



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – SECOND SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, NOVEMBER 28, 2018 (MORNING)

1. The House assembled at thirty minutes past Nine O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Fourth Chairperson
4. **PAPERS**

The following Papers were laid on the Table of the House:-

- a) Report of the Departmental Committee on Finance & National Planning on its Consideration of the Insurance (Amendment) Bill, 2018.
- b) Report of the Departmental Committee on Finance & National Planning on its Consideration of the Government Contracts Bill, 2018.

(Chairperson, Departmental Committee on Finance & National Planning)

5. **NOTICE OF MOTION**

The following Notice of Motion was given:-

THAT, aware that as the country rolls out the Big Four Agenda amid concerns over high rate of youth unemployment, agriculture is believed to be among the sectors of the economy that country must target for possibilities to create employment and lift people out of poverty, further aware that the growing population and continued land degradation due to overgrazing, poor farming practices, deforestation and climate change, high cost of farming are among the factors harboring the youth from engaging in agriculture as a business for gainful employment thus realization of the Big Four Agenda; cognizant that for the economy to grow, the country must harness the demographic dividend by creating a huge working-class youth base through agriculture, this House **urges** the National Government to ensure access to friendly financial services for agricultural entrepreneurship, improve access to markets, promote climate-smart agricultural technologies and address cross-cutting challenges including setting aside land for agricultural activities by the youth farmers.

(Hon. (Bishop) Kawira Mwangaza)

6. **QUESTIONS**

The following Questions were asked:-

- (i) Question by Private Notice by the Member for Mwingi Central (Hon. Gedion Mulyungi) regarding the number of recruits to the Kenya Defence Forces in each sub-county; Question referred to the Departmental Committee on Defence and Foreign Relations.
- (ii) Question No.086/2018 by the Member for Mwatate (Hon. Andrew Mwadime) regarding retirement of hotel workers at the age of 55 years; Question referred to the Departmental Committee on Labour and Social Welfare.
- (iii) Question No.209/2018 by the Member for West Mugirango (Hon. Vincent Mogaka) regarding number of roads tarmacked in Kisii and Nyamira counties; Question referred to the Departmental Committee on Transport, Public Works and Housing.
- (iv) Question No.235/2018 by the Member for Sotik (Hon. Dominic Koskei) regarding the status of compensation for the people of Sotik, Bureti and Emurua Dikirr for post-election violence; Question referred to the Departmental Committee on Administration and National Security.
- (v) Question No.268/2018 by the Member for Kuria East (Hon. Marwa Maisori) regarding construction of the Migori airstrip runway extension; Question referred to the Departmental Committee on Transport, Public Works and Housing.

The following Question was dropped:-

- (i) Question No.078/2018 by the Member for Bomet Central (Hon. Ronald Tonui) regarding Schemes of Services for selected Commissions and state corporations; Question dropped on account of the absence of the Member.

7. **PROCEDURAL MOTION- EXEMPTION OF BUSINESS FROM THE PROVISIONS OF STANDING ORDER 40(3)**

Motion made and Question proposed -

THAT, this House orders that the business appearing as Order Nos.10, 11 and 12 in the Order Paper be exempted from the provisions of Standing Order 40(3) being a Wednesday Morning, a day allocated for Business not sponsored by the Majority or Minority Party or Business sponsored by a Committee.

(The Leader of the Majority Party)

There being no debate arising;

Question put and agreed to.

8. **PROCEDURAL MOTION- LIMITATION OF DEBATE ON A SPECIFIED REPORT**

Motion made and Question proposed -

THAT, notwithstanding the provisions of Standing Order 97(4), and the House resolution of February 14, 2018 limiting speech in a debate on a **Report of a Committee**,

this House further orders that debate in respect of the Report of the Committee of Powers and Privileges be limited as follows:- a maximum of **one (1) hour**, with not more than ten (10) minutes for the Mover in moving and five (5) minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party and that five (5) minutes before the expiry of the time, the Mover shall be called upon to reply; and further that priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

(The Leader of the Majority Party)

There being no debate arising;

Question put and agreed to.

