



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FOURTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, FEBRUARY 26, 2020

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

The Speaker issued the following Communication:-

Recognition of staff from the Parliament of Uganda

Honourable Members, I wish to introduce to you a delegation of senior staff from the Parliament of Uganda, seated in the Speaker's Gallery. They are: -

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| (i) Mr. William Lubowa | - Assistant Director & Leader of delegation; |
| (ii) Mr. Douglas Ewongu | - Senior Economist; |
| (iii) Ms. Mataka Janet | - Senior Economist; |
| (iv) Mr. Martin Basala | - Economist; |
| (v) Mr. David Senyonjo | - Economist; |
| (vi) Mr. Sam Mwekwatse | - Economist; and |
| (vii) Ms. Flavia Babirye Ritah | - Economist. |

They are in the country on a benchmarking visit and attachment to our Parliamentary Budget Office running from 24th up to 28th February, 2020. On my own behalf and that of the National Assembly, I welcome them to Parliament and wish them fruitful engagements during the course of their stay in the country. I thank you!

5. **PAPERS LAID**

The following Papers were laid on the Table of the House-

- i) Report of a delegation of the Departmental Committee on Sports, Culture & Tourism on its study visit to the United Kingdom regarding the Gaming Bill, 2019 from 14th to 18th October, 2019; and
- ii) Report of a delegation of the Departmental Committee on Sports, Culture & Tourism to the All African Games in Rabat, Morocco from 18th to 25th August, 2019.

(Hon. Victor Munyaka- Chairperson, Departmental Committee on Sports, Culture & Tourism)

- iii) Report of the Departmental Committee on Administration & National Security on the vetting of Mrs. Mary Wanjira Kimonye for appointment to the position of Principal Secretary for the State Departmental for Public Service.

(Hon. Wafula Wamunyinyi- Member, Departmental Committee on Administration & National Security)

6. NOTICES OF MOTION

The following Notices of Motion were given –

- (i) **THAT**, taking into consideration the findings of the Departmental Committee on Administration and National Security in its report on the Vetting of the Nominee for Appointment as a Principal Secretary, laid on the Table of the House on Wednesday, February 26, 2020, and pursuant to the provisions of Article 155(3) (b) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House approves the appointment of Mrs. Mary Wanjira Kimonye as the Principal Secretary for the State Department for Public Service.

(Hon. Wafula Wamunyinyi- Member, Departmental Committee on Administration & National Security)

- (ii) **THAT**, taking into consideration the findings of the Select Committee on Implementation on its Examination of the Implementation Status of the Resolution of the House of 6th June, 2019, regarding the conditional approval of Ms. Mwendu Mwinzi for appointment as Ambassador of Kenya to Seoul, South Korea, laid on the Table of the House on Wednesday, November 27, 2019, and pursuant to the provisions of section 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **rejects** the nomination of Ms. Mwendu Mwinzi for appointment as an Ambassador representing the Republic of Kenya.

(Hon. Richard Ole Kenta- Member, Chairperson, Select Committee on Implementation)

7. QUESTIONS

The following Questions were asked –

- (i) **Question by Private Notice No.006/2020** by the Member for Narok East (Hon. Aramat Lemanken) regarding 8 Chinese nationals from Wuhan City, China who

travelled to a Standard Gauge Railway construction site in Narok East in February, 2020.

(To be replied to by the Cabinet Secretary for Health before the Departmental Committee on Health)

- (ii) **Question No.019/2020** by the Member for Mwala (Hon. Vincent Musau) regarding the criteria used to determine and classify hardship areas in the country;

(To be replied to by the Cabinet Secretary for Education before the Departmental Committee on Education and Research)

- (iii) **Question No.020/2020** by the Member for Kipkelion West (Hon. Hilary Kosgei) regarding the process used during the recruitment and appointment of the current Managing Director of Kenya Bureau of Standards (KEBS);

