



REPUBLIC OF KENYA

NATIONAL ASSEMBLY

PROGRAMME OF PARLIAMENTARY BUSINESS

WEEK COMMENCING TUESDAY, JULY 09, 2013

**** 11TH PARLIAMENT * 1ST SESSION***

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REPUBLIC OF KENYA
NATIONAL ASSEMBLY
ELEVENTH PARLIAMENT (FIRST SESSION)
PROGRAMME OF PARLIAMENTARY BUSINESS
FOR THE WEEK COMMENCING TUESDAY, JULY 09, 2013

TUESDAY: **Communication from the Chair, Petitions, Papers Laid, Notices of**
09/07/2013 **Motions, Messages and Statements.**

A. *MOTION – (Dr. Joyce Laboso)

THAT, aware that since the signing of the Cotonou Agreement in the year two thousand, the government has been negotiating Economic Partnership Agreements (EPAs) with the European Union (EU) together with other member states of the Eastern African Region; further aware of the concerns raised by the Eastern African Region on the contentious aspects of the EPAs, including offering undue advantage to products from other markets at the expense of growth of local and regional industries; further taking cognizance of the adverse effects that the EPAs are projected to have on Kenya's economy particularly on agriculture and manufacturing sectors; aware of an amendment to the European Union's Market Access Regulations (1528 of 2007), whose effect is that the 18 countries which have not signed or ratified the full EPAs, most of which are from Sub-Sahara Africa, Kenya included, will henceforth be removed from duty -free, quota-free access to the EU Markets; further aware that once removed, Kenyan products will, from, October 2014, cease to enjoy the duty free, quota free tariffs in the EU market and that the national economy is estimated to lose more than Kshs. 10 billion in that year alone; this House resolves that the Government does not sign the Economic Partnership Agreements in their current form until all outstanding issues, especially the Most Favoured Nation, Export Taxes and Development clauses as raised by the East African Community and Kenya in particular, are conclusively addressed and that the Government continues to explore more beneficial trade negotiations with the European Union.

(Resumption of debate interrupted on Thursday, July 04, 2013)
(Question to be put)
(Motion as amended)

B. *MOTION – (The Hon. Florence Kajuju)

THAT, aware that Khat (*Miraa*) is an economic mainstay of many people in Kenya and has led to economic growth and development in the country; noting that the National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA) has continued to campaign against consumption of the commodity and classified Khat (*Miraa*) as a drug; concerned that most countries have banned chewing of Khat (*Miraa*) and others are in the process of banning entry of the product into their markets including recommendation of severe penalties against consumers, while others have granted the Government of Kenya a window period to consider the suitability of the product for export; further noting that recent research has established that Khat (*Miraa*) is not a drug, and therefore appropriate legislation should be put in place to regulate the industry; this House resolves to establish an *ad-hoc* Committee to comprehensively investigate, inquire into all matters relating to Khat (*Miraa*), consider and review all research findings and make recommendations to the House within ninety days, and that the Committee comprises the following Members:-

1. The Hon. Florence Kajuju, MP – Chairperson
2. The Hon. Franklin Mithika Linturi, MP
3. The Hon. Muriuki Njagagua, MP
4. The Hon. Gladys Wanga, MP
5. The Hon. Daniel Maanzo, MP
6. The Hon. Dennitah Ghati, MP
7. The Hon. Dr. Susan Musyoka, MP
8. The Hon. Fatuma Ibrahim, MP
9. The Hon. Cyprian Kubai Iringo, MP
10. The Hon. Joseph M'Eruaki, MP
11. The Hon. Farah Abdulaziz, MP
12. The Hon. Tiyah Galgalo, MP
13. The Hon. Dan Kazungu, MP
14. The Hon. Mohamed Elmi, MP
15. The Hon. Rachel Nyamai, MP
16. The Hon. Jimmy Angwenyi, MP
17. The Hon. Beatrice Nkatha Nyaga, MP
18. The Hon. Benson Mutura, MP
19. The Hon. Alfred Kiptoo, MP
20. The Hon. Kanini Kega, MP
21. The Hon. Zipporah Kering, MP
22. The Hon. Ayub Savula, MP
23. The Hon. Sabina Chege, MP

(Resumption of debate interrupted on Thursday, July 04, 2013)
(Balance of time –1hr. 50 min.)

