



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FOURTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, SEPTEMBER 15, 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**

REVIEW OF SEATING CAPACITY IN VARIOUS SPACES AND FACILITIES OF THE NATIONAL ASSEMBLY DURING COVID-19 PANDEMIC PERIOD

The Speaker conveyed the following Communication –

“Hon. Members, this communication supplements the *Guidelines Nos. 1& 2*, which I issued on 2nd and 11th April 2020 with regard to Chamber and Committee Sittings during the Covid-19 pandemic period. You may recall that, as part of legislative Business Continuity Plan for both Houses of Parliament, the Parliamentary Service Commission, which I chair, did invite the Ministry of Health to undertake an inspection of facilities within the precincts of Parliament and recommend the appropriate capacity that the facilities could hold in compliance with Covid-19 prevention protocols.

Following an advisory from the Ministry of Health dated March 20, 2020 regarding suitable seating capacity for the Chamber, Committee rooms and other facilities during the Covid-19 pandemic period, I did issue Guidelines limiting the number of persons that may be accommodated in the Chamber and other facilities used by the National Assembly.

Honourable Members, on the strength of that advisory and the measures that Parliament had put in place, you will agree with me that, despite the breadth of interactions of Members of Parliament, there have been far too low Covid-19 infections within the parliamentary fraternity. As you may have also noticed, recent statistics on new infections are also tending towards flattening of the curve.

Honourable Members, Given the current situation, and so as to open up the Chamber and Committee rooms for more Members to engage in legislative work, on Monday, September 14, 2020, I instructed the Ministry of Health to inspect the facilities and recommend appropriate seating capacity for the Chamber, Committee rooms and other facilities within the precincts of Parliament.

I am glad to report to the House that, in its *Interim Report* dated today, Tuesday, September 15, 2020, the Ministry of Health has recommended upward review of numbers that may be accommodated in certain spaces in Parliament as follows-

1. The Main Chamber shall now hold 112 Members, up from the current 60 Members. This excludes the Speaker, the Clerk and 4 key officers facilitating the sitting of the House;
2. The seating capacity for Committee Rooms in Continental House has been adjusted to 15 from 10 persons;
3. The Chapel shall accommodate a maximum of 15 persons;
4. The Muslims' prayer room shall hold a maximum of nine (9) persons, being six (6) on the male section and three (3) on female section;
5. The Capacity of the Mini Chamber and Committee Rooms 9 and 7 remains as advised in March 2020; and
6. Committee Room 12 shall remain out of use.

With regard to the revised numbers in the Chamber, the Clerk is directed to take necessary measures to ensure that the Chamber is reconfigured so as to accommodate the revised number of Members with effect from the morning Sitting of the House on Thursday, September 17, 2020. Consequently, Committees which may have scheduled meetings in the Chamber tomorrow, Wednesday, September 16, 2020, are advised to reschedule their meetings to alternative venues, so as to allow the Clerk to reconfigure the Chamber as directed.

Honourable Members, the Catering facility has also been re-opened. However, it shall be restricted to **exclusive use by sitting Members of Parliament only.** Accordingly, I firmly reiterate that the facility is out of bounds to all visitors and direct that the Chief Serjeant-At-Arms strictly enforces this measure.

I also wish to restate that no visitors shall be admitted to the precincts of Parliament, except in exceptional circumstances permitted by the Speaker for persons appearing before Committees such as those currently appearing before Public Accounts Committee, Public Investments Committee, Special Funds Accounts Committee and the Departmental Committee on Transport, Public Works and Housing on various matters under consideration.

Honourable Members, even as we increase the capacity in various spaces within the precincts of Parliament used by the National Assembly, I encourage Members not to drop the guard with regard to observing Covid-19 prevention protocols. Every one of us is duty bound to take necessary measures towards flattening the curve of Covid-19 infections so as to hasten return to normalcy.

The House is accordingly guided.

I thank you!"

5. **PETITIONS**

The following Petitions were presented –

- (i) Conveyance by the Honourable Speaker from the Governor of Nandi County the Hon. Stephen Sang regarding historical land injustices in Nandi County;

- (ii) Petition by the Member for Murang'a County (Hon. Sabina Chege) on behalf of residents of Kinyona regarding safeguarding public interest in the use of Gituamba Land in Kinyona Ward of Murangá County; and
- (iii) Petition by the Member for Konoin (Hon. Brighton Yegon) regarding historical land injustices in Chepchabas area in Bomet and Kericho Counties.

Petitions referred to the relevant Departmental Committees pursuant to Standing Order 227(2).

6. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) The draft 2020 Budget Review and Outlook Paper from the National Treasury and Planning; and
- (ii) The Inaugural Edition of the Directorate of Criminal Investigation (DCI) Magazine.