(To be replied to by the Cabinet Secretary for Industry, Trade and Co-operatives before the Departmental Committee on Trade, Industry and Co-operatives)

- (iv) **Question No.021/2020** by the Member for Awendo (Hon. John Owino) regarding payment of arrears owed to sugarcane farmers for delivery to Sony Sugar Factory;

(To be replied to by the Cabinet Secretary for Agriculture, Livestock and Fisheries before the Departmental Committee on Agriculture and Livestock)

- (v) **Question No.022/2020** by the Member for Kikuyu (Hon. Kimani Ichung'wa) regarding status and quantum of all unpaid bills in the Ministry;

(To be replied to by the Cabinet Secretary for Interior and Coordination of National Government before the Departmental Committee on Administration and National Security)

- (vi) **Question No.023/2020** by the Member for Mwea (Hon. Kabinga Wachira) regarding current ownership of LR/No.Mwea/Mututhi/Strip/1449 earmarked for the construction of the Wamumu Kenya Medical Research Institute Centre.

(To be replied to by the Cabinet Secretary for Agriculture, Livestock and Fisheries before the Departmental Committee on Education and Research)

8. STATEMENTS

The following Statements were made:-

- (i) by a Member, Departmental Committee on Administration & National Security on the revised status of Questions before the Committee; and
- (ii) by the Member for Mogotio (Hon. Tuitoek Kamuren) on the criteria used by a research firm, Mizani to conduct a survey on the performance of individual constituencies in the 2017/2018 Financial Year.

Several Members spoke on the matter. The Speaker guided that the Select Committee on Constituencies Development Fund investigate the matter and report to the House in two weeks.

9. PROCEDURAL MOTION – EXTENSION OF TIME FOR CONSIDERATION OF THE BUDGET POLICY STATEMENT, 2020

Motion made and Question proposed -

THAT, notwithstanding the provisions of Standing Order 232(7) relating to *presentation of Budget Policy Statement and the Debt Management Strategy*, this House **resolves** to extend the period for consideration of the Budget Policy Statement, 2020 by a **period of seven (7) days** from 27th February, 2020.

(Chairperson, Budget & Appropriations Committee)

Question put and agreed to.

10. THE TEA BILL (SENATE BILL NO.36 OF 2018)

Order for Second Reading read;

Motion made and Question proposed -

THAT, the Tea Bill (Senate Bill No.36 of 2018) be now read a Second Time

(Chairperson, Departmental Committee on Agriculture & Livestock)

Debate on the Second Reading having been concluded on Tuesday, February 25, 2020;

Question put and agreed to.

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

11. MOTION - REPORT ON AUDITED FINANCIAL STATEMENTS FOR THE AGRICULTURAL SETTLEMENT TRUSTEE FUND, THE UNIVERSAL SERVICE FUND AND THE WATER SECTOR TRUST FUND

Motion made and Question proposed -

THAT, this House **adopts** the Report of the Special Funds Accounts Committee on its consideration of the Audited Financial Statements for the Agricultural Settlement Trustee Fund for the year ended 30th June, 2016; the Universal Service Fund for the year ended 30th June, 2017; and the Water Sector Trust Fund for the year ended 30th June, 2017, *laid on the Table of the House on Tuesday, October 29, 2019*.

(Hon. Kathuri Murungi - Chairperson, Special Funds Accounts Committee – 25.02.2020)

Debate on the Motion having been concluded on Tuesday, February 25, 2020;

Question put and agreed to.

12. SPECIAL MOTION – APPROVAL OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARIES

Motion made and Question proposed -

THAT, taking into consideration the findings of the Committee on Appointments in its Fourth Report on the *Vetting of Nominees for Approval as Cabinet Secretaries, laid on the Table of the House on Tuesday, February 25, 2020*, and pursuant to the provisions of Article 152(2) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of the following persons as Cabinet Secretaries -

- (i) Hon. Mutahi Kagwe, EGH - Ministry of Health; and
- (ii) Ms. Betty Chemutai Maina, CBS - Ministry of Industrialization, Trade & Enterprise Development

(Hon. Moses Cheboi- Vice Chairperson, Committee on Appointments)

Debate arising;

Question put and agreed to.