C. *MOTION – (The Hon. James Opiyo Wandayi)

THAT, aware that Goldenberg matter almost brought the country's economy to its knees through false compensation claims on fictitious export of gold and diamonds; noting that the tax payers lost about Ksh. 5.8 billion that is documented so far; further aware that a Judicial Commission of Inquiry set up to probe the matter established impropriety on the part of Goldenberg company and its architects; noting that the report of the Judicial Commission of Inquiry has not been acted upon conclusively to date; further aware that the Kenya Public continues to bear the burden of old and emerging claims arising from the Goldenberg and related schemes, this House urges the Government to put in place measures to ensure that no further irregular payments are effected in regard to such schemes to avoid further loss of public funds.

D. *MOTION – (The Hon. Ali Wario)

THAT, aware that the heavy rains experienced across the country have caused flooding in many areas such as Tana River; concerned that the Tana And Athi River Development Authority (TARDA) and the Kenya Electricity Generating Company (KENGEN) have been draining water from their dams to River Tana; deeply concerned that people living downstream have been displaced, property destroyed and loss of livelihood following the artificial flooding occasioned by these two government agencies, this House resolves that TARDA and KENGEN should immediately stop draining water from their dams to River Tana, come up with a mechanism to control the flooding and consider compensating the people who have been affected.

E. *MOTION – (The Hon. David Kangogo Bowen)

THAT, aware that Kenya as East Africa's largest economy remains a minor electricity supplier with a low penetration level of about 15%; concerned that Kenya Power, as a strategic national agency, appears to be grossly inefficient in its operations, still having 85% of the population unconnected and facing a fast-growing population of 3% annually; also noting that power outages and surges have become the norm especially with the onset of long rains, sometimes causing electrical faults that result in fires and loss of property which is never compensated by Kenya Power; and further concerned that Kenya Power has portrayed a lackluster approach to handling customer complaints which leaves customers disadvantaged due to a lack of alternatives in electricity providers, this House urges:-

- (i) the Government to liberalize power distribution thereby breaking the monopoly of Kenya Power in order to encourage competition, improve efficiency, and reduce the cost of power; and
- (ii) Kenya Power to offer compensation to those who have encountered fires and loss of property due to power outages and surges.

F. *MOTION – (The Hon. James Gakuya)

THAT, aware that Kenya, and specifically Nairobi hosts the headquarters of the United Nations Environment Programme (UNEP), cognizant that Nairobi hosts more than 4 million Kenyans, concerned that the capital city chokes in waste, further aware that there is no proper garbage collection, safe and friendly disposal mechanisms, concerned that Dandora hosts the largest dumpsite for garbage generated in the city, deeply disturbed that the dumpsite has affected health of residents in Dandora, this House urges the Government to amongst other measures devise for friendly waste disposal that should also include putting up recycling plants within the dumpsites, that will ensure garbage collection and disposal from the point of generation.

G. Other Business Sponsored by the Majority Party or the Minority Party

MORNING SITTING

WEDNESDAY: **Communication from the Chair, Petitions, Papers Laid, Notices**
10/07/2013 **Motions, Messages and Statements.**

A. *MOTION – (The Hon. Jude Njomo)

THAT, aware that the Industrial Training Act, 2007 provides for the deduction and submission of levy from each employee by the employer to the Industrial Training Levy Fund to facilitate the training of persons involved in the industry; concerned with the increasingly high number of apprentices engaging in drug and alcohol abuse after the programme due to lack of employment; noting further that the youth continue to have limited access to training and employment opportunities, this House urges the Government to enforce compliance with Article 55 of the Constitution and Vision 2030 in regard to the youth by expanding the structure of the Fund to include SMEs and setting up a Fund for the purposes of utilizing part of the Training Levy Fund to provide capital for the apprentices who have undergone instruction using the Training Levy to start businesses.

B. *MOTION – (The Hon. Francis Kigo Njenga)
(Departmental Committee on Education, Research and Technology)

THAT, aware that a majority of the residents of Kenya are youth under the age of 30 years, whose numbers are being increased in the ranks of the unemployed every year after completion of primary and secondary school; further aware that the Government has invested a lot of money in them through free primary and secondary education; also noting that the revenue collected by this economy is in excess of Kshs. 1 trillion, and that the country has immense opportunities available to create employment for the said youth who will contribute to the realization of Vision 2030, this House urges the Government to consider spending 0.1% of its revenues to finance training in applied sciences in village polytechnics and institutes of technology within the country through soft, repayable loans

that will be channeled through the constituency development fund, similar to how the Higher Education Loans Board finances university education.

