or her **opinion** contemplated under Article 114(2) of the Constitution.”*

**Honourable Members,** having received a brief on the matter from the relevant technical offices, I have made the determination that the said Senate Bills are **“Money Bills”** within the meaning of Article 114 of the Constitution. The two Bills therefore stand referred to the Budget and Appropriations Committee for consideration and advice on the manner in which the House ought to proceed with them, pursuant to provisions of Articles 109(5) and 114 of the Constitution, as read together with Standing Order 143.

**Honourable Members,** the House is thus accordingly guided. **I thank you!**

5. **PAPERS**

The following Papers were laid on the Table of the House by the Leader of the Majority Party-

- a) Treasury Memorandum on Public Accounts Committee Report for the year FY 2015/2016 from the National Treasury;
- b) National Government Budget Implementation Review Report for the FY 2019/2020 from the Office of the Controller of Budget;
- c) Recommendation on the Third Basis for revenue sharing among County Governments for the Financial Years 2020/21-2024/25 from the Commission on Revenue Allocation;
- d) Report on the deployment of the Kenya Defence Forces in West Pokot County from the Ministry of Defence;
- e) Annual Reports and Financial Statements in respect of the following Institutions for the year ended 30<sup>th</sup> June, 2018-
  - (i) Kenyatta National Hospital;
  - (ii) Kibabii University;
  - (iii) University of Nairobi;
  - (iv) National Communications Secretariat;
  - (v) Tom Mboya University College; and
  - (vi) Privatization Commission.
- f) Annual Reports and Financial Statements in respect of the following Institutions for the Financial year 2016/17-
  - i) Kenya Accountants and Secretaries National Examinations Board (KASNEB); and
  - ii) Anti-Counterfeit Authority.

6. **NOTICE OF MOTION – ADJOURNMENT OF THE HOUSE TO DISCUSS A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE REGARDING THE LOCUST INVATION IN THE COUNTRY**

Rising in his place on a Point of Order, the Member for Tharaka (Hon. Gitonga Murugara) claimed to move a Motion for adjournment of the House pursuant to the provisions of Standing Order 33 in order to discuss a definite matter of urgent national importance regarding the current locust invasion in the country;

And the Speaker acceding to the claim;

And there being sufficient number of Members rising in their places in support of the claim;

Thereupon the Speaker directed that the Motion be moved at 5.30 p.m. today.

7. **QUESTIONS**

The following Questions were asked –

- (i) **Question No.001/2020** by the Member for Baringo Central (Hon. Joshua Kandie) regarding the cause of delay in construction of the Changamwe Roundabout along Kibarani - Mombasa Road in Mombasa County whose completion has been pending for over three years;

*(To be replied by the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development before the Departmental Committee on Transport, Public Works and Housing)*

- (ii) **Question No.002/2020** by the Member for Lamu County (Hon. Ruweida Obo) regarding the provision of the report of survey and subdivision exercise in *Vumbe* area of Lamu East Constituency;

*(To be replied by the Cabinet Secretary for Lands before the Departmental Committee Lands)*

- (iii) **Question No.003/2020** by the Nominated Member (Hon. Godfrey Osotsi) regarding the latest update on undisclosed funds held in foreign bank accounts outside Kenya including in Switzerland, Japan and United Kingdom, the details of the accounts, the principal amounts held and interest earned;

*(To be replied by the Cabinet Secretary for National Treasury and Planning before the Departmental Committee on Finance and National Planning)*

- (iv) **Question No.004/2020** by the Member for North Imenti (Hon. Abdul Rahim Dawood) regarding the Could the Cabinet Secretary provide details on the number of roads in Meru County under the National Government, whose construction has been completed to bitumen standard, including cost and length, in the last three years;

*(To be replied by the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development before the Departmental Committee on Transport, Public Works and Housing)*

8. **STATEMENTS PURSUANT TO THE PROVISIONS OF STANDING ORDER 44(2) (C)**

Pursuant to the provisions of Standing Order 44(2) (c), the Member for Wajir West (Hon. Ahmed Kolosh) requested for statement from the Chairperson of the Departmental Committee on Education and Research regarding mass transfer of teachers from North Eastern Counties by the Teachers Service Commission. Accordingly the Speaker directed that the Cabinet Secretary for Education, Chief Executive Officer for Teachers Service Commission and the Inspector General of Police appear before the Departmental Committee on Education and Research on Tuesday, February 25, 2020.

