



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FOURTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, OCTOBER 06, 2020

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

4. **PETITIONS**

The Member for Embakasi West (Hon. George Theuri) presented a petition regarding the provision of toll-free numbers in Government offices for emergency and general service purpose in the country.

- *Petition referred to the Departmental Committee on Administration & National Security pursuant to Standing Order 227(1)*

5. **PAPERS LAID**

The following Papers were laid on the Table of the House by –

a) **Leader of Majority Party**

- (i) Advisory of the Chief Justice to the President in the matter of the Petitions for the dissolution of Parliament pursuant to Article 261(7) of the Constitution and six related annexures as listed below: -

- a) *CJ Petition No. 1 of 2018 by Hon. Stephen Owoko & John Wangai;*
- b) *CJ Petition No. 1 of 2019 by Margaret Toili;*
- c) *CJ Petition No. 2 of 2019 by Fredrick Gichanga Mbuguah;*
- d) *CJ Petition No. 3 of 2019 by Aoko Bernard;*
- e) *CJ Petition No. 4 of 2019 by Hon. David Sudi; and*
- f) *CJ Petition No. 1 of 2020 by the Law Society of Kenya.*

(The Report was not for any action by the House, but the Speaker permitted the reports to be laid so as to form part of the Journals of the House)

- (ii) Sessional Paper on the Kenya Micro and Small Enterprises Policy from the Ministry of Industrialization, Trade and Enterprise Development (*referred to the Departmental Committee on Trade, Industry and Cooperatives*).
- (iii) List of Nominees to three (3) National Government Constituencies Development Fund Committees from the National Government Constituencies Development Fund Board for the following Constituencies: -

- a) Kuria East;
- b) Shinyalu; and
- c) Emgwen.

- (iv) The Reports of the Auditor-General and Financial Statements in respect of the following institutions for the year ended 30th June, 2019 and the certificates therein: -
 - a) The National Assembly;
 - b) Enable Youth Kenya Programme - ADF Loan No. 2100150038895 from the State Department for Crop Development;
 - c) The Small-Scale Irrigation and Value Addition Project - ADF Loan No. 2000130014530 and Grant No. 5570155000751 from the State Department for Crops Development;
 - d) The Kenya Marine Fisheries and Socio-Economic Development Project - IDA Credit No. V1310-KE) from the Ministry of Agriculture, Livestock and Fisheries;
 - e) The Agricultural Sector Development Support Programme II - SIDA Grant No. 51110109 from the Ministry of Agriculture, Livestock and Fisheries;
 - f) The National Agricultural and Rural Inclusive Growth Project - IDA Credit No. 5900-KE from the Ministry of Agriculture, Livestock and Fisheries; and
 - g) The National Police Service Commission.
- (v) Performance Audit Report on Land Conservation and Restoration of quarries in Kenya from the National Environment Management Authority (NEMA) – *referred to the Departmental Committee on Environment & Natural Resources.*
- (vi) Performance Audit Report on Fire Safety Preparedness in Secondary Schools from the Office of the Auditor-General – *referred to the Departmental Committee on Education & Research.*

b) The Chairperson, Budget & Appropriations Committee: -

- Report of the Budget & Appropriations Committee on its consideration of the County Allocation of Revenue Bill (Senate Bill No. 7 of 2020).

6. NOTICES OF MOTION

The following notice of Motion was given by the **Chairperson, Committee on Implementation** –

“ **THAT**, this House adopts the Report of the Select Committee on Implementation on its consideration of the public petition to re-consider a resolution of the House on the Report on the Crisis facing the Sugar Industry in Kenya, *laid on the Table of the House on Wednesday, August 05, 2020.*”

7. QUESTIONS

(a) The following Questions were asked –

- (i) Ordinary Question No.223/2020 by the Member for Runyenjes (Hon. Eric Muchangi) regarding the status of construction of *Tuchi Dam* in *Iriari Sub-location* along the border of Runyenjes and Chuka/Igambangombe Constituencies.

(To be replied to by the Cabinet Secretary for Water, Sanitation & Irrigation before the Departmental Committee on Environment & Natural Resources)

- (ii) Ordinary Question No.228/2020 by the nominated Member (Hon. Gideon Keter) regarding progress of the recent recruitment by the Public Service Commission that was advertised in June 2020 on various jobs.

(To be replied to by the Cabinet Secretary for Public Service, Youth & Gender Affairs before the Departmental Committee on Labour & Social Services)

- (iii) Ordinary Question No.235/2020 by the Member for Westlands Constituency (Hon. Timothy Wanyonyi) regarding safety of private dams in every constituency and the industrial waste disposal mechanisms in each case.

