



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FOURTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, JUNE 30, 2020

1. The House assembled at Ten O'clock in the Morning
2. The Proceedings were opened with Prayer
3. **Presiding** – the Deputy Speaker
4. **PAPERS**
The following Papers were laid on the Table of the House by –

The Leader of the Majority Party: -

- (i) Report from the Auditor General on Financial Statements of National Water Conservation and Pipeline Corporation for the year ended 30 June 2017.
- (ii) List of Nominees to fourteen (14) National Government Constituencies Development Fund Committees from the National Government Constituencies Development Fund Board for the following Constituencies: -
 1. Ainamoi
 2. Banissa
 3. Bondo
 4. Dadaab
 5. Ikolomani
 6. Isiolo South
 7. Kajiado North
 8. Kangema
 9. Kiambu
 10. Kitui East
 11. Mandera West
 12. Rarienda
 13. Sigowet/Soin
 14. Lugari

5. **NOTICES OF MOTION**

The following Notices of Motion were given by –

a) The Chairperson, Departmental Committee on National Government Constituencies Development Fund

THAT, pursuant to the provisions of Section 43(4) and Regulation 5(10) of the National Government Constituency Development Fund, 2015, this House **approves** the list of nominees for appointment to the following fourteen (14) Constituency Committees of the National Government Constituency Development Fund, *laid on the Table of the House on Tuesday, June 30, 2020-*

1. Ainamoi Constituency
2. Banissa Constituency
3. Bondo Constituency
4. Dadaab Constituency
5. Ikolomani Constituency
6. Isiolo South Constituency
7. Kajiado North Constituency
8. Kangema Constituency
9. Kiambu Constituency
10. Kitui East Constituency
11. Mandera West Constituency
12. Rarienda Constituency
13. Sigowet/Soin Constituency
14. Lugari Constituency

b) The Vice-Chairperson, Departmental Committee on Finance and National Planning

THAT, pursuant to the provisions of Section 13 of the Public Appointments (Parliamentary Approval) Act, 2011 relating to *extension of period for consideration of nominees for appointment to a public office*, this House **resolves** to extend the period for consideration of the nominee submitted by H.E. the President for appointment as the **Auditor-General** by a further period of 14 days from 8th July 2020:-

6. QUESTIONS

The following Questions were asked –

ORDINARY QUESTIONS

- (i) Question 096/2020 by the Member for Igembe Central (Hon. Iringo Kubai) regarding construction of Ura dam in Nyambene Forest in Igembe Central Constituency.

(To be replied by the Cabinet Secretary for Water and Sanitation before the Departmental Committee on Environment and natural Resources)

- (ii) Question 097/2020 by the Member for Westlands (Hon. Timothy Wanyonyi) regarding distribution schedule for the households affected by the recent flooding in the country.

(To be replied by the Cabinet Secretary for Devolution and ASALs before the Departmental Committee on Administration and National Security)

- (iii) Question 092/2020 by the Member for Makueni (Hon. Daniel Maanzo) regarding the status of construction of *Emali – Ukia Road (B107) in Makueni, Kaiti and Kibwezi West Constituencies.*

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

- (iv) Question 095/2020 by the Member for Teso North (Hon. Oku Kaunya) regarding equipping and operationalization of Technical Training Institutions.

(To be replied by the Cabinet Secretary for Education before the Departmental Committee on Education & Research)

7. STATEMENTS

Pursuant to Standard Order No. 84, the Hon. Member, (Christopher Omulele) made a statement for appreciation for the support his family were accorded due to demise of his late mother.

8. THE MEDIATION BILL (NATIONAL ASSEMBLY BILL) NO. 17 OF 2020

Order for First Reading read;

(Leader of the Majority Party)

Bill read a First time and committed to a Second Reading tomorrow.

9. THE NATIONAL AVIATION MANAGEMENT BILL (NATIONAL ASSEMBLY BILL) NO. 18 OF 2020

Order for First Reading read;

(Leader of the Majority Party)

Bill read a First time and committed to a Second Reading tomorrow.