9. **PROCEDURAL MOTION- LIMITATION OF DEBATE ON BILLS SPONSORED BY PARTIES OR COMMITTEES**

Motion made and question proposed-

**THAT**, notwithstanding the provisions of Standing Order 97(4), this House orders that, each speech in a debate on **Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** be limited as follows:- A maximum of forty five (45) minutes for the Mover, in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each (if the Bill is not

sponsored by either of them); and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

*(The Leader of the Majority Party)*

There being no debate arising;

Question put and agreed to

House resolved accordingly

10. **PROCEDURAL MOTION - LIMITATION OF DEBATE ON INDIVIDUAL MEMBERS' BILLS**

Motion made and question proposed-

**THAT**, notwithstanding the provisions of Standing Order 97(4), this House orders that, each speech in a debate on **Bills NOT sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** be limited as follows:- A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

*(Hon. Washiali Jomo (Mumias East))*

There being no debate arising;

Question put and agreed to

11. **PROCEDURAL MOTION- LIMITATION OF DEBATE ON MOTIONS**

Motion made and question proposed-

**THAT**, notwithstanding the provisions of Standing Order 97(4), this House orders that, each speech in a debate on any **Motion, including a Special motion** be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

*(The Leader of the Minority Party)*

Debate arising

Question put and agreed to

12. **PROCEDURAL MOTION- LIMITATION OF DEBATE ON REPORTS OF COMMITTEE**

Motion made and question proposed-

**THAT**, notwithstanding the provisions of Standing Order 97(4), this House orders that, each speech in debate on **Reports of Committees**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House for which limitation of time has not been specified, be limited as follows:- A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

*(Hon. Wakhungu Wamalwa (Kimini))*

There being no debate arising;

Question put and agreed to

13. **PROCEDURAL MOTION- LIMITATION OF DEBATE ON SESSIONAL PAPERS**

Motion made and question proposed-

**THAT**, notwithstanding the provisions of Standing Order 97(4), this House orders that, each speech in a debate on any **Sessional Paper** shall be limited as follows:- A maximum of two and a half hours, with not more than twenty (20) minutes for the Mover in moving and five (5) minutes for any other Member speaking, **including** the Leader of the Majority Party and the Leader of the Minority Party and the Chairperson of the relevant Committee (if the Sessional Paper is not moved by the Chairperson of the relevant Committee), and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and further that priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

*(Hon. Kimunya Muhinga (Kipipiri))*

The being no debate arising;

Question put and agreed to

14. **PROCEDURAL MOTION- LIMITATION OF DEBATE ON MOTIONS ON THE ADDRESS BY THE PRESIDENT**

Motion made and question proposed-

**THAT**, notwithstanding the provisions of Standing Order 97(4) and in furtherance to the provisions of Standing Order 24(6), this House orders that, debate on the Motion on the **Address by the President** be limited to no more than thirty (30) minutes for the Mover in moving, twenty (20) minutes for the Leader of the Minority Party, and ten (10) minutes each to the Chairperson of the Departmental Committee on Justice and Legal Affairs to speak on the Report submitted under Article 132(1)(c)(i) of the Constitution relating to the realisation of the national values; the Chairperson of the Departmental Committee on Defence and Foreign Relations to speak on the Report submitted under Article 132(1)(c)(iii) of the Constitution relating to the progress made in fulfilling the international obligations of the

Republic; and the Chairperson of the Departmental Committee on Administration and National Security to speak on the Report submitted under Article 240(7) of the Constitution relating to the state of the National Security; and five (5) minutes for any other Member speaking, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply.