9. **MOTION – REPORT ON THE INQUIRY INTO ALLEGATIONS OF BRIBERY OF SOME MEMBERS**

Motion made and Question proposed –

THAT, this House adopts the Report of the Committee of Powers and Privileges on the Inquiry into Allegations of Bribery of Some Members of the National Assembly during consideration of the Report of the Joint Sittings of the Departmental Committees on Agriculture and Livestock and Trade, Industry and Co-operatives on the Inquiry into Alleged Importation of Illegal and Contaminated Sugar into the Country, laid on the Table of the House on Tuesday, November 20, 2018.

(Hon. Mwathi Mungai, Member, Committee on Powers and Privileges)

THAT, the Motion be amended by inserting the following expression immediately after the expression “November 20, 2018”-

“subject to deletion of paragraph 7.2 on page 46 (Recommendations) of the Report, and substituting thereof the following new paragraph-

7.2 Recommendations

THAT, in view of the foregoing, taking into account the contradictions and inconsistencies in the evidence of the witnesses who appeared before the Committee of Powers and Privileges, and the fact that the Committee lacks capacity to conclusively investigate such matters which may border on criminality, this House notes that the Honourable Members who made claims of bribery against fellow Members are at liberty to make formal reports to other relevant competent state investigative agencies to undertake investigations.”

(Hon. (Dr) Robert Pukose)

No debate arising;

Question on the Amendment put and agreed to.

Debate on the Motion as Amended commenced;

Debate on the Motion as Amended concluded;

Mover replied;

Question on the Motion as amended put and agreed to.

10. **MOTION - TWENTY-SECOND REPORT ON AUDITED FINANCIAL STATEMENTS FOR STATE CORPORATIONS**

Motion made and Question proposed –

THAT, this House **adopts** the Twenty-Second Report of the Public Investments Committee on Audited Financial Statements for State Corporations, laid on the Table of the House on Tuesday, November, 06, 2018.

(Chairperson, Public Investments Committee – 21.11.18)

Debate interrupted on Wednesday, November 21, 2018 (Morning sitting) resumed;

[Change of Chair from the Fourth Chairperson to the Second Chairperson]

Rising in his place on a point of order under Standing Order 95, the Member for Ugunja (Hon. Opiyo Wandayi) claimed that to move that ‘the Mover be called upon to reply’

And the Speaker acceding to the claim;

Question put and agreed to;

Thereupon, Mover replied;

Question deferred.

11. **MOTION - REPORT ON THE EXAMINATION OF THE AUDITOR GENERAL’S REPORT ON THE FINANCIAL STATEMENTS FOR THE NATIONAL GOVERNMENT**

Motion made and Question proposed -

THAT, this House **adopts** the Report of the Public Accounts Committee on the Examination of the Financial Statements for the National Government for the Financial Year ended 30th June 2015, laid on the Table of the House on Tuesday, November 14, 2018.

(Chairperson, Public Accounts Committee)

Debate arising;

Motion made and Question proposed-

THAT, the Motion be amended by inserting the following expression immediately after the expression “2018”-

“subject to –

- (a) deletion of the Committee recommendation contained in paragraph 395.2 of the Report, and substitution thereof with the following new recommendation-

“The Auditor-General should, within three months after adoption of this Report, undertake further audit in order to establish the circumstances in which restricted tendering was adopted in the construction of a model County office in Embu by the State Department of Environment and Natural Resources during the financial year 2014/2015”;

- (b) deletion of the Committee recommendation contained Paragraph 395.5 of the Report and substitution thereof with the following new recommendation-

“The Auditor-General should within three months after the adoption of this report, undertake further audit on the propriety of using restricted tendering for fencing projects at various meteorological projects by the Department of Environment and Natural Resources during the financial year 2014/2015.”

- (c) deletion of the Committee recommendation contained in paragraph 395.7 of the Report, and substitution thereof with the following new recommendation-

“The Auditor-General should, within three months after adoption of this Report, undertake further audit on the propriety of contracts to various suppliers to supply seedlings to various destinations by the State Department of Environment and Natural Resources during the financial year 2014/2015.”

(Hon. Junet Mohammed)

Debate arising;

And the time being One O’clock, the Second Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

12. HOUSE ROSE - at One O’clock

MEMORANDUM

The Speaker will take the Chair today,
Wednesday, November 28, 2018 at 2.30 p.m.