



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FOURTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, OCTOBER 1, 2020 (AFTERNOON SITTING)

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 Communications –

APPOINTMENT OF MEMBERS TO THE MEDIATION COMMITTEE ON THE COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO. 26 OF 2018)

Honourable Members, you will recall that on **Thursday, November 21, 2019**, the House passed with amendments **the County Early Childhood Education Bill (Senate Bill No. 26 of 2018)**. You will also recall that on Tuesday, June 30, 2020, the Senate considered and approved the National Assembly's amendments to clauses 2, 8, 9, 15, 16, 20, 23, 24, 25, 29, 30, 35, 41, 43, 46, 47, 56, 63, 64, 66, 69 as well as the Second Schedule, but rejected the National Assembly's amendments to clauses 27, 28, 33, 36, 37, 44 and 68.

It is in this regard, **Honourable Members**, that I requested the leadership of the Majority and Minority Parties in the House to expeditiously nominate five Members for appointment to a Mediation Committee to consider the Bill pursuant to Article 113 of the Constitution.

Consequently, **Honourable Members**, in consultation with the Leadership of the Majority and Minority Parties in the House, I hereby appoint the following Members to represent the National Assembly in the Mediation Committee to consider the said Bill-

- 1) The Hon. Martin Deric Wambugu Ngunjiri, MP;
- 2) The Hon. (Dr.) Daniel Kamuren Tuitoek, MP;
- 3) The Hon. John Paul Mwirigi, MP;
- 4) The Hon. Eve Akinyi Obara, MP; and,
- 5) The Hon. (Dr.) Pamela Ochieng', MP.

Honourable Members, with this development, the Mediation Committee on the County Early Childhood Education Bill (Senate Bill No. 26 of 2018) is now fully constituted since the Senate has nominated the following Senators to the said Committee:

- 1) Sen. Paul Mwangi Githiomi, MP;
- 2) Sen. Okong'o Mogeni, MP;
- 3) Sen. (Dr.) Agnes Zani, CBS, MP;
- 4) Sen. Mary Yiane Seneta, MP; and
- 5) Sen. Iman Falhada Dekow, MP.

It is advisable that, in attempting to develop an agreed version of the Bill, the Committee confines itself to the aforementioned contentious clauses of the Bill. I call upon the members of the Committee to speedily embark on the process of developing a mediated version of the said Bill in accordance with Article 113 of the Constitution.

REFERRAL OF QUESTIONS TO COMMITTEES

Honourable Members, You will recall that on Tuesday 22th and Thursday 24th September, 2020, during **Order No. 7 on Questions and Statements**, the Member for Moyale (Hon. Qalicha Gufu Wario) and the Member for Gem (Hon. Elisha Ochieng Odhiambo), did asked Ordinary Question No. 193/2020 and Question by Private Notice No. 026/2020 respectively. Indeed, I did refer the two questions to the Departmental Committee on Defense and Foreign Relations.

Honourable Members, Having received advice regarding the subject matter sought to be addressed by the two Questions, and having acceded to, I do now re-direct the said questions as follows: -

1. The Ordinary Question No. 193/2020 by the Member for Moyale (Hon. Qalicha Gufu), stands referred to the Departmental Committee on Administration and National Security and will be answered by the Cabinet Secretary for Interior and Coordination of National Government; and
2. Question by Private Notice No. 026/2020 by the Member for Gem (Hon. Elisha Odhiambo), stands referred to the Departmental Committee on Trade, Industry and Cooperatives and will be answered by the Cabinet Secretary for Industry, Trade and Cooperatives.

The affected Members and the House is accordingly guided.

5. **PAPERS**

The following Papers were laid on the Table of the House

- a) The Report of the Auditor-General and Financial Statements of the Rural Electrification Scheme – Kenya Power and Lighting Company PLC for the year ended 30th June, 2019 and the certificate therein;
- b) The Report of the Auditor-General and Financial Statements of the Kenya Pipeline Company Limited for the year ended 30th June, 2019 and the certificate therein;

The Report of the Auditor-General and Financial Statements of the Kenya Youth Employment Opportunities Project – CR No.5812-KE National Industrial Training Authority (NITA) for the year ended 30th June, 2019 and the certificate therein;

- c) Special Audit Report of the Auditor-General of the Kenya Medical Supplies Authority (KEMSA) for the period 13 March 2020 and 31 July 2020 and the certificate therein;
- d) Annual Report of the Public Service Commission for the Financial Year 2019/2020; and
- e) Annual Report of the Kenya Law Reform Commission for the Financial Year 2019/2020.

The whip of the Majority Party

- f) Reports of the Departmental Committee on Justice And Legal Affairs on:-
 - i. the Consideration of The - Independent Electoral And Boundaries Commission (Amendment)(No. 3) Bill (National Assembly Bill No. 35 Of 2019); And, \
 - ii. the Consideration of the - Impeachment Procedure Bill (Senate Bill No. 15 of 2018)

(Chairperson, Justice & Legal Affairs Committee)

- g) Report of the Departmental Committee on Health on its inquiry into the utilization of the funds appropriated to the Ministry of Health in the Financial Year 2019/20 for Covid-19 Pandemic, with focus on Kenya Medical Supplies Authority (KEMSA)

(Chair Departmental Committee on Health)

6. **NOTICE OF MOTION** –

The following notice of motion was given to the House-

THAT, this House **adopts** the Report of the Departmental Committee on Health on its Inquiry into the Utilization of the Funds Appropriated to the Ministry of Health in the Financial Year 2019/20 for Covid-19 Pandemic, with focus on Kenya Medical Supplies Authority (KEMSA), *laid on the Table of the House on Thursday, October 1, 2020.*

(Chair Departmental Committee on Health)

7. **QUESTIONS**

The following Ordinary Question were asked –

- a) Question No. 248/2020 by The Member for Gilgil (Hon. Martha Wangari, M.P.) regarding the number of Primary and Secondary schools to benefit from the supply of the locally assembled desks for schools in the FY2020/2021.