*(Hon. Robert Pukose (Endebess))*

Debate arising

Question put and agreed to

15. **PROCEDURAL MOTION- LIMITATION OF DEBATE ON REPORTS OF CONSTITUTIONAL COMMISSIONS AND INDEPENDENT OFFICES**

Motion made and question proposed-

**THAT**, notwithstanding the provisions of Standing Order 97(4), this House orders that, each speech in debate on **Reports of Constitutional Commissions and Independent Offices** be limited as follows:- A maximum of four hours with not more than thirty (30) minutes for the Mover in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Chairperson of the relevant Committee, the Leader of the Majority Party and the Leader of the Minority Party, in that order.

*(Hon. Ole Sankok David (Nominated))*

There being no debate arising;

Question put and agreed to

16. **PROCEDURAL MOTION- LIMITATION OF DEBATE ON THE ANNUAL ESTIMATES AND COMMITTEE OF SUPPLY**

Motion made and question proposed-

**THAT**, pursuant to the provisions of Standing Order 97(4), this House orders that, each speech in a debate on the **Report of the Budget & Appropriations Committee on Budget Estimates** contemplated under Standing Orders 239 and 240 be limited as follows:

**(1) General Supply Debate:-** A maximum of **three** (3) sitting days with thirty (30) minutes for the Mover in moving and fifteen minutes (15) in replying; a maximum of ten (10) minutes for each of the Chairpersons of the Departmental Committees and a maximum of five (5) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party who shall be limited to a maximum of ten minutes (10) each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the respective

Chairpersons of the Departmental Committees in the order that they appear in the Second Schedule to the Standing Orders; and,

**(ii) Committee of Supply:** - A maximum of **six** (6) sitting days for the consideration of the proposed allocations to the respective Votes/Programmes in the order specified in the Schedule submitted by the Budget and Appropriations Committee.

*(Hon. Maoka Maore (Igembe North))*

There being no debate arising;

Question put and agreed to

17. **PROCEDURAL MOTION- LIMITATION OF DEBATE ON THE SENATE AMENDMENTS TO BILLS ORIGINATING IN THE NATIONAL ASSEMBLY**

Motion made and question proposed-

**THAT**, pursuant to the provisions of Standing Order 97(1), this House orders that, each speech in the **general debate contemplated under Standing Order 146** (*Consideration of Senate amendments to Bills originating in the National Assembly*) be limited as follows:- a maximum of one hour and thirty minutes, with not more than fifteen minutes (15) for the Mover in moving, fifteen minutes (15) for the Chairperson of the relevant Departmental Committee, and five (5) minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party (if the Bill is not party-sponsored), and that five (5) minutes before the expiry of the time, the Mover shall be called upon to reply; and further that priority in speaking shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

*(Hon. Murugara Gitonga (Tharaka))*

There being no debate arising;

Question put and agreed to

18. **MOTION- APPROVAL OF THE CALENDAR OF THE HOUSE FOR THE FOURTH SESSION (2020)**

Motion made and question proposed-

**THAT**, pursuant to the provisions of Standing Order 28, this House approves the Calendar of the National Assembly (*Regular Sessions*) for the Fourth Session (2020) as contained in the Schedule.

*(Hon. Washiali Jomo (Mumias East))*

Debate arising

Question put and agreed to

19. **THE TEA BILL (SENATE BILL NO. 36 OF 2018)**

Order for Second Reading read;

Order deferred

*(Change of Chair from the Speaker to the Second Chairperson)*

20. **MOTION – ADJOURNMENT OF THE HOUSE TO DISCUSS A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE REGARDING THE LOCUST INVASION IN THE COUNTRY**

The Hon. Speaker having acceded to a request by the Member for Tharaka (Hon. Gitonga Murugara) for a Motion of Adjournment of the House pursuant to the provisions of Standing Order 33, the Second Chairperson interrupted the House to allow Members to discuss a Motion by Hon. Gitonga Murugara regarding the current locust invasion in the country.

There being no other business and the time being Seven O'clock, the Speaker interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

21. **HOUSE ROSE** - at seven O'clock

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

The Speaker will take the Chair on  
Wednesday, February 19, 2020 at 9.30 a.m.

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