



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FOURTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, NOVEMBER 19, 2020

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

The Speaker conveyed the following Petition: -

- a) **Alteration of the boundary of Marsabit Forest by degazettement of 60 acres and gazettement of the entire 112, 998.9 acres of the Indigenous Mt. Kulal Forest**

“Honorable Members, pursuant to Standing Order 225(2)(b) requiring the Speaker to report to the House any Petition, other than those presented by a Member, I wish to report to the House that I have received a Petition from Captain (Rtd.) Abdullah Molu Mamo, a resident of Marsabit County.

Honourable Members, the Petitioner affirms that Marsabit Forest was created as a Forest Reserve with an area of 152.2 km² in 1932, while the Marsabit National Park was established in 1940 with an area of 395 km². In 1949, a large area measuring 2,020 km² was established as Marsabit National Reserve in order to create a buffer zone therefore reducing the possibility of human-wildlife conflict. Due to increased population over the years around Marsabit Mountain, an area measuring 534 km² was de-gazetted in 1982 to create room for more human settlement.

Honourable Members, the Petitioner asserts that Mt. Kulal Forest is a biosphere reserve and thus forms an important ecosystem having been recognized by UNESCO in 1978. Being un-gazetted, it is difficult for the Kenya Forest Services (KFS) to effectively transfer imperative guiding policies and recommendations for proper conservation and management. The Petitioner considers this approach as beneficial to the residents as well as the KFS with the view that KFS will have increased its areas of conservation while the residents will have adequate place for settlement without any encroachment.

The Petitioner prays that this House, pursuant to Section 34 of the Forest Conservation and Management Act, 2016, and the Cabinet Secretary responsible for environment, initiates the process of de-gazetting 60 acres of land in Marsabit Forest with a view to allocating it to the community and gazetting the whole of Mt. Kulal Forest measuring 112,998.9 acres to allow for proper conversation and management.

Honourable Members, pursuant to the provisions of Standing Order 227, this Petition stands committed to the Departmental Committee on Environment and Natural Resources for consideration. The Committee is required to consider the Petition and report its findings to the House and the Petitioners in accordance with Standing Order 227(2).

I thank you!"

Petition referred to the Departmental Committee on Environment and Natural Resources pursuant to Standing Order 227(1).

- b) The Member for Dagoretti South (Hon. John Kiarie, MP) presented a petition regarding establishment of retirement package for the Auditor-General.

Petition referred to the Constitutional Implementation Oversight Committee pursuant to Standing Order 227(1).

- c) The Member for Kilifi North (Hon. Owen Baya Yaa, MP) presented a petition regarding recognition of the Pemba people of Kenya as citizens of the Republic of Kenya.

Petition referred to the Departmental Committee on Administration and National Security pursuant to Standing Order 227(1).

5. PAPERS LAID

The following Papers were laid on the Table of the House –

- (i) Quarterly Economic and Budgetary Review for the First Quarter of the Financial Year 2020/2021 from the National Treasury and Planning.
- (ii) Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June, 2019 and the certificates therein: -
 - a) State Department for Vocational and Technical Training;
 - b) State Department for University Education;
 - c) Ministry of Lands and Physical Planning;
 - d) Kenya Industrial Estates Limited;
 - e) Sacco Societies Regulatory Authority; and
 - f) Water Sector Trust Fund.
- (iii) Report of the Auditor-General and Financial Statements of the Human Resource Operations at National Construction Authority (NCA) for the period 2014/2015 to 2016/2017.

(Leader of the Majority Party)

- (iv) Bi-Annual Report of the Select Committee on National Government Constituencies Development Fund on the Implementation of the NG – CDF, 2015 for the period, 2017/2018 and 2018/2019 Financial Years.

(Chairperson, Select Committee on National Government Constituencies Development Fund)

6. NOTICES OF MOTION

The following notices of Motion were given:

(i) Empowerment of Artisans by the Government

THAT, aware that there are diverse talents amongst the youth of this country; noting that these talents have been severally displayed through various inventions and innovations showcased by the artisans in platforms such as the Annual Youth Innovation Week and other profiled on social media; concerned, that most of these innovations and artworks do not go beyond making sensational stories in their localities, local dailies and social media mentions; further noting that most of these innovations and artworks are crucial in ideas promotion, intellectual development, creating employment and addressing the problems that affect us as Kenyans on a daily basis; concerned that there is inadequate support and administrative measures in place by the Government to support the artisans; cognizant of the fact that the Kenya Vision 2030 seeks to make our country an industrialized middle-income economy; aware of the immense potential for wealth creation and job opportunities that our own local production can generate if well-developed and commercialized; recognizing that while our imports are well in excess of Kshs.2 billion and are largely composed of non-value adding consumer goods; noting that homegrown technology would be region sensitive and appropriate for the environment, social economic dynamics and suitable for our utility; further concerned that most artisans lack appropriate technological, skills, capital and tools, **this House therefore resolves** that the National Government through the relevant Ministry formulates a policy which stipulates that at least two per cent (2%) of the National Government Constituencies Fund and *Uwezo* Fund is allocated for the purpose of equipping artisans with the necessary skills, tools and technology.

