



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – THIRD SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, JUNE 18, 2024 AT 2.30 P.M.**

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

4. **MESSAGES**

The Rt. Hon. Speaker reported the following Messages from the Senate to the House—

**Passage of three Senate Bills and two National Assembly Bills**

“Honourable Members, pursuant to the provision of Standing Order 41(4), I wish to report to the House that I have received five (5) Messages from the Senate regarding passage of three Senate Bills and two National Assembly Bills.

Honourable Members, the first Message conveys that on 11<sup>th</sup> June 2024, the Senate considered and agreed to the National Assembly amendments to the County Licensing (Uniform Procedures) (Senate Bill No. 9 of 2022). You will recall that on 2<sup>nd</sup> May 2024, this House passed the said Bill with amendments, following which I referred the Schedule of National Assembly amendments to the Senate for consideration in accordance with Article 110(4) of the Constitution.

Honourable Members, the concurrence of the Senate with the National Assembly on the Bill therefore concludes the bicameral consideration of the Bill under Article 110 of the Constitution.

Honourable Members, the second Message conveys that, on 11<sup>th</sup> June 2024, the Senate considered and passed the County Governments Additional Allocations Bill (Senate Bill No. 19 of 2024), with amendments. The said Bill seeks to provide for additional allocations to county governments for the financial year 2024/2025 and the responsibilities of National Government and county governments pursuant to such allocations.

Honourable Members, the third Message conveys that, on 11<sup>th</sup> June 2024, the Senate passed the County Allocation of Revenue Bill (Senate Bill No. 25 of 2024), with amendments. This annual Bill seeks to provide for the equitable allocation of revenue raised nationally among the county governments for the financial year 2024/2025 and the responsibilities of national and county governments.

Honourable Members, having passed the two (2) Senate Bills, the Senate now seeks the concurrence of the National Assembly pursuant to the provisions of Article 110(4) of the Constitution.

Honourable Members, the centrality of the said Bills in the budget process and the prescribed statutory timelines call for their expedited passage. In this regard, you will notice that I have directed the Clerk to list the two Bills for First Reading under Order Nos. 10 and 11 in the Supplementary Order Paper for today, Tuesday, 18<sup>th</sup> June, 2024. Thereafter, both Bills will stand committed to the Budget and Appropriations Committee for consideration. I urge the Committee to prioritize the Bills and report to the House as soon as is practicable to enable the House to proceed with the next stages of the Bills.

Honourable Members, the fourth and fifth Messages convey that, on 11<sup>th</sup> June 2024, the Senate considered and passed the Statutory Instruments (Amendment) Bill (National Assembly Bill No. 2 of 2023) and the Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bill No. 10 of 2024) with amendments. The Senate has now referred the two Bills back to the National Assembly for reconsideration pursuant to Article 112(1)(b) of the Constitution.

Honourable Members, this House is therefore required to consider Senate amendments to the two Bills. In this regard, I direct the Clerk to circulate the schedule of the Senate amendments to the two Bills to all Members. Thereafter, the Senate amendments to the Statutory Instruments (Amendment) Bill, 2023 will stand referred to the Committee on Delegated Legislation, while the Senate amendments to the Independent Electoral and Boundaries Commission (Amendment) Bill, 2024 will stand referred to the Departmental Committee on Justice and Legal Affairs. The two Committees are expected to expedite consideration of the Senate amendments to the respective Bills and submit their reports to the House. Aware of the nature of the Independent Electoral and Boundaries Commission (Amendment) Bill, I direct that the Departmental Committee on Justice and Legal Affairs should table its report on Thursday, 20<sup>th</sup> June, 2024 during the Morning Sitting. The House is accordingly guided. I thank you!"

## **5. PAPERS**

The following Paper was laid on the Table of the House –

- (a) Documents submitted by the Cabinet Secretary for the National Treasury and Economic Planning during the Budget Highlights Day, Thursday, June 13 2024:
  - (i) Budget Statement for the FY 2024/25;
  - (ii) The 2024 Budget Policy Statement;
  - (iii) Estimates of the Revenue, Grants and Loans for the FY 2024/25 Budget;
  - (iv) Financial Statement for the FY 2024/25 Budget;
  - (v) Medium Term Debt Management Strategy 2024;
  - (vi) Budget Highlights – The “Mwananchi” Guide for the FY 2024/25 Budget; and
  - (vii) Statistical Annex to the Budget Statement for the FY 2024/25.
- (b) Legal Notice No.215 of 2023 relating to the Wildlife Conservation and Management (Access and Conservation) (Fees) Regulations, 2023 and the explanatory memorandum from the Ministry of Tourism and Wildlife (*to be referred to the Committee on Delegated Legislation*).