10. MOTION – ALTERATION OF THE CALENDAR OF THE HOUSE

Motion made and Question proposed –

THAT, AWARE that, in accordance of the Calendar of the House for the Fourth Session, 2020 (as adopted on February 18, 2020, and amended on *17th march 2020, 14th April, 2020 and 2nd June, 2020*), the House is scheduled to proceed on a Short recess in respect of the Second Part of the Session on **Friday, July 03, 2020; NOW THEREFORE**, pursuant to the provisions of Standing Order 28(4), this House resolves to further alter the Calendar by varying the resumption date of the *Short Recess* from Tuesday, 21, 2020 at 2.30pm to **Tuesday, July 28, 2020 at 2.30pm**

(Leader of the Majority Party)

Debate arising;

Question put and agreed to.

11. PROCEDURAL MOTION - REDUCTION OF PUBLICATION PERIOD FOR A SPECIFIED BILL

Motion made and Question proposed –

THAT, notwithstanding the provisions of Standing Order 120, this House **resolves** to reduce the publication period of the Supplementary Appropriation (No. 2) Bill (National Assembly Bill No. 22 of 2020) from **7 days to 4 days**

(Vice Chairperson, Budget & Appropriations Committee)

Debate arising;

Question put and agreed to.

12. THE SUPPLEMENTARY APPROPRIATION (NO. 2) BILL, (NATIONAL ASSEMBLY BILL NO. 22 OF 2020)

Order for First Reading read;

(Vice Chairperson, Budget & Appropriations Committee)

Bill read a First time and committed to a Second Reading.

13. THE SUPPLEMENTARY APPROPRIATION (NO. 2) BILL, (NATIONAL ASSEMBLY BILL NO. 22 OF 2020)

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Appropriation Bill (National Assembly Bill No. 19 of 2020) be now read a Second time

(Vice Chairperson, Budget & appropriations Committee)

Debate arising;

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

14. COMMITTEE OF THE WHOLE HOUSE

Order for Committee read;

IN THE COMMITTEE

Deputy Speaker in the Chair

The Supplementary Appropriation Bill (No. 2)(National Assembly Bill No.22 of 2020)

FIRST SCHEDULE - Amendment proposed

THAT, the First Schedule be deleted and replaced with the following new Schedule—

FIRST SCHEDULE			
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
<i>Vote No.</i>	<i>Service or Purpose</i>	<i>Supply</i>	<i>Supplementary Appropriations in Aid</i>
Recurrent Expenditure			
R1011	The amount required in the year ending 30th June, 2020 for current expenses of the Presidency in the following programmes	300,000,000	0
	0704000 State House Affairs	300,000,000	-
R1021	The amount required in the year ending 30th June, 2020 for current expenses of the State Department of Interior in the following programmes	300,000,000	0
	0602000 Planning, Policy Coordination and Support Service	300,000,000	-
R1041	The amount required in the year ending 30th June, 2020 for current expenses of the Ministry of Defence in the following programmes	1,900,000,000	0
	0801000 Defence	1,900,000,000	-
R1081	The amount required in the year ending 30th June, 2020 for current expenses of the Ministry	9,782,000,000	0

FIRST SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Supplementary Appropriations in Aid
	of Health in the following programmes		
	0401000 Preventive, Promotive & RMNCAH	3,432,000,000	-
	0402000 National Referral & Specialized Services	1,500,000,000	-
	0403000 Health Research and Development	500,000,000	
	0404000 General Administration, Planning & Support Services	(600,000,000)	
	0405000 Health Policy, Standards and Regulations	4,950,000,000	
SUBCLASS TOTAL		12,282,000,000	0
Development Expenditure			
D1011	The amount required in the year ending 30th June, 2020 for development expenses of the Presidency in the following programmes	218,000,000	0
	0702000 Cabinet Affairs	218,000,000	-
D1021	The amount required in the year ending 30th June, 2020 for development expenses of the State Department for Interior in the following programmes	1,500,000,000	0
	0602000 Planning, Policy Coordination and Support Service	1,500,000,000	-
D1081	The amount required in the year ending 30th June, 2020 for development expenses of the Ministry of Health in the following programmes	818,450,000	(468,450,000)
	0405000 Health Policy, Standards and Regulations	818,450,000	(468,450,000)