(Hon. John Kiarie, MP)

(ii) Development of a National Policy and criteria for the identification of Economically Marginalised Zones

THAT, aware that Article 203(g)(h)(i) & (j) of the Constitution of Kenya safeguards the rights for the marginalized communities and ensures equitable distribution of resources to address affirmative action regarding distribution of resources; concerned that various government agencies and departments use different modes, parameters, indicators and definitions to marginalization, arid and semi-arid lands, hardship areas, poverty and poverty pockets to place mitigating preferential and affirmative resources; further concerned that many areas that qualify and at times are worse off than the traditionally acclaimed marginalized zones do not benefit from the affirmative action government resources, **this House resolves** that the Government through the State Department for National Planning to urgently develop a common national policy and criteria that shows hardship indicators, marginalization progression and clear parameters for use by all government agencies and departments as well as county governments in directing preferential and affirmative action resources.

(Hon. (Dr.) Gideon Ochanda, MP)

7. QUESTIONS

(a) The following Ordinary Questions were asked –

- (i) Question No. 322/2020 by the Member for Lagdera (Hon. Mohamed Hire Garane, MP) regarding contractual obligations owed to various contractors in the country.

(To be replied to by the Cabinet Secretary for Health before the Departmental Committee on Health)

- (ii) Question No. 324/2020 by the Member for Bondo (Hon. Gideon Ochanda, MP) regarding faulty transformers and power outage problem in Bondo Constituency.

(To be replied to by the Cabinet Secretary for Energy before the Departmental Committee on Energy)

- (iii) Question No. 334/2020 by the Member for Ruiru (Hon. Simon N. King'ara, MP) regarding the deplorable state of the C556 Gatongora - Machinani - Kiratina - Gikumari - Juja Farm Road in Ruiru Constituency.

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

- (iv) Question No. 342/2020 by the Member for Nakuru Town East (Hon. David Gikaria, MP) regarding continuous payment of half salaries to the teaching and non-teaching staff of Egerton University Management.

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

(b) The following Question was deferred: -

- (i) Question No. 312/2020 by the Member for Lamu West (Hon. Stanley Muthama, MP) to the Cabinet Secretary for Agriculture, Livestock and Fisheries regarding cotton production in Lamu West Constituency.

8. STATEMENTS

The following Statements were made by –

- a) The Hon. Emmanuel Wangwe, MP (Chairperson, Ad-Hoc Committee on Hon. Murunga's Funeral and Member for Navakholo) on update on arrangements towards funeral of the late Hon. Justus Murunga, MP;
- b) Nominated Member (Hon. Wilson Sossion, MP) regarding Welfare of Interns Serving under the Teachers Service Commission; and
- c) The Leader of the Majority Party on the Business of the House for the following week *(pursuant to Standing Order 44(2))*.

Response to a Statement -

- The Chairperson, the Departmental Committee on Education and Research (Hon. Florence Mutua, MP) issued a Statement on the request by the Member for Tiaty (Hon.

William Kamket, MP) regarding Recruitment of Teachers by the Teacher Service Commission.

9. MOTION- ANNULMENT OF THE SPECIAL ECONOMIC ZONES (AMENDMENT) REGULATIONS, 2020

Motion made and Question proposed-

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Special Economic Zones (Amendment) Regulations, 2020, laid on the Table of the House on Tuesday, November 03, 2020, and pursuant to section 18 of the Statutory Instruments Act, 2013 and Standing Order 210 (4)(b), annuls in entirety the Special Zones (Amendment) Regulations, 2020 (Legal Notice No. 33 of 2020).

(The Chairperson, Committee on Delegated Legislation)

Debate on the Motion having been concluded on Tuesday, 17th November, 2020;

Question put and agreed to.

10. MOTION- DEBATE ON THE PRESIDENT'S ADDRESS (DAY 2)

Motion made and Question proposed-

THAT, pursuant to the provisions of Standing Order 24(6), the thanks of this House be recorded for the exposition of public policy contained in the Address of H.E. the President delivered in Parliament on Thursday, November 12, 2020 and further that this House notes the following Reports submitted by H.E. the President, *laid on the Table of the House on Tuesday, November 17, 2020-*

(a) Reports submitted in fulfillment of the provisions of Articles 132(1) (c) and 240(7) of the Constitution:

- (i) The Annual Report on the Measures Taken and Progress Achieved in the Realization on National Values and Principles of Governance;
- (ii) The Annual Report on the Progress made in Fulfilling of the International Obligations of the Republic of Kenya; and,
- (iii) The Annual Report to Parliament on the State of National Security.

(b) Other Reports submitted by H.E. the President:

- (i) The Report on Ease of Doing Business Milestones 2014-2020; and,
- (ii) The Annual Report of the Office of the Director of Public Prosecutions for the financial years 2017/2018, 2018/2019 and 2019/2020.

(The Leader of the Majority Party – 19.11.2020)

Debate interrupted on Thursday, November 19, 2020 (Morning sitting) resumed;

(Change of Chair from the Speaker to the First Chairperson of Committees)

Mover replied;

Question deferred.

11. HOUSE ROSE -

at Seven O'clock.

MEMORANDUM

The Speaker will take the Chair on
Tuesday, November 24, 2020 at 2.30 p.m.