(To be replied to before the Departmental Committee on Education and Research)

- b) Question No. 252/2020 by The Member for Lamu East (Hon. Sharif A. Ali, M.P.) regarding the opening of the Kenya- Somalia Border at Kiunga Border Point.

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

- c) Question No. 254/2020 by The Member for Tharaka Nithi County (Hon. Beatrice Nkatha, M.P. regarding the construction of the 28.5km Chuka-Kaanwa-Kareni Road, a project funded by the European Union and the Government of Kenya that started in 2014.

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

- d) Question No. 257/2020 by the Member for Bureti (Hon. Japheth Mutai, M.P.) regarding the construction of Bosto Dam in Bureti Constituency funded through a loan agreement between the Government of Kenya and Exim Bank of China.

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

The following Ordinary Questions were deferred –

- a) Question No. 243/2020 by the Member for Wundanyi Hon. Danson Mwashako, M.P. regarding constituencies in his country without a single kilometer of road or with less than 5Km of road of Bitumen Standards.
- b) Question No. 249/2020 by the Member for Kwale County Hon. Zuleikha Juma Hassan M.P. regarding the measures in place to ensure that complaints raised by the community in Mwavurubo Ward, Kinango Constituency regarding the release of hazardous waste by M/s SBNP Ventures Limited in Kenya are addressed.
- c) Question No. 250/2020 by the Member for Sabatia Hon. Alfred Agoi, M.P. regarding the status of compensation for the victims of the terrorist attacks at Dusit D2 Hotel on 15th January, 2019, West Gate on 21st September, 2013 and the United States Embassy Bombing of 7th August, 1998.
- d) Question No. 260/2020 by the Member for Webuye West Hon. Daniel Wanyama Sitati, M.P. 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.

8. **MOTION- REPORT ON THE STATUS OF IMPLEMENTATION OF LEGISLATIONS, PETITIONS AND RESOLUTIONS**

(The Chairperson, Committee on Implementation)

Motion having been made and Question proposed –

THAT, this House adopts the Report of the Committee on Implementation on the status of Implementation of Legislations, Petitions and Resolutions passed by the House, *laid on the Table of the House on Tuesday, June 30, 2020.*

Debate having been concluded;

Question put and agreed to.

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

(The Chairperson, Budget & Appropriations Committee)

Order for First Reading read;

Bill read a First Time and committed to the relevant Committee pursuant to the Standing Orders.

10. **MOTION - THE STATUS OF IMPLEMENTATION OF THE RESOLUTION OF THE HOUSE REGARDING CONDITIONAL APPROVAL OF A NOMINEE FOR APPOINTMENT AS AMBASSADOR**

(The Chairperson, Committee on Implementation)

THAT, this House **notes** the Report of the 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. Mwende Mwinzi for Appointment as Ambassador of*

*Kenya to Seoul, South Korea, laid on the Table of the House on November 27, 2019, and given that Ms. Mwende Mwinzi failed to fulfil the conditions set by the House on 6th June 2019, regarding her renouncement of the United States of American citizenship, this House **rejects** the appointment of Ms. Mwende Mwinzi as an Ambassador of Kenya to Seoul, South Korea; and **recommends** that the appointing authority initiates the process of nomination of an Ambassador of Kenya to Seoul, South Korea.*

Order deferred to another day pursuant to the Standing Orders.

11. **THE PUBLIC PARTICIPATION BILL (NATIONAL ASSEMBLY BILL NO. 69 OF 2019)**

(The Chairperson, Committee on Parliamentary Broadcasting and Library)

Order deferred to another day pursuant to the Standing Orders.

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

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

(The Chairperson, Constitutional Implementation Oversight Committee)

Order deferred to another day pursuant to the Standing Orders.

13. **THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 13 OF 2018)**

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

Order deferred to another day pursuant to the Standing Orders.

14. **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 Investment 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.*

Order deferred to another day pursuant to the Standing Orders.

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

(The Chairperson, Committee on Delegated Legislation)

Order deferred to another day pursuant to the Standing Orders.

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

(The Chairperson, Committee on Delegated Legislation)

Order deferred to another day pursuant to the Standing Orders.

17. **MOTION** - **REPORT ON A PUBLIC PETITION ON THE 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 its consideration of a Public Petition on Inquiry into the Crisis Facing Sugar Industry in Kenya, *laid on the Table of House on Thursday, June 20, 2019.*

Order deferred to another day pursuant to the Standing Orders.

And the time being Seven Minutes past Four O'clock, the Fourth Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

18. **HOUSE ROSE** - at Seven Minutes past Four O'clock.

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, October 6, 2020 at 2.30 p.m.

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