FIRST SCHEDULE			
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
<i>Vote No.</i>	<i>Service or Purpose</i>	<i>Supply</i>	<i>Supplementary Appropriations in Aid</i>
D1094	The amount required in the year ending 30th June, 2020 for development expenses of the State Department for Housing and Urban Development in the following programmes	2,376,000,000	0
	0102000 Housing Development and Human Settlement	2,376,000,000	-
D1167	The amount required in the year ending 30th June, 2020 for development expenses of the State Department for Irrigation in the following programmes	70,000,000	0
	1014000 Irrigation and Land Reclamation	70,000,000	0
D1152	The amount required in the year ending 30th June, 2020 for development expenses of the Ministry of Energy in the following programmes	1,160,000,000	0
	0213000 Power Transmission and Distribution	1,160,000,000	-
SUBCLASS TOTAL		6,142,450,000	(468,450,000)
CLASS TOTAL		18,424,450,000	(468,450,000)

(Vice Chairperson, Budget & appropriations Committee)

Question of the amendment for the First Schedule proposed;

Debate arising;

Question put and agreed to.

First Schedule - as amended agreed to.

SECOND SCHEDULE - Amendment proposed

THAT, the Second Schedule be deleted and replaced with the following new Schedule—

SECOND SCHEDULE			
(1)	(2)	(3)	(4)
<i>Vote No.</i>	<i>Service or Purpose</i>	<i>Supply</i>	<i>Supplementary Appropriations in Aid</i>
Recurrent Expenditure			
R1068	The amount required in the year ending 30th June, 2020 for current expenses of the State Department for Post Training and Skills Development in the following programmes	0	0
	0512000 Work Place Readiness Services	(159,400)	-
	0513000 Post Training Information Management	159,400	-
R1252	The amount required in the year ending 30th June, 2020 for current expenses of the State Law Office and Department of Justice in the following programmes	0	0
	0606000 Legal Services	(173,730,251)	-
	0607000 Governance, Legal Training and Constitutional Affairs	14,159,960	-
	0609000 General Administration, Planning and Support Services	159,570,291	-
R2061	The amount required in the year ending 30th June, 2020 for current expenses of the Commission on Revenue Allocation in the following programmes	0	11,560,000

SECOND SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Supplementary Appropriations in Aid
	0737000 Inter-Governmental Transfers and Financial Matters	0	11,560,000
SUBCLASS TOTAL		0	11,560,000
Development Expenditure			
D1092	The amount required in the year ending 30th June, 2020 for development expenses of the State Department for Transport in the following programmes	0	0
	0203000 Rail Transport	1,800,000,000	-
	0204000 Marine Transport	(1,800,000,000)	-
D1107	The amount required in the year ending 30th June, 2020 for development expenses of the Ministry of Water and Sanitation in the following programmes	(70,000,000)	0
	1015000 Water Storage and Flood Control	(70,000,000)	
D1291	The amount required in the year ending 30th June, 2020 for development expenses of the Office of the Director of Public Prosecutions in the following programmes	(90,000,000)	0
	0612000 Public Prosecution Services	(90,000,000)	0
SUBCLASS TOTAL		(160,000,000)	0
CLASS TOTAL		(160,000,000)	11,560,000
GRAND TOTAL		18,264,450,000 0	(456,890,000)

(Vice Chairperson, Budget & appropriations Committee)

Question of the amendment for the Second Schedule proposed;

Debate arising;

Question put and agreed to.

Second Schedule - as amended agreed to.