C. *MOTION – (The Hon. Onesmus Muthomi Njuki)
(Departmental Committee on Environment and Natural Resources)

THAT, aware that smallholder farmers living in the buffer zone around the Mount Kenya National Park and Forest Reserve have struggled for years with the elephants that regularly invade their land and destroy their crops, which is a costly affair for these smallholder farmers where livelihoods are often lost in a single night raid; concerned that hardly a day goes by without an incident occurring between farmer and the elephants in the area; noting that Elephants from the park easily stray outside its perimeters and cause damage to crops, domestic animals and homes, and even injury and death; and further aware that the Kenya Wildlife Service' compensation mechanism is wanting and unsatisfactory, giving only Ksh 200,000 for death and Ksh 50,000 for injury and nothing for crop or property damage, this House urges the Government to enhance the claim for people killed from the current 200,000 to 1,000,000 and for those injured from 50,000 to 200, 000 and also consider compensating farmers for destroyed crops and property based on value.

E. *MOTION – (Hon. Alois Lentoimaga)
(Departmental Committee on Administration and National Security)

THAT, aware that insecurity in the Arid and Semi Arid Lands (ASAL) is caused by perennial cattle rustling that is aggravated by poor or no infrastructural facilities; also noting that there is inadequate deployment of National Police Reservists (NPR) who are ill equipped, unpaid volunteers with the National Police Services and lack the motivation to fight this crime leading to apathy that has seen residents lose their livestock and even lives; and further aware that there is need to restructure the Security machinery in ASAL areas to mitigate the situation; this House urges the government to urgently review the terms and conditions of the recruitment, remuneration and deployment of the KPR in ASAL areas with a view to providing them with uniforms, proper identification documents, automatic firearms, regular allowances and general improvement of their working conditions so as to restructure this crucial sector and help the KPR fight cattle rustling more efficiently.

AFTERNOON SITTING

WEDNESDAY: **Communication from the Chair, Petitions, Papers Laid, Notices of
10/07/2013 Motions, Messages and Statements.**

**A.*MOTION – (Chairperson, Department Committee on Environment & Natural
Resources)**

THAT, this House adopts the Report of the Departmental Committee on Environment and Natural Resources on a Statement sought pursuant to Standing Order 44(2)(c) on management wrangles at Tana and Athi River Development Authority (TARDA).laid on the Table of the House today Thursday 4 July, 2013.

**B.*MOTION – (Hon. James Kimaru Bett)
(*Departmental Committee on Agriculture, Livestock and Cooperatives*)**

THAT, aware that milk production is a major source of income for millions of smallholder livestock farmers in the country who account for over 75% of the Milk industry's total output; concerned that whereas Livestock farming is a tedious and delicate undertaking when compared to farming of other consumable produce, smallholder farmers get a paltry Kshs 27 per litre of milk, way less than what water bottlers get at Shs 60 per litre of water; and further noting that smallholder milk producers encounter numerous obstacles amongst which is the high cost of production but are forced to settle for less when selling their produce; this House urges the government to urgently intervene with a view to reviewing farm gate milk prices in order to guarantee smallholder farmers better returns and shield them from endless losses.

C. **MOTION** – (Hon. CPA Charles M. Nyamai)
(*Departmental Committee on Administration and National Security*)**

THAT, aware that the process of obtaining national identification documents such as birth certificates and national identification cards is long and complex due to the different centres of processing such documentation; deeply concerned that there is a multiplicity of identification documents in registration of IDs, Birth Certificates, Passports, Elector's cards, Driving Licenses, NHIF and NSSF cards yet there is a proposed simplified way of doing the same; noting that the Government is embracing new ICT measures in line with Vision 2030, this House urges the Government to spearhead the establishment of a national unified identification system that harmonizes all personal bio data.