11. **SPECIAL MOTION – APPROVAL OF NOMINEES FOR APPOINTMENT AS PRINCIPAL SECRETARIES IN THE STATE DEPARTMENTS FOR VOCATIONAL AND TECHNICAL TRAINING; AND UNIVERSITY EDUCATION AND RESEARCH**

Motion made and Question proposed –

THAT, taking into consideration the findings of the Departmental Committee on Education and Research in its report on the *Vetting of Nominees for Appointment as Principal Secretaries, laid on the Table of the House on Wednesday, February 26, 2020*, and pursuant to the provisions of Article 155(3) (b) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of the following persons as Principal Secretaries-

- (i) Dr. Julius Ouma Jwan - State Department for Vocational and Technical Training; and
- (ii) Amb. Simon Nabukwesi - State Department for University Education and Research

(Hon. Julius Melly - Chairperson, Departmental Committee on Education and Research)

Debate arising;

Question put and agreed to.

12. **SPECIAL MOTION – APPROVAL OF NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY IN THE STATE DEPARTMENT FOR PHYSICAL PLANNING**

Motion made and Question proposed –

THAT, taking into consideration the findings of the Departmental Committee on Lands in its report on the *Vetting of the Nominee for Appointment as a Principal Secretary, laid on the Table of the House on Wednesday, February 26, 2020*, and pursuant to the provisions of Article 155(3)(b) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Mr. Enosh Onyango Momanyi** as the Principal Secretary for the State Department for Physical Planning.

(Hon. Rachael Nyamai - Chairperson, Departmental Committee on Lands)

Debate arising;

(Change of Chair from the Hon. Speaker to the Second Chairperson)

(Change of Chair from Fourth Chairperson to the Second Chairperson)

Mover replied;

Question deferred to another day.

13. **SPECIAL MOTION – APPROVAL OF NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY IN THE STATE DEPARTMENT FOR TRADE AND ENTERPRISE DEVELOPMENT**

Motion made and Question proposed –

THAT, taking into consideration the findings of the Departmental Committee on Trade, Industry & Cooperatives in its report on the *Vetting of the Nominee for Appointment as a Principal Secretary, laid on the Table of the House on Wednesday, February 26, 2020*, and pursuant to the provisions of Article 155(3)(b) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Amb. Johnson Mwangi Weru** as the Principal Secretary for the State Department for Trade.

(Hon. Oundo Ojiambo - Member, Departmental Committee on Trade, Industry & Cooperatives)

Debate arising;

Rising in his place on a Point of Order pursuant to Standing Order 95, the Member for Ndaragwa (Hon. Jeremiah Kioni) claimed to move that the Mover be called upon to Reply;

And the Chair having acceded to the claim;

Question put that the Mover be called upon to Reply, put and agreed to

Mover replied;

Question deferred to another day.

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

Motion made and Question proposed –

THAT, taking into consideration the findings of the Departmental Committee on Transport, Public Works and Housing in its report on the *Vetting of the Nominee for Appointment as a Principal Secretary, laid on the Table of the House on Wednesday, February 26, 2020*, and pursuant to the provisions of Article 155(3)(b) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Mr. Solomon Kitungu** as the Principal Secretary for the State Department for Transport.

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

Debate arising;

Rising in his place on a Point of Order pursuant to Standing Order 95, the Member for Mumias East (Hon. Benjamin Washiali) claimed to move that the Mover be called upon to Reply;

And the Chair having acceded to the claim;

Question put that the Mover be called upon to Reply, put and agreed to

Mover replied;

Question deferred to another day.

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.

13. HOUSE ROSE - at Seven O'clock in the Evening.

MEMORANDUM

The Speaker will take the Chair on
Thursday, February 27, 2020 at 2.30 p.m.

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