

Thirteenth Parliament**First Session**

(No. 26)

(260)

**REPUBLIC OF KENYA****THIRTEENTH PARLIAMENT – FIRST SESSION****THE NATIONAL ASSEMBLY****VOTES AND PROCEEDINGS****TUESDAY, NOVEMBER 22, 2022**

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

4. PETITIONS

The following Petitions were presented in the House-

- (i) The Speaker conveyed the following Petition-

Petition regarding Graft Investigations at West Kano Irrigation Scheme

“**Honourable Members**, Article 119 of the Constitution accords any person the right to petition Parliament to consider any matter within its authority. Further, Standing Order 225(2)(b) requires the Speaker to report to the House any Petition other than those presented by a Member.

In this regard, Honourable Members, I wish to report to the House that my office has received a petition from one Pastor Ochieng' Odindo of P.O. Box 25, Nyang'ande, Kisumu County calling for investigations into a/ /eged cases of corruption at West Kano Irrigation Scheme.

The Petitioner is concerned about the manner in which the Ethics and Anti-Corruption Commission (EACC) Western Region Office in Kisumu mishandled investigations into alleged misuse of Government Rehabilitation Fund, Economic Stimulus Program Fund, and Farmers Own Saving Funds by the management of West Kano Irrigation Scheme.

He avers that EACC Western Region officers have failed to make any conclusion on allegations of corruption filed by himself and other residents in August 2015.

The Petitioner further decries failure by the same officers to investigate misappropriation of thirteen tractors granted through collaboration with the Government of Japan, as well as embezzlement of Rice Sales Funds released by the Government of Kenya. He is thus aggrieved by EACC Western Region's failure to conclude any of the investigations and equally failing to update the complainants on any progress made thereof. The Petitioner thus prays that this House uses its authority to intervene on behalf of poor farmers and beneficiaries of West Kano Irrigation Scheme by seeking conclusion of the

forementioned investigations by EACC Western Region office in order to recommend appropriate action against culpable officers.

Honourable Members, having established that the matter raised in the Petition is well within the authority of this House, I hereby commit the Petition to the Public Petitions Committee for consideration pursuant to Standing Order 208 A. The Committee is required to consider the Petition and report its findings to the House and to the Petitioner in accordance with Standing Order 227(2).

I thank you.”

- (ii) the Member for Kesses (Hon. Julius K. Ruto) presented a Petition on behalf of forest communities and forest associations across the country regarding safeguarding of the economic and social welfare of communities living next to forests.
- (iii) the Member for Mwala (Hon. Vincent Musyoka) presented a Petition on behalf of residents of Mwala Constituency and Machakos County regarding the pollution of River Athi.

The three petitions were referred to the Public Petitions Committee for consideration.

5. PAPERS

The following Papers were laid on the Table -

- (i) Legal Notice No. 194 of 2022 relating to the Capital Markets (Licensing Requirements) (General) (Amendments) (No.2) Regulations, 2022 and the Explanatory Memorandum from the National Treasury.
- (ii) Draft Public Finance Management (Financial Inclusion Fund) Regulations, 2022 and the Explanatory memorandum from the National Treasury.
- (iii) Annual Status Report on Water, Sanitation and Irrigation from the Ministry of Water Sanitation and Irrigation.
- (iv) Report on Human Wildlife Conflict Compensation Claims approved by 25th February, 2022 and not paid as at 30th June, 2022, from the Ministry of Tourism and Wildlife.
- (v) 15th Edition of Bi-Annual Report on the status of Alcohol and Drugs Control in Kenya for the period covering 1st July to 31st December, 2021 by NACADA.
- (vi) The Public Financial Management Reforms Secretariat Communication Strategy for the period 2018 to 2023 from the National Treasury.
- (vii) Annual Report and Financial Statements of Kirinyaga University for the FY2020/2021.
- (viii) Annual Report and Financial Statements of Kenyatta National Hospital for the FY2018/2019.
- (ix) Quarterly economic and Budgetary Review for the First Quarter of the FY 2021/2022 for the period ending 30th June, 2022 from the National Treasury.
- (x) Bi-Annual Report for the period July-December, 2021 from the Commission on Administrative Justice.
- (xi) County Governments Annual Budget Implementation Review Report for the FY2021/2022 from the Controller of Budget.
- (xii) Performance Audit Report on Monitoring of Artisanal Mining Operations by the Ministry of Petroleum and Mining.
- (xiii) Annual Public Debt Management Report for the FY2021/2022 from the National Treasury.
- (xiv) Report on the State of the Judiciary and the Administration of Justice for the FY2021/2022 from the Judiciary.