- (c) East African Community (EAC) Custom Proposals for the financial year 2024/25 from the National Treasury;
- (d) Report on the status of Administrative Justice and Access to information in Kenya from the Commission on Administrative Justice for 2012-2023;
- (e) Nominees to Webuye West, Isiolo South, Nandi Hills, and Mumias East Constituencies' committees from the National Government Constituencies Development Fund Board; and
- (f) The Agreement on the establishment of the Global Green Growth Institute (GGGI) from the Prime Cabinet Secretary and Cabinet Secretary, Foreign and Diaspora Affairs.

*(The Leader of the Majority Party)*

- (g) Reports of the Committee on Regional Integration on -
  - (i) Consideration of business transacted by the East African Legislative Assembly at the Fourth Meeting of the First Session of the Fifth Assembly, held in Arusha, Tanzania from 11<sup>th</sup> to 23<sup>rd</sup> June 2023; and
  - (ii) A study visit to the Economic Community of West African States (ECOWAS) Headquarters in Abuja, the Federal Republic of Nigeria.

*(The Chairperson, Committee on Regional Integration)*

- (h) Report of the Departmental Committee on Labour on its consideration of the Employment (Amendment) Bill (National Assembly Bill No. 62 of 2023)

*(The Chairperson, Departmental Committee on Labour)*

- (i) Report of the Departmental Committee on Finance and National Planning on its consideration Finance Bill (National Assembly Bill No. 30 of 2024).

*(The Chairperson, Departmental Committee on Finance and National Planning)*

## **6. NOTICES OF MOTION**

The following Notice of Motion was given—

### **(a) Report of the Committee on Regional Integration business transacted by the East African Legislative Assembly**

**THAT**, this House adopts the Report of the Select Committee on Regional Integration on its consideration of the business transacted by the East African Legislative Assembly at the Fourth Meeting of the First Session of the Fifth Assembly, held in Arusha, Tanzania from 11<sup>th</sup> to 23<sup>rd</sup> June 2023, *laid on the Table of the House on Tuesday, 18<sup>th</sup> June 2024.*

*(The Chairperson, Committee on Regional Integration)*

### **(b) Formulation of a land use policy on zoning of land for agriculture and built development**

**THAT**, aware that land is a critical but limited factor of production that supports human habitation and food production; noting that, agriculture is Kenya's economic mainstay; appreciating that, that the Central Bank of Kenya (CBK) *Monetary Policy Committee Agriculture Sector Survey 2022* estimated the

contribution of the agriculture sector to the country's Gross Domestic Product (GDP) to be 22% directly and 27% indirectly, through its linkages with other sectors; further appreciating that, the Survey showed that the sector employs over 40% of the Kenya's total population; concerned that, in the *Land Reform, Vol. 3* publication, the Kenya Land Alliance Land estimated that only 17% of the country's land mass is classified as suitable for rain-fed agriculture land while the remainder is either semi-arid or arid; further concerned that, the country's agricultural productivity has been decreasing over the years; cognizant of the fact that, the decline in agricultural productivity is partly attributable to the shrinking agricultural land due to unplanned settlements that encroach on agricultural lands; further concerned that, agricultural lands in rural areas are continually being subdivided into small portions for built development, thereby diminishing the size of land available for agriculture; noting that, there is need to put in place measures for effective land use in the country in order to guarantee optimal use of agriculture; now therefore, this House resolves that, the Government, through the Ministry of Lands, Public Works, Housing and Urban Development puts in place a policy framework for effective land use in rural areas by consolidating and designating zones for built development for commercial and residential developments with shared public utilities and separate zones for agricultural use in order to arrest further diminishing of agricultural land and steady the country's agricultural productivity.