(To be replied to by the Cabinet Secretary for Environment & Forestry before the Departmental Committee on Environment & Natural Resources)

- (iv) Ordinary Question No.244/2020 by the Member for Kimilili Constituency (Hon. Didmas Barasa) regarding construction of a bridge between Kimilili and Kwisero constituencies.

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

- (v) Ordinary Question No.250/2020 by the Member for Sabatia Constituency (Hon. Alfred Agoi) regarding the status of compensation of victims of terrorist attacks at the Dusit D2 Hotel on 15th January 2019, Westgate Mall on 21st September 2013 and at the United States Embassy Bombing on 7th August 1998.

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

- (vi) Ordinary Question No.260/2020 by the Member for Webuye West Constituency (Hon. Daniel Wanyama Sitati) regarding the tendering process of the design and construction of *Kakamega-Bungoma* Bulk Water Supply and Sanitation Project.

(To be replied by the Cabinet Secretary for Water, Sanitation & Irrigation before the Departmental Committee on Environment & Natural Resources)

- (vii) Ordinary Question No.261/2020 by the nominated Member (Hon. Godfrey Osotsi) regarding alleged sale of 10,000 acres of Nucleus Land, LR No. 7545/3 leased to Miwani Sugar Company in Kisumu County.

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

- (viii) Ordinary Question No.263/2020 by the Member for Mwea Constituency (Hon. Kabinga Wachira) regarding recent invasion of farms in Mwea Irrigation Scheme by a strange species of snails.

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

- (ix) Ordinary Question No.264/2020 by the Member for Sigowet-Soin Constituency (Hon. Kapsengeret Koros) regarding progress in the construction of *Changware-Kebeneti* Road in Sigowet-Soin Constituency.

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

(b) The following Questions were deferred –

- (i) Ordinary Question No.214/2020 by the Member for Kathiani (Hon. Robert Mbui) regarding compensating land owners in Kathiani Constituency whose land was compulsorily acquired by the Government in 1985 for construction of Kathiani Level 4 Hospital.
- (ii) Ordinary Question No.262/2020 by the Member for Mathare (Hon. Anthony Tom Oluoch) regarding funding of political parties.

8. STATEMENTS PURSUANT TO STANDING ORDER 44(2)(c)

Responses:

- On behalf of the Chairperson of the Departmental Committee on **Environment & Natural Resources**, the Member for Mathioya (Hon. Peter Kihara) issued responses to requests for Statement by –
 - a) **The Hon. Danson Mwashako** (Wundanyi) on the Mzima II Pipeline Water Project; and
 - b) **The Hon. Bernard Shinali** (Ikolomani) on the Lirhanda Corridor Gold Exploration.

9. THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO. 7 OF 2020)

Order for Second Reading read;

Motion made and Question proposed –

THAT, the County Allocation of Revenue Bill (Senate Bill No. 7 of 2020) be now read a Second Time.

(Chairperson, Budget & Appropriations Committee)

Debate arising;

Rising in his place on a Point of Order pursuant to Standing Order 95, Nominated Member (Hon. Godfrey Osotsi) claimed to move *“that the Mover be now called upon to reply”*;

And the Speaker having acceded to the claim;

Question put and agreed to;

Thereupon, the Mover replied;

Question put and agreed to.

Bill read a Second time and committed to a Committee of the whole House tomorrow.

10. COMMITTEE OF THE WHOLE HOUSE

Order for Committee read;

IN THE COMMITTEE

The Fourth Chairperson in the Chair

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

Clauses 3, 4, 5, 6 & 7 - agreed to

Clauses 8, 9, 10, 11 & 12 - agreed to

First, Second, Third & Fourth Schedules - agreed to

Clause 2 - agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported **without** amendments.

11. HOUSE RESUMED - The Speaker in the Chair

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

Bill reported without amendments

Motion made and Question proposed –

THAT, the House do agree with the Committee in the said report

(Chairperson, Budget & Appropriations Committee)

There being no debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the County Allocation of Revenue Bill (Senate Bill No. 7 of 2020) be now read a Third Time.

(Chairperson, Budget & Appropriations Committee)

Debate arising;

Question put and agreed to;

Bill read a Third Time and **passed**.

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

Motion made and Question proposed,

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 & Livestock on a Petition on and Inquiry into the Crisis Facing Sugar Industry in Kenya, laid on the Table of the House on *Thursday, June 20, 2019*.

(Chairperson, Committee on Implementation)

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

Debate arising;

There being no other member wishing to contribute;

Mover replied;

Putting of the Question deferred.

And the time being fifty-one minutes past Six O'clock, the Fourth Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

13. HOUSE ROSE - at fifty-one minutes past Six O'clock.

M E M O R A N D U M

The Speaker will take the Chair on
Thursday, October 08, 2020 at 10.00 a.m.