Clause 2 - **Amendment proposed**

THAT, clause 2 be amended by deleting sub-clause (1) and substituting therefor the following new sub-clause—

“(1) The Treasury may issue the sum eighteen billion two hundred sixty-four million four hundred fifty thousand shillings out of the Consolidated Fund and apply it towards the supply granted for the service of the year ending on the 30th June, 2020”.

(Vice Chairperson, Budget & Appropriations Committee)

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Clause 2 - as amended agreed to.

NEW CLAUSE 3

THAT, the following new clause be inserted immediately after clause 2—

Appropriations in aid. **3.** In addition to the sum granted by section 2, the sum specified in the fourth column of the First and Second Schedules shall be applied for the several services and purposes specified in the second column of those Schedules, out of revenue directed to be applied outside the consolidated fund under Article 206(1) (b) of the Constitution.

(Vice Chairperson, Budget & Appropriations Committee)

Motion made and Question Proposed;

That New Clause 3 be read a Second Time

Debate arising;

Question put and agreed to.

Motion made and Question Proposed;

That New Clause 3 be part of the Bill

Debate arising;

Question put and agreed to.

NEW CLAUSE 4

THAT, the following new clause be inserted immediately after clause 2—

Reduction. **4.** The supply granted for the services of the year ending on 30th June, 2020, in respect of Votes D1107 and D1291 in accordance with the Appropriation Act, 2019, is reduced by the amounts specified in the third column of the Second Schedule.

(Vice Chairperson, Budget & Appropriations Committee)

Motion made and Question Proposed;

That New Clause 4 be read a Second Time

Debate arising;

Question put and agreed to.

Motion made and Question Proposed;

That New Clause 4 be part of the Bill

Debate arising;

Question put and agreed to.

Title - agreed to.

Clauses 1 - **Amendment proposed**

THAT, clause 1 be amended by deleting the phrase “and shall come into force upon publication in the Gazette” and substituting therefor the phrase “and shall be deemed to have come into force on 30th June, 2020”.

(Vice Chairperson, Budget & Appropriations Committee)

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Clause 1 - as amended agreed to.

Bill to be reported with amendments.

15. HOUSE RESUMED - the First Chairperson in the Chair

The Supplementary Appropriation Bill (No. 2)(National Assembly Bill No.22 of 2020)

Bill reported with amendments;

Motion made and Question proposed –

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

(Vice Chairperson, Budget & Appropriations Committee)

There being no debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the Appropriation Bill (National Assembly Bill No.19 of 2020) be now read a Third Time;

(Vice Chairperson, Budget & Appropriations Committee)

There being no debate arising;

Question put and agreed to;

Bill read a Third Time and passed.

16. MOTION – APPROVAL OF THE MEDIATED VERSION OF THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 11 OF 2017)

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Mediation Committee on the County Governments (Amendment) Bill (Senate Bill No. 11 of 2017)*laid on the Table of the House*

on Wednesday, April 22, 2020, and pursuant to the provisions of Article 113 (2) of the Constitution and Standing Order 150, **approves** the Mediated Version of the County Governments (Amendment) Bill (Senate Bill No. 11 of 2017).

(Vice- Chairperson, Mediation Committee)

Debate arising;

Question to be put.

17. MOTION - APPROVAL OF THE MEDIATED VERSION OF THE COUNTY GOVERNMENTS (AMENDMENT) (No. 2) BILL (SENATE BILL NO. 7 OF 2017)

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Mediation Committee on the County Governments (Amendment) (No.2) Bill (Senate Bill No. 7 of 2017), *laid on the Table of the House on Wednesday, April 22, 2020*, and pursuant to the provisions of Article 113 (2) of the Constitution and Standing Order 150, **approves** the Mediated Version of the County Governments (Amendment) (No.2) Bill (Senate Bill No. 7 of 2017).

(Vice- Chairperson, Mediation Committee)

Debate arising;

Question to be put.

18. HOUSE ROSE - at One O'clock

MEMORANDUM

The Speaker will take the Chair
Today, Tuesday, June 30, 2020 at 2.30 p.m.

---x---