**(c) Policy and Fund for sugarcane farming to avert shortage in Western Kenya**

**THAT**, aware that, commercial sugarcane production in Kenya was introduced in the early years of independence with an aim of eliminating dependence on sugar importation and contributing to economic transformation in the sugar belt and the country at large through agriculture; acknowledging that, at its pinnacle, the sugar industry significantly contributed to the country's National Gross Domestic Product (GDP) and became one of the largest employers which supported livelihoods of many Kenyans both directly and indirectly; concerned that, over the last 25 years, sugarcane farming particularly in Western Kenya has been declining significantly, thereby dipping sugar production from over 600,000 metric tonnes per year in the 1990s to less than 300,000 metric tonnes in recent years; noting that, the decline in sugarcane farming has forced local millers to operate far below their milling capacities and pushed the country to over-rely on net importation of sugar, which negatively impacts on the balance of trade; noting that, the decline in sugar production is attributable to factors such as mismanagement, interference and unfair competition from cheap imported sugar; further concerned that, state-owned sugar millers like Mumias Sugar Company and Nzoia Sugar Company ceased milling while owing farmers hundreds of millions of shillings; appreciating that, the Government has been putting in place strategies, policies and regulations to define roles of millers and major players and stakeholders in the sugar industry in a bid to revamp the sector; concerned that, the acute shortage of sugarcane resulting from mass abandonment of sugarcane farming continues to roll back initiatives for reviving sugar milling; recognizing that, further investment in revamping sugar companies before reviving sugarcane farming would occasion loss of the invested public funds instead of yielding success; now therefore, this House resolves that, the National Government, through the Ministry of Agriculture and Livestock Development, reviews the sugar development policies to provide that every investor-miller sets aside definite funds for development of sugarcane farming,

incentivizing farmers to embrace sugarcane growing and to enhance cane production in each of the respective zones.

*(Hon. Peter Nabolindo, MP)*

**(d) National sensitization and support for combating sickle cell and haemophilia diseases**

**THAT**, aware that Article 43(1) of the Constitution entitles every person to the right to the highest attainable standard of health, which includes the right to health care services; further aware that, every year, an estimated 14,000 children born in Kenya suffer from sickle cell and haemophilia diseases, with the highest prevalence rate being within Western, Nyanza and Coastal Regions; concerned that, failure to undertake sickle cell and haemophilia screening at birth hinders timely administration of appropriate treatment and other mitigation measures to forestall high infant mortality caused by preventable diseases like malaria; cognizant that, national population surveys does not include data on sickle cell and haemophilia diseases; concerned that, the dearth of data and information negatively hinders prioritization of resources and implementation of sickle cell disease management programs; recognizing that, the number infant deaths caused by the disease continues to grow as a result of underfunding due to lack of data on the number of cases of the killer disease; now therefore, this House resolves that the National Government, through the Ministry of Health, and in conjunction with county governments –

- (a) conducts awareness and sensitization programmes on sickle cell and haemophilia diseases and supports research and training for medical personnel on the two diseases; and
- (b) puts in place measures for mandatory screening of newborns sickle cell and haemophilia diseases in all public health facilities in the country in order to create a database to guide funding and other interventions aimed at curbing the diseases and reducing infant mortalities resulting from the diseases.

*(Hon. Peter Nabolindo, MP)*

**7. STATEMENTS**

- (a) The following Statements were requested pursuant to the provisions of Standing Order 44(2)(c)—
  - (i) Request for a Statement by the Member for Kirinyaga County (Hon. Hon. Jane Njeri, MP) from the Chairperson, Departmental Committee on Administration and Internal Security regarding the murder of Derrick Gachoki in *Kiandai* Centre, Kirinyaga County;
  - (ii) Request for a Statement by the Member for West Pokot County (Hon. Hon. Rael Kasiwai, MP) from the Chairperson, Departmental Committee on Blue Economy, Water and Irrigation regarding the status of *Siyoi-Muruny* Dam in West Pokot County; and
  - (iii) Request for a Statement by the Member for Nyeri County (Hon. Rahab Mukami, MP) from the Chairperson, Departmental Committee on Health regarding support for persons with cerebral palsy in the country.