(Leader of the Majority Party)

7. **NOTICE OF MOTION**

The following Notices of Motion were given –

- (i) Report on a Petition on inquiry into the crisis facing the sugar industry in Kenya

THAT, this House adopts the Report of the Committee on Implementation on the implementation status of the Report of the Departmental Committee on Agriculture and Livestock on a Petition on an inquiry into the Crisis Facing the Sugar Industry in Kenya, laid on the Table of the House on Thursday, June 20, 2019.

(Chairperson, Committee on Implementation)

- (ii) Report on Implementation status of Legislations, Petitions and Resolutions

THAT, this House adopts the Report of the Committee on Implementation on its consideration of submission from stakeholders regarding implementation status of Legislations, Petitions and Resolutions passed by the House, laid on the Table of the House on Tuesday, June 30, 2020.

(Chairperson, Committee on Implementation)

8. **STATEMENTS**

The following Members made requests for statements -

- (i) The Member for Wajir East (Hon. Rashid Amin) sought a statement regarding transfer of the roles and functions of the Kenya Meat Commission;
- (ii) The Member for Nyeri Town (Hon. NgunjiriWambugu) sought a statement regarding Public Schools Infrastructure Improvement Programme; and

- (iii) the Member for Mvita (Hon. AbdullswamadNassir) sought a statement regarding status of the Oxford University COVID-19 vaccine trials in Kenya.

9. QUESTIONS

The following Question were asked –

- (i) Question by Private Notice No.022/2020 by the Member for Murang'a County (Hon. Sabina Chege) regarding appointment of members of the Tourism regulatory Authority's Board;

(To be prioritized for response by the Cabinet Secretary for Tourism and Wildlife before the Departmental Committee on Environment and Natural Resources)

- (ii) Question by Private Notice No.024/2020 by the Member for Ainamoi (Hon. Silvanus Maritim) regarding the status of investigations into the killing of the late Bernard Kebet Ng'eno;

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

- (iii) Question No.164/2020 by the Member for Tetu (Hon. James Gichuhi) regarding beneficiaries under the Cash Transfer Programme for older persons in Tetu constituency;

(To be replied by the Cabinet Secretary for Labour and Social Protection before the Departmental Committee on Labour and Social Welfare)

- (iv) Question No.183/2020 by the Member for Meru County regarding disbursement of emergency response fund cash transfer programme under the COVID-19;

(To be replied by the Cabinet Secretary for Labour and Social Protection before the Departmental Committee on Labour and Social Welfare)

- (v) Question No.185/2020 by the Member for Soy (Hon. Caleb Kositany) regarding status of the implementation of the *Huduma* number

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

The following Question was withdrawn for redrafting:-

- (i) Question No.188/2020 by the Member for Laisamis (Hon. Arbelle Malimo) regarding criteria used during delocalization of teacher in the country;

10. MOTION –AUDITED FINANCIAL STATEMENTS FOR STATE CORPORATIONS

Motion made and Question proposed –

THAT, this House **adopts** the Twenty Third Report of the Public Investments Committee on its consideration of the Auditor General's Reports on Financial Statements of State Corporations, *laid on the Table of the House on Thursday, July 02, 2020*

(Chairperson, Public Investments Committee – 10.9.2020)

Debate on the Motion having been concluded on Thursday, September 10, 2020;

Question put and agreed to.

11. **MOTION -INQUIRY INTO THE STATUS OF DAMS IN KENYA**

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Environment and Natural Resources on an Inquiry into the Status of Dams in Kenya, *laid on the Table of the House on Thursday, October 17, 2019*, **subject to deletion of the word “stop” appearing after the words ‘MUST forthwith’ in paragraph 180 on page 44 of the Report, and substitution thereof with the word “reassess”.**

(Chairperson, Departmental Committee on Environment and Natural Resources – 10.09.2020)

Debate on the Motion having been concluded on Thursday, September 10, 2020;

Question put and agreed to.

12. **MOTION -APPROVAL OF NOMINEES TO VARIOUS NG-CDF CONSTITUENCY COMMITTEES**

Motion made and Question proposed –

THAT, pursuant to the provisions of section 43(4) of the National Government Constituency Development Fund Act, 2015 and paragraphs 5(2) and (10) of the National Government Constituencies Development Fund Regulations, 2016, this House **approves** the list of nominees for appointment to the following eleven (11) Constituency Committees of the National Government Constituency Development Fund, laid on the Table of the House on Wednesday, August 12, 2020 and Thursday, September 10, 2020 respectively -

1. BARINGO SOUTH CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	GeofreyKipkebutKosgei	Male Youth Representative	Fresh appointment, pursuant to Sec.43(3)
2.	Samuel KiprotichBungei	Male Adult Representative	Fresh appointment, pursuant to Sec.43(3)
3.	ZakiaJemugeKiptuisan	Female Youth Representative	Fresh appointment, pursuant to Sec.43(3)
4.	Hellen Cheptoo	Female Adult Representative	Fresh appointment, pursuant to Sec.43(3)
5.	Christine JepkemoiKandie	Representative of Persons Living with Disability	Fresh appointment, pursuant to Sec.43(3)
6.	RensonLerantei Ole Malito	Nominee of the Constituency Office (Male)	Fresh appointment, pursuant to Sec.43(3)
7.	MariamunTausianLekisemon	Nominee of the Constituency Office (Female)	Fresh appointment, pursuant to Sec.43(3)

2. CHERANGANY CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	Timothy KipketerLagat	Male Youth Representative	Re-appointment, pursuant to Sec.43(8)
2.	Martin Okonya Were	Male Adult Representative	Re-appointment, pursuant to Sec.43(8)
3.	Mary WanjikuGithinji	Female Youth Representative	Re-appointment, pursuant to Sec.43(8)
4.	Eunice NjeriMuiruri	Female Adult Representative	Re-appointment, pursuant to Sec.43(8)
5.	William KaptebeiRuto	Representative of Persons Living with Disability	Re-appointment, pursuant to Sec.43(8)
6.	Wilson Kiptarbei Too	Nominee of the Constituency Office (Male)	Re-appointment, pursuant to Sec.43(8)
7.	Julia JepkoechSuge	Nominee of the Constituency Office (Female)	Re-appointment, pursuant to Sec.43(8)

3. KACHELIBA CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	ZablonTopoteLokwadou	Male Youth Representative	Re-appointment, pursuant to Sec.43(8)
2.	Aaron ToroitichKendagor	Male Adult Representative	Re-appointment, pursuant to Sec.43(8)
3.	Korkapel Rael	Female Youth Representative	Re-appointment, pursuant to Sec.43(8)
4.	Rebecca TinyangNariwo	Female Adult Representative	Re-appointment, pursuant to Sec.43(8)
5.	Amos Limo Liangor	Representative of Persons Living with Disability	Re-appointment, pursuant to Sec.43(8)
6.	LimarisLoukoyang	Nominee of the Constituency Office (Male)	Re-appointment, pursuant to Sec.43(8)
7.	ChemoniMadinaChemaswet	Nominee of the Constituency Office (Female)	Re-appointment, pursuant to Sec.43(8)

4. LURAMBI CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	Walter ChirandeAnyembe	Male Youth Representative	Fresh appointment, pursuant to Sec.43(3)

2.	Fabian LilumbiShilako	Male Adult Representative	Re-appointment, pursuant to Sec.43(8)
3.	GloriahMusitsa	Female Youth Representative	Fresh appointment, pursuant to Sec.43(3)
4.	JescaAsamiMaina	Female Adult Representative	Re-appointment, pursuant to Sec.43(8)
5.	Gerald Shimoli Andrea	Representative of Persons Living with Disability	Re-appointment, pursuant to Sec.43(8)
6.	Isaac John Otiende	Nominee of the Constituency Office (Male)	Fresh appointment, pursuant to Sec.43(3)
7.	Agnes LamwenyaBarasa	Nominee of the Constituency Office (Female)	Re-appointment, pursuant to Sec.43(8)

5. MUMIAS WEST CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	Hassan EmwanaMakongolo	Male Youth Representative	Re-appointment, pursuant to Sec.43(8)
2.	Iddi Abbas Keya	Male Adult Representative	Re-appointment, pursuant to Sec.43(8)
3.	Winfred ChimitaOsore	Female Youth Representative	Fresh appointment, pursuant to Sec.43(3)
4.	RukiaMatsesheMukoya	Female Adult Representative	Re-appointment, pursuant to Sec.43(8)
5.	Samuel Isaac Kombe	Representative of Persons Living with Disability	Re-appointment, pursuant to Sec.43(8)
6.	Philip George OtienoMusumba	Nominee of the Constituency Office (Male)	Fresh appointment, pursuant to Sec.43(3)
7.	Ruth NambuyeWanjama	Nominee of the Constituency Office (Female)	Fresh appointment, pursuant to Sec.43(3)

6. MVITA CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	Easter OduorOremo	Male Youth Representative	Re-appointment, pursuant to Sec.43(8)
2.	Omar Shariff Ali	Male Adult Representative	Re-appointment, pursuant to Sec.43(8)
3.	Sylvia BulumaAdikinyi	Female Youth Representative	Re-appointment, pursuant to Sec.43(8)
4.	Anna Nyambura	Female Adult Representative	Re-appointment, pursuant to Sec.43(8)
5.	Amina Soud Ali	Representative of Persons Living with Disability	Re-appointment, pursuant to Sec.43(8)
6.	Jamal Ali Mohamed Noor	Nominee of the Constituency Office (Male)	Re-appointment, pursuant to Sec.43(8)

7.	MbeyuFatumaKhamis	Nominee of the Constituency Office (Female)	Re-appointment, pursuant to Sec.43(8)
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7. NDARAGWA CONSTITUENCY

(Re-submitted to complete list of Nominees as earlier submission had only six nominees)

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	Margaret WambuiMuraya	Female Adult Representative	Fresh appointment, pursuant to Sec.43(3)

8. OL-KALOU CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	Paul KamauWanjiru	Male Youth Representative	Re-appointment, pursuant to Sec.43(8)
2.	Simon NduatiKariuki	Male Adult Representative	Re-appointment, pursuant to Sec.43(8)
3.	Teresa NgimaKinyua	Female Youth Representative	Re-appointment, pursuant to Sec.43(8)
4.	Susan WacheraThuku	Female Adult Representative	Re-appointment, pursuant to Sec.43(8)
5.	John Kariuki Kimani	Representative of Persons Living with Disability	Re-appointment, pursuant to Sec.43(8)
6.	Samuel MashariaKanyi	Nominee of the Constituency Office (Male)	Re-appointment, pursuant to Sec.43(8)
7.	Joyce NjeriKaruga	Nominee of the Constituency Office (Female)	Re-appointment, pursuant to Sec.43(8)

9. SABATIA CONSTITUENCY

(Re-submitted to correct list of Nominees as earlier submission had grammatical errors on names of nominees)

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	John SabwaSagala	Male Adult Representative	Fresh appointment, pursuant to Sec. 43(3)
2.	Alfred KeverengeMiheso	Male Youth Representative	Fresh appointment, pursuant to Sec. 43(3)
3.	Nelly Imali	Female Youth	Fresh appointment,

		Representative	pursuant to Sec. 43(3)
4.	SerahMuhaliaLitu	Female Adult Representative	Fresh appointment, pursuant to Sec. 43(3)
5.	Mary Gorretti Moji	Representative of Persons Living with Disability	Re-appointment, pursuant to Sec.43(8)
6.	Ephraim Gallo	Nominee of the Constituency Office (Male)	Re-appointment, pursuant to Sec.43(8)
7.	Nancy InjairuKisala	Nominee of the Constituency Office (Female)	Re-appointment, pursuant to Sec.43(8)

10. TIGANIA WEST CONSTITUENCY
(Re-submitted to complete list of Nominees as earlier submission had only five nominees)

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	James KiiguMururu	Male Adult Representative	Re-appointment, pursuant to Sec.43(8)
2.	Solomon MitheuMbuui	Representative of Persons Living with Disability	Fresh appointment, pursuant to Sec.43(3)

11. WAJIR NORTH CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	Adan Abdullahi Ibrahim	Male Youth Representative	Re-appointment, pursuant to Sec.43(8)
2.	YussufAbdullahi Ali	Male Adult Representative	Re-appointment, pursuant to Sec.43(8)
3.	Seynab Mohamed Saney	Female Youth Representative	Re-appointment, pursuant to Sec.43(8)
4.	AlasaBisharAlasow	Representative of Persons Living with Disability	Re-appointment, pursuant to Sec.43(8)
5.	AbdullahiAbdisalan Osman	Nominee of the Constituency Office (Male)	Re-appointment, pursuant to Sec.43(8)
6.	RukiaAbdullahi Ahmed	Nominee of the Constituency Office (Female)	Re-appointment, pursuant to Sec.43(8)

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

Debate arising;

Mover replied;

Question put and agreed to.

13. **THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (SENATE BILL NO. 3 OF 2019)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Public Finance Management (Amendment) Bill (Senate Bill No.3 of 2019) be now read a Second Time.

(Chairperson, Departmental Committee on Finance and National Planning)

Debate arising;

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

Hon. Edith Nyenze replied on behalf of the Mover;

Question deferred.

14. **MOTION -INQUIRY INTO THE DEATH OF ELEVEN BLACK RHINOS AFTER TRANSLOCATION TO THE TSAVO EAST NATIONAL PARK SANCTUARY**

Motion made and Question proposed –

THAT, this House adopts the Report of the Departmental Committee on Environment and Natural Resources on its Inquiry into the Death of Eleven Black Rhinos after Translocation to the Tsavo East National Park Sanctuary, laid on the Table of the House on Thursday, September 19, 2019.

(Chairperson, Departmental Committee on Environment and Natural Resources -10.09.2020)

Debate interrupted on Thursday, September 10, 2020 resumed;

Mover replied;

Question deferred.

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

15. **HOUSE ROSE** - at eight minutes to Seven O'clock.

M E M O R A N D U M

The Speaker will take the Chair on Thursday, September 17, 2020 at 10.00a.m.