(xv) The Eighth and Ninth Batches of Nominees to Eighteen (18) National Government Constituencies Development Fund Committees including a revised list for Wajir West Constituency from the National Government Constituencies Development Fund Board for the following Constituencies: -

1. Emurua Dikirr;
2. Kabondo Kasipul;
3. Kanduyi;
4. Kiambu Town;
5. Kibwezi West;
6. Kilifi South;
7. Kiminini;
8. Kinango;
9. Lugari;
10. Mukurwe-ini;
11. Mwingi North;
12. Ndia;
13. Sirisia;
14. Juja;
15. Runyenjes;
16. Tigania East;
17. Wajir West;
18. Turkana North; and
19. Turkana West.

(xvi) A Revised List of Nominees for Kilifi North and Gilgil Constituencies from the National Government Development Fund Board;

(xvii) Reports of the Auditor General and Financial Statements in respect of the following Constituencies for the year ended 30th June, 2021 and the certificates therein: -

1. Isiolo South;
2. Tiaty;
3. Kacheliba;
4. Turkana East;
5. Saku;
6. Laisamis;
7. Kapseret;
8. Chesumei;
9. Ainabkoi;
10. Manyatta;
11. Mbeere South;
12. Isiolo North;
13. Loima;
14. Pokot South;
15. Kuria East;
16. Mosop;
17. Moyale;
18. Westlands;
19. West Mugirango;
20. Rongai;
21. Narok East;
22. Naivasha;

23. Eldama Ravine;
24. Turkana West;
25. Ol-Joro-orok;
26. Marakwet East;
27. Kajiado Central;
28. Kajiado East;
29. Kajiado West;
30. Kajiado North;
31. Kibwezi East;
32. Kinangop;
33. Mandera South;
34. Starehe;
35. Kangundo;
36. Narok West;
37. Gilgil;
38. Njoro;
39. Emurua Dikirr;
40. Narok South;
41. Subukia;
42. Mogotio;
43. Bahati;
44. Embakasi North;
45. Kuresoi North;
46. Aldai;
47. Tigania East;
48. Langata;
49. Embakasi Central;
50. Embakasi South;
51. Githunguri;
52. Nandi Hills;
53. Makadara; and
54. Limuru.

(xviii) Reports of the Auditor General and Financial Statements in respect of the following institutions for the year ended 30th June, 2022 and the certificates therein:

1. Supporting Agricultural input and output Marketing Policy and Regulatory Reforms to improve the Enabling Business Environment for Agriculture in Kenya;
2. Last Mile Connectivity Project I by the Kenya Power and Lighting Company PLC;
3. Last Mile Connectivity Project II by the Kenya Power and Lighting Company PLC;
4. Kenya Transport Sector Support Project by the state Department for Infrastructure;
5. Water and Sanitation Services Improvement Project by the Lake Victoria North Water Works Development Agency;
6. Credit Guarantee Scheme by the National Treasury;
7. Kenya Towns Sustainable Water Supply and Sanitation Programme by the Tana Water Works Development Agency;
8. Central Bank of Kenya;
9. Multinational Lake Victoria Maritime Communications and Transport, Kenya Maritime Authority; and

10. Kenya Health Sector Programme Support III.

(Leader of the Majority Party)

6. NOTICES OF MOTION

The following Notice of Motion was given –

THAT, pursuant to Standing Order No. 33(1), I rise to seek the leave for adjournment of the House in order to discuss a definite matter of urgent national importance regarding importation of genetically modified organism (GMO) maize into the Country.

(Hon. Abraham Kirwa – