



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FOURTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, JULY 28, 2020

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 Communication regarding Leadership of Committees as at July 2020

LEADERSHIP OF COMMITTEES AS AT JULY, 2020

I. DEPARTMENTAL COMMITTEES

A. ADMINISTRATION & NATIONAL SECURITY

1. The Hon. Paul Koinange, M.P. – Chairperson
2. The Hon. Fatuma Gedi Ali, M.P. – Vice Chairperson

B. AGRICULTURE AND LIVESTOCK

1. The Hon. Silas Kipkoech Tiren, M.P. Chairperson
2. The Hon. Catherine Waruguru, M.P. – Vice Chairperson

C. COMMUNICATION, INFORMATION AND INNOVATION

1. The Hon. William Kipkemoi Kisang, M.P. – Chairperson
2. The Hon. Jane Wanjuki Njiru, M.P. – Vice Chairperson

D. DEFENCE AND FOREIGN RELATIONS

1. The Hon. Katoo Ole Metito Judah, M.P. – Chairperson
2. The Hon. Richard N. Tongi, M.P. – Vice Chairperson

E. EDUCATION AND RESEARCH

1. The Hon. Florence Mwikali Mutua, M.P. – Chairperson
2. The Hon. Martin Wambugu Ngunjiri, M.P. – Vice Chairperson

F. ENERGY

1. The Hon. David Gikaria, M.P. – Chairperson
2. The Hon. Gladwell Cheruiyot, M.P. – Vice Chairperson

G. ENVIRONMENT AND NATURAL RESOURCES

1. The Hon. Japhet M. Kareke Mbiuki, M.P. – Chairperson
2. The Hon. Sophia Abdi Noor, M.P. – Vice Chairperson

H. FINANCE AND NATIONAL PLANNING

1. The Hon. Gladys Wanga, M.P. – Chairperson
2. The Hon. Isaac Waihenya Ndirangu, M.P. – Vice Chairperson

I. HEALTH

1. The Hon. Sabina W. Chege, M.P. – Chairperson
2. The Hon. Joshua Kutuny, M.P. – Vice Chairperson

J. JUSTICE AND LEGAL AFFAIRS COMMITTEE

1. The Hon. Clement Muturi Kigano, M.P. – Chairperson
2. The Hon. Dr. Paul Otiende Amollo, M.P. – Vice Chairperson

K. LABOUR AND SOCIAL WELFARE

1. The Hon. Peter Mwathi, M.P. – Chairperson
2. The Hon. Gideon Koske Kimutai, M.P. – Vice Chairperson

L. LANDS

1. The Hon. Dr. Rachael Nyamai, M.P. – Chairperson
2. The Hon. Khatib Abdallah Mwashetani, M.P. – Vice Chairperson

M. SPORTS, CULTURE AND TOURISM

1. The Hon. Patrick Makau Kingola, M.P. – Chairperson
2. The Hon. Dr. Korei Ole Lemein, M.P. – Vice Chairperson

N. TRADE, INDUSTRY AND COOPERATIVES

1. The Hon. Adan Haji Ali, M.P. – Chairperson
2. The Hon. Ruth Wangari Mwaniki, M.P. – Vice Chairperson

O. TRANSPORT, PUBLIC WORKS & HOUSING

1. The Hon. David Pkosing, MP –Chairperson
2. The Hon. Gathoni Wamuchomba, M.P. – Vice Chairperson

II. FINANCIAL AUDIT AND MONEY RELATED COMMITTEES

A. PUBLIC ACCOUNTS COMMITTEE

1. The Hon. James Opiyo Wandayi, M.P. – Chairperson
2. The Hon. Jessica Nduku Kiko Mbalu, M.P. – Vice Chairperson

B. PUBLIC INVESTMENTS COMMITTEE

1. The Hon. Abdullswamad Shariff Nassir , M.P. – Chairperson
2. The Hon. Ahmed Abdisalan Ibrahim, M.P. – Vice Chairperson

C. SPECIAL FUNDS ACCOUNTCOMMITTEE

1. The Hon. Kathuri Murungi, M.P. - Chairperson
2. The Hon. William Kamuren Chirchir Chepkut, M.P. – Vice Chairperson

D. BUDGET AND APPROPRIATIONS COMMITTEE

1. The Hon. Kanini Kega, M.P. - Chairperson
2. The Hon. Moses Lessonet, M.P. – Vice Chairperson

I. OTHER SELECT COMMITTEES

A. COMMITTEE ON IMPLEMENTATION

1. The Hon. Richard Moitalel Ole Kenta, M.P. – Chairperson
2. The Hon. Godfrey Osotsi, M.P. – Vice Chairperson

B. DELEGATED LEGISLATION

1. The Hon. William Kamket Kassait, M.P. – Chairperson
2. The Hon. Charles Muriuki Njagagua, M.P. – Vice Chairperson

C. REGIONAL INTEGRATION

1. The Hon. Ali Wario, M.P. –Chairperson
2. The Hon. Capt. Ruweida Mohamed, M.P. – Vice Chairperson

D. NG-CONSTITUENCIES DEVELOPMENT FUNDS COMMITTEE

1. The Hon. Wafula Wamunyinyi, MP – Chairperson
2. The Hon. Omar Mohamed Maalim Hassan, M.P. – Vice Chairperson

E. CONSTITUTIONAL IMPLEMENTATION OVERSIGHT COMMITTEE

1. The Hon. Jeremiah Ng'ayu Kioni, M.P. – Chairperson
2. The Hon. Peter Opondo Kaluma, M.P.

F. NATIONAL COHESION AND EQUAL OPPORTUNITY

1. The Hon. Maina Kamanda, M.P. – Chairperson
2. The Hon. Gideon Mutemi Mulyungi, M.P. – Vice Chairperson

G. PARLIAMENTARY BROADCASTING AND LIBRARY

1. The Hon. Justus Mugali Kizito, MP – Chairperson
2. The Hon. Jerusha Mongina Momanyi, MP – Vice Chairperson

H. MEMBERS' SERVICES & FACILITIES COMMITTEE

1. The Hon. Ezekiel Machogu Ombaki, M.P.- Chairperson
2. The Hon. Swarup Manjan Mishra, M.P. – Vice Chairperson

J. COMMITTEE ON APPOINTMENTS

1. The Hon. Justin B. Muturi, EGH, M.P.- Speaker of the National Assembly -
Chairperson

K. PROCEDURE AND HOUSE RULES COMMITTEE

1. The Hon. Justin B. Muturi, EGH, M.P. - Speaker of N. Assembly - Chairperson
2. The Hon. Moses Cheboi, M.P. - Deputy Speaker

L. COMMITTEE ON SELECTION

1. The Hon. (Dr.) Amos Kimunya, EGH, M.P. – Leader of the Majority
Party/ Chairperson

M. HOUSE BUSINESS COMMITTEE

1. The Hon. Justin B. Muturi, EGH, M.P. - Speaker of the National Assembly –
Chairperson

N. COMMITTEE OF PARLIAMENTARY POWERS AND PRIVILEGES

1. The Hon. Justin Muturi, EGH, M.P. - Speaker of the National Assembly
- Chairperson
2. The Hon. Joshat Kabinga Wachira, M.P. – Vice Chairperson

5. **PETITION**

The Member for Dagoretti South (Hon. John Kiarie) presented a Petition on behalf of Kenya Public Secondary Schools' Suppliers regarding delayed payments for supplied commodities;

Petition referred to the Departmental Committee on Education and Research, pursuant to Standing Order 227(2).

6. **PAPERS LAID**

The following Papers were laid on the Table –

- i) **Legal Notice No. 130 of 2020** relating to the Land Registration (Electronic Land Transactions) Regulations and the Explanatory Memorandum from the Ministry of Lands and Physical Planning. *(to be referred to the Committee on Delegated Legislation);*
- ii) **Legal Notice No. 131 of 2020** relating to the Land (Amendment) Regulations and the Explanatory Memorandum from the Ministry of Lands and Physical Planning. *(to be referred to the Committee on Delegated Legislation);*
- iii) **Legal Notice No. 132 of 2020** relating to the Survey (Electronic Cadastre Transactions) Regulations and the Explanatory Memorandum from the Ministry of Lands and Physical Planning. *(to be referred to the Committee on Delegated Legislation);*
- iv) **Legal Notice No. 134 of 2020** relating to the Survey (Amendment) Regulations and the Explanatory Memorandum from the Ministry of Lands and Physical Planning. *(to be referred to the Committee on Delegated Legislation);*
- v) **Legal Notice No. 97 of 2020** relating to the Crops (Sugar) (Imports, Exports and By-Products) Regulations and the Explanatory Memorandum from the Ministry of Agriculture, Livestock, Fisheries and Cooperatives. *(to be referred to the Committee on Delegated Legislation); and*
- vi) **Sessional Paper 1 of 2020** on Wildlife Policy
- vii) Annual Report to Parliament in fulfilment of the Constitutional Requirement under Article 153(4B) for the Ministry of East African Community and Regional Development.