D. *MOTION – (Ms. Sunjeev Kaur Birdi)
(Departmental Committee on Environment and Natural Resources)

THAT, aware that every year floods and drought wreak havoc in various parts of the country; observing that flood seasons are often followed by times of drought, leading to loss of lives and lack of water for many; concerned that from 1995 to present, just over 500 small-scale sand dams have been constructed as water reservoirs, further concerned that as a result, there has been unplanned and rampant digging of multiple boreholes, leading to fast and widespread depletion of water tables; noting that such depletion leads to falling of trees and adversely affects the entire ecosystem yet could be prevented by harvesting flood waters for later use; deeply concerned that the ecosystem has a big impact on the environment as a whole, this House urges the Government to build multi-dams and ensure they are located equitably around the country while complementing the existing dams, and establish other measures for water harvesting especially during rainy or flood seasons for sustainability.

E. *MOTION – (The Hon. Joseph Gitari)

THAT, aware that the country produces only about a third of its annual rice demand of 300,000 tonnes with a bulk of the shipments to fill the deficit imported from Pakistan according to a research done by the Ministry of Agriculture on National Rice development strategy; further aware that locally produced rice is of high quality compared to imported rice and is preferred by consumers; and further appreciating that with improved water harvesting and innovative management technologies, the current irrigation potential of about 540,000 hectares irrigable can be increased by a further 800,000 hectares to 1.3 million hectares, this House urges the Government to consider increasing the acreage of both the irrigated and rain-fed rice production by 800,000 ha in order to promote increased production of rice which will ensure food security and save the much needed foreign exchange.

F. Other Business Sponsored by the Majority Party or the Minority Party

THURSDAY:
11/07/2013

Communication from the Chair, Petitions, Papers Laid, Notices of Motions, Messages and Statements.

A. *MOTION – (The Hon. Francis Chachu Ganya)

THAT, aware that good health to the people is crucial for the development of their livelihood; noting that North Horr constituency with an area of 38,572 square kilometers and a diameter of 800 kms lacks a single referral hospital; further noting that residents of the constituency have to travel for over 600 kilometers to access the services of the nearest government hospital in Marsabit town; concerned that the impact of lack of access to health care impedes people's ability to reach their full potential and negatively affect their quality of life which in turn affects the economy of the country; convinced that unless health care is made available to the people their development and livelihood will continue to be affected immensely, this House urges the Government to establish health centres and hospitals where such facilities are lacking in all the 290 constituencies across the country.

B. *MOTION – (The Hon. Hassan Dukicha)

THAT, aware that the National Irrigation Board of Kenya (NIB) has utilized only 5,000 hectares for crop production in Hola Irrigation Scheme; further aware that there is a lot of land available in Galole which can be put into use; noting that River Tana passes through Galole; cognizant that food production is critical in ensuring food security in the country, this House urges the Government through the National Irrigation Board to expand the acreage of land from the current 5,000 hectares to 25,000 hectares to enhance food production in Galole, Tana River County and in the country at large.

C. *MOTION – (The Hon. Mustafa Idd)

THAT, aware that the land tenure in the coast region has historically been a contentious issue; further aware that huge tracts of land are owned by absentee landlords and many households in areas such as Vipingo, Kikambala, Mtwapa, Majengo and Shariani in Kilifi county are living as squatters on the land; concerned that this issue hinders sustainable development, since the poor are likely to engage in unsustainable resource-use practices in an effort to meet immediate survival needs, this House urges the Government through the National Land Commission to register, adjudicate and issue title deeds to all squatters residing on the lands owned by government, all absentee landlords, ancestral and all other community land that has not been adjudicated.

D. *MOTION – (Hon. John Waluke)
(Departmental Committee on Roads, Public Works and Housing)

THAT, aware that Railway commuter transport system is not only the cheapest mode of transport but also the most reliable and safest; noting that up to the late 1980s the country used to have a daily passenger train service between Malaba border and Nairobi that greatly reduced the cost of transporting passengers and goods as well as contributing to social vibrancy and economic competitiveness of the region; and further aware that the absence of the Malaba to Nairobi Passenger Train service has greatly affected the vibrancy of the local economy; this House urges the government to reintroduce the daily passenger train service between Malaba and Nairobi to serve as an alternative means of transport for passengers in the region.

E. Other Business Sponsored by the Majority Party or the Minority Party

*** Denotes Motions of which Notices have been given**
**** Denotes Motions of which Notices have not been given**