(b) Pursuant to the provisions of Standing Order 44(2)(c)44(2)(c) the Chairperson, Departmental Committee on Administration and Internal Security issued responses to the following Statements—

- (i) Statement by the Member for Marakwet West (Hon. Timothy Toroitich, MP) regarding National Police Reservist deployed in the banditry prone areas; and
- (ii) Statement by the Member for Kilgoris (Hon. Julius Ole Sunkuli, MP) regarding the security situation in Kilgoris Constituency.

**8. PROCEDURAL MOTION- RESOLUTION TO HOLD A THURSDAY MORNING SITTING**

Motion made and Question proposed—

**THAT**, pursuant to the provisions of Standing Order 30(3)(c), this House resolves to hold a Morning Sitting on Thursday, 20<sup>th</sup> June 2024, commencing at 9.30 am for purposes of considering priority business.

*(The Leader of the Majority Party)*

There being no debate arising;

Question put and agreed to.

**9. MOTION - REDUCTION OF PUBLICATION PERIOD OF SPECIFIED BILL**

Motion made and Question proposed—

**THAT**, pursuant to the provisions of Standing Order 120, this House resolves to reduce the publication period of the Appropriation Bill (National Assembly Bill No. 33 of 2024) from seven (7) days to five (5) days.

*(The Chairperson, Budget and Appropriations Committee)*

There being no debate arising;

Question put and agreed to.

**10. THE APPROPRIATION BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2024)**

*(The Chairperson, Budget and Appropriations Committee)*

Order for First reading read;

Bill read a First Time and committed to the relevant committee.

**11. THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL (SENATE BILL NO. 19 OF 2024)**

*(The Chairperson, Budget and Appropriations Committee)*

Order for First reading read;

Bill read a First Time and committed to the relevant committee.

12. **THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO. 25 OF 2024)**  
(The Chairperson, Budget and Appropriations Committee)

Order for First reading read;

Bill read a First Time and committed to the relevant committee.

13. **THE CARE AND PROTECTION OF CHILD PARENTS BILL (SENATE BILL NO. 29 OF 2023)**

Order for Second reading read;

Motion made and Question proposed—

**THAT**, the Care and Protection of Child Parents Bill (Senate Bill No. 29 of 2023) be now read a Second Time;

*(The Hon. Beatrice Kemei, M.P. – Co-sponsor)*

Debate arising;

Mover replied;

Putting of the Question deferred.

14. **THE MUNG BEANS BILL (SENATE BILL NO. 13 OF 2022)**

Order for Second reading read;

Order deferred.

15. **MOTION – REPORTS OF THE AUDITOR-GENERAL ON THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR NINE CONSTITUENCIES IN BUNGOMA COUNTY**

Order read;

Order deferred.

16. **MOTION – PUBLIC PETITION ON FUNDS SPENT CONTRARY TO THE PROVISIONS OF ARTICLE 223 OF THE CONSTITUTION**

Order read;

Order deferred.

17. **MOTION – REPORTS OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF SPECIFIED STATE CORPORATIONS**

Order read;

Order deferred.

18. **MOTION – ENHANCING REPORTING OF PARLIAMENTARY BUSINESS ON ONLINE PLATFORMS**

Order read;

Order deferred.

**19. MOTION – INSPECTION VISIT TO SEMI-AUTONOMOUS INSTITUTIONS OF THE EAST AFRICAN COMMUNITY IN UGANDA**

Order read;

Order deferred.

**20. MOTION – IMPLEMENTATION STATUS OF REPORTS ON PETITIONS AND RESOLUTIONS PASSED BY THE HOUSE**

Order read;

Order deferred.

**21. MOTION – ALLEGED UNFAIR TRADE PRACTICES BY FOREIGN INVESTORS IN KENYA**

Order read;

Order deferred.

**22. MOTION – SECOND REPORT ON EMPLOYMENT DIVERSITY AUDIT IN PUBLIC INSTITUTIONS**

Order read;

Order deferred.

**23. THE LAND LAWS (AMENDMENT) (No. 2) BILL (NATIONAL ASSEMBLY BILL NO. 76 OF 2023)**

Order for Second Reading read;

Order deferred.

And the time being two minutes past Six O'clock, the Deputy Speaker adjourned the House without Question put pursuant to the provisions of Standing Orders.

**24. HOUSE ROSE - two minutes past Six O'clock.**

**M E M O R A N D U M**

The Speaker will take the Chair on  
Wednesday, June 19, 2024 at 9.30 am.