

(No. 066)

(1017)



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – (FOURTH SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**TUESDAY, OCTOBER 06, 2020 AT 2.30 P.M.**

**ORDER OF BUSINESS**

**PRAYERS**

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements

**8\*.THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO. 7 OF 2020)**

(The Chairperson, Budget & Appropriations Committee)

Second Reading

**9\*.COMMITTEE OF THE WHOLE HOUSE**

The County Allocation of Revenue Bill (Senate Bill No. 7 of 2020)

(The Chairperson, Budget & Appropriations Committee)

**10\*.MOTION - REPORT ON THE IMPLEMENTATION STATUS OF THE REPORT ON A PETITION ON AN INQUIRY INTO THE CRISIS FACING SUGAR INDUSTRY IN KENYA**

(The Chairperson, Committee on Implementation)

**THAT**, this House **adopts** the Report of the Committee on Implementation on Report 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 Sugar Industry in Kenya, *laid on the Table of House on Thursday, June 20, 2019.*

**11\*. THE PUBLIC FUNDRAISING APPEALS BILL  
(NATIONALASSEMBLY BILL NO. 66 OF 2019)**

(The Chairperson, Constitutional Implementation Oversight Committee)

Second Reading

**12\*. THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE  
BILLNO. 13 OF 2018)**

(The Chairperson, Departmental Committee on Administration and National Security)

Second Reading

**13\*. MOTION - SPECIAL AUDIT REPORT ON PROCUREMENT OF  
PRE-EXPORT VERIFICATION OF CONFORMITY TO  
STANDARD SERVICES BY THE KENYA BUREAU OF  
STANDARDS**

(The Chairperson, Public Investments Committee)

THAT, this House **adopts** the Report of the Public Investments Committee on its consideration of the Special Audit Report on Procurement of Pre-Export Verification of Conformity to Standard Services for Used Motor Vehicles, Mobile Equipment and Used Spare Parts by the Kenya Bureau of Standards, *laid on the Table of the House on Tuesday, June 02, 2020.*

**14\*. THE COUNTY STATUTORY INSTRUMENTS BILL (SENATE BILL  
NO. 21 OF 2018)**

(The Chairperson, Committee on Delegated Legislation)

Second Reading

**15\*. THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (SENATE  
BILL NO. 24 OF 2018)**

(The Chairperson, Committee on Delegated Legislation)

Second Reading

**16\*. THE IMPEACHMENT PROCEDURE BILL (SENATE BILL NO. 15 OF  
2018)**

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

Second Reading

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**\* Denotes Orders of the Day\***

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# **NOTICES**

**The House resolved on Tuesday, September 8, 2020 as follows-**

**Limitation of debate on Bills, Motions, Sessional Papers and Committee Reports**

**THAT**, pursuant to the provisions of Standing Order 97(1) and notwithstanding the resolution of the House of February 18, 2020, during the Sittings of the House of **September 8, 2020 up to and including October 15, 2020**, each speech in **debate on Bills, Motions** (*including Special Motions*), **Sessional Papers and Committee Reports**, shall be limited as follows:- a maximum of **two and half hours** with not more than ten (10) minutes for the Mover in moving and five (5) minutes in replying and a maximum of five (5) minutes for any other Member speaking, except for the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Committee who shall be limited to a maximum of ten (10) minutes, and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and Chairperson of the relevant Committee, in that order.

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# **NOTICE PAPER I**

## **Tentative business for** **Thursday (Morning), October 08, 2020**

*(Published pursuant to Standing Order 38(1))*

It is notified that the House Business Committee has approved the following *tentative* business to appear in the Order Paper for Thursday (Morning), October 08, 2020-

**A. THE PUBLIC SERVICE COMMISSION (AMENDMENT) BILL  
(NATIONAL ASSEMBLY BILL NO. 27 OF 2019)**

(The Hon. Benjamin G. Mwangi, M.P.)

Second Reading

*(Resumption of debate interrupted on Thursday, October 1, 2020 – Morning sitting)*

*(Balance of time – 43 minutes)*

**B. COMMITTEE OF THE WHOLE HOUSE**

The Cancer Prevention and Control (Amendment) Bill (National Assembly Bill No. 65 of 2019)

(The Hon. Gladys Wanga, M.P)

**C. THE NATIONAL DISASTER MANAGEMENT AUTHORITY BILL  
(NATIONAL ASSEMBLY BILL NO. 10 OF 2019)**

(The Hon. Kimani Ichung'wah, M.P.)

Second Reading

**D. THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 54 OF 2019)**

(The Hon. Simon King'ara, M.P.)

Second Reading

**E. THE CROPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2019)**

(The Hon. Kassim Sawa Tandaza, M.P.)

Second Reading

**F. THE LABOUR RELATIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 18 OF 2019)**

(The Hon. Kimani Ichung'wah, M.P.)

Second Reading

**G. THE ALCOHOLIC DRINKS CONTROL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 70 OF 2019)**

(The Hon. Silvanus Osoro Onyiego, M.P.)

Second Reading

**H. THE PUBLIC ORDER (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2019)**

(The Hon. Simon King'ara, M.P.)

Second Reading



# **NOTICE PAPER II**

## **Tentative business for**

### **Thursday (Afternoon), October 08, 2020**

*(Published pursuant to Standing Order 38(1))*

It is notified that the House Business Committee has approved the following *tentative* business to appear in the Order Paper for Thursday (Afternoon), October 08, 2020-

**A. MOTION - CONSIDERATION OF SENATE AMENDMENTS TO THE INDEPENDENT ELECTORAL & BOUNDARIES COMMISSION (AMENDMENT) (NO.3) BILL (NATIONAL ASSEMBLY BILL NO.35 OF 2019)**

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

**B. COMMITTEE OF THE WHOLE HOUSE:**

Consideration of Senate Amendments to the Independent Electoral & Boundaries Commission (Amendment) (No.3) Bill (National Assembly Bill No.35 of 2019)  
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

**C. MOTION - REPORT ON THE IMPLEMENTATION STATUS OF THE REPORT ON A PETITION ON AN INQUIRY INTO THE CRISIS FACING SUGAR INDUSTRY IN KENYA**

(The Chairperson, Committee on Implementation)

*(If not concluded on Tuesday, October 6, 2020)*

**D. THE PUBLIC FUNDRAISING APPEALS BILL (NATIONAL ASSEMBLY BILL NO. 66 OF 2019)**

(The Chairperson, Constitutional Implementation Oversight Committee)

Second Reading

*(If not concluded on Tuesday, October 6, 2020)*

**E. THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILLNO. 13 OF 2018)**

(The Chairperson, Departmental Committee on Administration and National Security)

Second Reading

*(If not concluded on Tuesday, October 6, 2020)*

F. **MOTION - SPECIAL AUDIT REPORT ON PROCUREMENT OF PRE-EXPORT VERIFICATION OF CONFORMITY TO STANDARD SERVICES BY THE KENYA BUREAU OF STANDARDS**

(The Chairperson, Public Investments Committee)

*(If not concluded on Tuesday, October 6, 2020)*

G. **THE COUNTY STATUTORY INSTRUMENTS BILL (SENATE BILL NO. 21 OF 2018)**

(The Chairperson, Committee on Delegated Legislation)

Second Reading

*(If not concluded on Tuesday, October 6, 2020)*

H. **THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (SENATE BILL NO. 24 OF 2018)**

(The Chairperson, Committee on Delegated Legislation)

Second Reading

*(If not concluded on Tuesday, October 6, 2020)*

I. **THE IMPEACHMENT PROCEDURE BILL (SENATE BILL NO. 15 OF 2018)**

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

Second Reading

*(If not concluded on Tuesday, October 6, 2020)*



# **APPENDIX**

## **ORDER NO.7 - QUESTIONS**

Pursuant to the provisions of Standing Order 42A (5) the following Members will ask **questions** for reply before the specified Departmental Committees:-

### **ORDINARY QUESTIONS**

**214/2020**      **The Member for Kathiani (Hon. Robert Mbui, M.P.) to ask the Cabinet Secretary for Lands and Physical Planning -**

- (i) Is the Cabinet Secretary aware that during the compulsory acquisition of land by the Government in 1985 for the expansion of *Kathiani Level 4 Hospital*, only five out of eight affected land owners were compensated?
- (ii) Could the Government consider compensating the remaining three affected land owners, namely; Mr. *Mwilu Mwema Kalondu* of L.R. No. *Mitaboni/Kathiani/135*, Mr. *Maswa Mwen* of L.R. No. *Mitaboni/Kathiani/139* and the late *Telela Mutwota* of L.R. No. *Mitaboni/Kathiani/135*?

*(To be replied before the Departmental Committee on Lands)*

**223/2020**      **The Member for Runyenjes (Hon. Eric Muchangi, M.P.) to ask the Cabinet for Water, Sanitation & Irrigation-**

- (i) Could the Cabinet Secretary provide the status of construction of *Tuchi Dam* in *Iriari Sub-location* along the border of Runyenjes and Chuka/Igambangombe Constituencies?
- (ii) What is the total expected cost of the construction of the said dam, how much has been spent to date, and when is it expected to be completed?
- (iii) What measures has the Ministry put in place to ensure that the construction of the said dam is fully funded?

*(To be replied before the Departmental Committee on Environment and Natural Resources)*

**228/2020**      **The Nominated Member (Hon. Gideon Keter, M.P.) to ask the Cabinet Secretary for Public Service, Youth and Gender Affairs: -**

- (i) What is the progress of the recent recruitment undertaken by the Public Service Commission that was advertised in June 2020 on various job vacancies?



- (ii) How many people were actively recruited and in particular, how many youths were recruited?
- (iii) What measures the Public Service Commission is taking to ensure hiring of qualified young people as provided for in Article 55 of the Constitution?

*(To be replied before the Departmental Committee on Labour and Social Welfare)*

235/2020

**The Member for Westlands (Hon. Timothy Wanyonyi, M.P.) to ask the Cabinet Secretary for Environment and Forestry-**

- (i) Could the Cabinet Secretary provide a list of all private dams in every constituency, indicating whether each of the dams currently conforms to structural safety, the effect of each dam on surrounding environment and the mitigation mechanisms put in place by the respective dam proprietors, if any?
- (ii) Could the Cabinet Secretary provide a list of all industries in every constituency within a radius of one hundred (100m) metres of residential areas and the waste disposal mechanism and plans in place, if any?
- (iii) Could the Cabinet Secretary explain the policy measures in place to ensure existences of buffer zones between residential areas and approved industrial zones, and regular inspections are undertaken to ensure compliance?

*(To be replied before the Departmental Committee on Environment and Natural Resources)*

244/2020

**The Member for Kimilili(Hon. Didmus Barasa, M.P.) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works: -**

- (i) Could the Cabinet Secretary consider constructing a bridge to connect *Kimilili and Khwiroro* areas of Kimilili Constituency noting the recent collapse of a key connection bridge in June 2020 which has led to disruption of communication and transport in the two areas?
- (ii) What measures the Ministry will put in place to ensure that the bridge will be constructed to the set standards considering that the previous bridge was reported to have collapsed due to lack of adherence to set standards at the time of construction?

*(To be replied before the Departmental Committee on Transport, Public Works & Housing)*

250/2020

**The Member for Sabatia (Hon. Alfred Agoi, M.P.) to ask the Cabinet Secretary for Interior and Coordination of National Government: -**

- (i) What is the status of compensation for the victims of the terrorist attacks at Dusit D2 Hotel on 15<sup>th</sup> January, 2019, West Gate on 21<sup>st</sup> September, 2013 and the United States Embassy Bombing of 7<sup>th</sup> August, 1998?
- (ii) What measures is the Government putting in place to ensure that the said victims are fully compensated in time?
- (iii) Could the Cabinet Secretary explain whether there are plans so far to curb these terror attacks and consequently assure Kenyans of absolute security against such attacks and what have been put in place by the Government to assist persons affected by such attacks?

*(To be replied before the Departmental Committee on Administration and National Security)*

260/2020

**The Member for Webuye West (Hon. Daniel Wanyama Sitati, M.P.) to ask the Cabinet Secretary for Water, Sanitation and Irrigation –**

- (i) Could the Cabinet secretary provide a progress report on the call for tenders for the design and construction of *Kakamega–Bungoma* Bulk Water Supply and Sanitation Project under *Lake Victoria* North Water Works Development Agency considering that a list of firms who had express interest on the project was published in March 2020?
- (ii) When will the construction of the said project commence, indicating stages and timelines of implementations to the various phases of construction?
- (iii) What measures will the Ministry put in place to ensure that the said project is constructed to the required standard and completed within stipulated time so as to expeditiously assist thousands of households in the Counties of *Bungoma* and *Kakamega* to access clean water?

*(To be replied before the Departmental Committee on Environment and Natural Resources)*

261/2020

**The Nominated Member (Hon. Godfrey Osotsi, M.P.) to ask the Cabinet Secretary for Agriculture, Livestock and Fisheries:**

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- (i) Could the Cabinet Secretary explain the circumstances under which 10,000 acres of *Nucleus Land, LR No. 7545/3* leased to *Miwani Sugar Company* in Kisumu County was allegedly sold to *Crossly Holdings Limited* in December, 2007?
- (ii) Could the Cabinet Secretary state in details whether the alleged sale of the parcel of land was carried out in accordance with the law?
- (iii) Could the Cabinet Secretary consider acquiring back the said land for farmer's utilization and development noting the anticipated Special Economic Zones in the County?

*(To be replied before the Departmental Committee on Agriculture and Livestock)*

262/2020

**The Member for Mathare (Hon. Anthony Tom Oluoch, M.P.) to ask the Cabinet Secretary for the National Treasury and Planning: -**

- (i) What is the status of the disbursement of the 0.3% of revenue raised each financial year to fund Political Parties as institutions of Governance established under Articles 90 & 91 of the Constitution in view of the decision of the High Court of 2016 (Judicial Review No. 483 of 2016), directing the Cabinet Secretary to allocate not less than 0.3% of national revenue to the Political Parties Fund?
- (ii) How much is owed to Political Parties which qualify for funding from the Fund and in particularly the arrears owed to Orange Democratic Movement (ODM)?
- (iii) What measures has the Cabinet Secretary put in place to ensure that all pending payments to ODM and other Political Parties are settled, including arrears dating back to 2016/2017, 2018/19 and 2020/2021 financial years in compliance with the said Court decision?
- (iv) What steps is the Cabinet Secretary taking to ensure the Budget Policy Statement and other budgetary processes comply with the need to reflect this statutory requirement before submission to Parliament with respect to the next financial year?

*(To be replied before the Departmental Committee on Finance and National Planning)*

263/2020

**The Member for Mwea (Hon. Kabinga Wachira, MP) to ask the Cabinet Secretary for Agriculture, Livestock and Fisheries: -**

- (i) Could the Cabinet Secretary explain and provide details on the recent invasion of farms in Mwea Irrigation Scheme by a strange variety of snails?
- (ii) Has the Ministry undertaken to assess the extent of damage caused by the snails on crops and human beings in terms of loss of crops and produce as well as health risks to the resident?
- (iii) What steps has the Ministry taken to eradicate or control the invasion of strange variety of snails?
- (iv) Could the Cabinet Secretary consider compensating the affected farmers?

*(To be replied before the Departmental Committee on Agriculture and Livestock)*

264/2020

**The Member for Sigowet-Soin (Hon. Kipsengeret Koros, M.P.) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works-**

- (i) What is the progress of construction of the *Changware – Kebeneti Road in Sigowet/Soin Constituency* and the interconnection of the same road with *Kaptebeswet – Chepnyogaa Road in Belgut Constituency*?
- (ii) Why was a section of the road left untarmacked?
- (iii) What measures has the Cabinet Secretary put in place to ensure that the untarmacked section is completed?

*(To be replied before the Departmental Committee on Transport, Public Works and Housing)*

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