(The Leader of the Majority Party)
- viii) Report of the Departmental Committee on Finance and National Planning on its consideration of the Public Finance Management (Amendment) Bill (No.2) (National Assembly Bill No.23 of 2020).

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

7. **STATEMENTS**

- (a) The following Members sought statement –
The Member for Garissa Town (Hon. Aden Duale, EGH, MP) requested for a Statement from the Chairperson, Departmental Committee on Administration and National Security regarding loss of two lives in Garissa Township Constituency through police brutality; and
The Nominated Member (Hon. (Prof) Jacqueline Oduor, MP) requested for Statement

from the Chairperson, Departmental Committee on Labour and Social Welfare regarding on increase in teenage pregnancies.

A. Responses to Requests for Statements:-

(a) The Chairperson, Departmental Committee on Lands, (Hon. (Dr) Rachel Nyamai, MP) responded to Requests for Statement as follows: -

- (i) Request for a Statement from the Member for Keiyo South (Hon. Daniel Rono, MP) regarding status of processing of title deeds for the residents of Rokohco changach Barak in Soy North; and
- (ii) Request for a Statement from the Member for Malava (Hon. Malulu Injendi, MP) regarding tribal conflict over land along the Nandi escarpment.

(b) The Chairperson, Departmental Committee on Education and Research (the Hon. Florence Mutua, MP) responded to Request for Statement as follows: -

- (i) Request for a Statement from the Member for Voi (Hon. Jones Mlolwa, MP) regarding Status of distribution of infrastructure funds; and
- (ii) Request for a Statement from the Member for Wundanyi (Hon. Danson Mwashako) regarding reporting timelines for first year government sponsored students placed in private universities.(Response to the Statement Laid on the Table of the House)

8. QUESTIONS

The following Questions were asked -

- (i) Question by Private Notice No.014/2020 by the Member for Murang'a County (Hon. Sabina Chege) regarding measures put in place to ensure that jobless youths in all counties benefit from the National Hygiene Initiative (Kazi Mtaani);

(To be answered by the by the Cabinet Secretary for Labour and Social Welfare before the Departmental Committee on Labour and Social Welfare)

- (ii) Question No.090/2020 by the Member for Tharaka (Hon. Gitonga Murugara) regarding the multi-agency taskforce on payment of pensions, gratuities and other benefits to former Councillors

(To be answered by the by the Cabinet Secretary for National Treasury before the Departmental Committee on Finance and National Planning)

- (iii) Question No.105/2020 by the Member for Maragua (Hon. Mary Wamaua) regarding the status of reinstating beneficiaries of *Inua Jamii Cash Transfer Programme* in Maragua constituency

(To be answered by the by the Cabinet Secretary for Labour and Social Welfare before the Departmental Committee on Labour and Social Welfare)

- (iv) Question No. 119/2020 by the Member for Gilgil (Hon. Martha Wangari) regarding funding of the Langa Langa-Machinery Road;

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

- (v) Question No.125/2020 by the Member for Nakuru Town East (Hon. David Gikaria) regarding criteria applied to determine payment of house allowances to teachers in the county;

(To be answered by the by the Chairperson, Teachers Service Commission)

9. **POINTS OF ORDER**

- a) Rising in his place on a point of order, pursuant to provisions of Standing Orders 1, 205 Article 95(4), 201 and 229 the Chairperson, Public Account Committee and Member for Ugunja Constituency (Hon. James Wandayi) raised the following issues on:-
- (i) guide on virtual sitting of the Committee;
 - (ii) difficulties in virtual/online Committee's engagement with Accounting Officers; and
 - (iii) possibilities and permission for physical meetings in a conducive environment during COVID-19.

The Member requested the Speaker to issue a guide with regard to the matter and in particular in relation to Committees engagement with the Accounting Officer especially during examination of Auditor General's Reports. The Speaker guide the House that he had issued a Communication on Engagement between the Executive and National Assembly during the COVID-19 Pandemic guiding the House regarding meetings.

- b) Rising in his place on a point of order, pursuant to provisions of Standing Orders 1, the Chairperson, Departmental Committee on Agriculture and Livestock and Member for Tiren Constituency (Hon. Silas Tiren) requested the Honourable Speaker to defer the consideration in Committee of the Whole House, the Tea Bill (Senate Bill No. 36 of 2018) to allow the Committee adequate time to consider and harmonizes proposed amendments from stakeholders. The request was granted by the Honourable Speaker and the Committee was given two week to consolidate and harmonize the proposed amendments.

10. **PROCEDURAL MOTION - LIMITATION OF DEBATE**

Motion made and Question proposed –

THAT, pursuant to the provisions of Standing Order 97(1) and notwithstanding the resolution of the House of February 18, 2020, the House **further Orders** that, during the Sittings of the House of July 28, 2020 up to and including August 13, 2020, each speech in **debate** on **Bills, Motions** (including *Special Motions*), **Sessional Papers** and **Committee Reports**, shall be limited as follows:- a maximum of **two and half hours** with not more than ten (10) minutes for the Mover in moving and five (5) minutes in replying and a maximum of five (5) minutes for any other Member speaking, except for the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of

the relevant Committee who shall be limited to a maximum of ten (10) minutes, and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and Chairperson of the relevant Committee, in that order.

The Leader of the Majority Party)

Debate arising;

Question put and agreed to.

11. **THE PANDEMIC RESPONSE AND MANAGEMENT BILL (SENATE BILL NO. 6 OF 2020)**
(Chairperson, Departmental Committee on Health)

Order for First Reading Read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

12. **THE CANCER PREVENTION AND CONTROL (AMENDMENT) BILL (SENATE BILL NO.9 OF 2019)**

(Chairperson, Departmental Committee on Health)

Order for First Reading Read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

13. **THE KENYA MEDICAL SUPPLIES AUTHORITY (AMENDMENT) BILL (SENATE BILL NO. 38 OF 2018)**

(The Chairperson, Departmental Committee on Health)

(Chairperson, Departmental Committee on Health)

Order for First Reading Read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

14. **THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2020)**

(Chairperson, Departmental Committee on Health)

Order for First Reading Read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

15. **THE CENTRAL BANK OF KENYA (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2020)**

(Chairperson, Departmental Committee on Health)

Order for First Reading Read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

16. **MOTION - ALTERATION OF THE CALENDAR OF THE HOUSE**

Motion made and Question proposed –

THAT, pursuant to the provisions of Standing Order 28(4), and taking cognizance of the recent rise in the spread of COVID-19 pandemic in the Country, this House **resolves to further alter** its Calendar for the Fourth Session (*Regular Sessions - 2020*), as amended on June 2, 2020 and therefore **orders** as follows **with respect to the Sittings of the House during the period July 30 to August 13, 2020 -**

- (a) that, the House will hold morning and afternoon Sittings on **Thursday, July 30, 2020**, commencing at 10.00 a.m. and at 2.30 p.m, respectively, thereafter, the rest of Sittings of the House of **Tuesdays** and **Thursdays** shall stand **suspended**; and,
- (b) that, with effect from Wednesday, August 5, 2020, the House will **hold its Sittings on Wednesdays only** (Morning and Afternoon), commencing at 10.00 a.m. and at 2.30 p.m. respectively.

(The Leader of the Majority Party)

Debate arising;

Question put and agreed to.

17. **THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) (No.2) BILL (NATIONAL ASSEMBLY BILL NO.23 OF 2020)**

Order for Second Reading Read;

Motion made and Question proposed;

THAT, the Public Finance Management (Amendment) (No.2) Bill (National Assembly Bill No.23 of 2020) be now read a Second Time

(The Leader of the Majority)

Debate arising;

(Change of Chair from the Speaker to the Third Chairperson)

Mover replied;

Question put and agreed to.

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

18. **HOUSE ROSE** - at Seven o'clock.

M E M O R A N D U M

The Speaker will take the Chair on
Thursday, July 30, 2020 at 10.00 a.m.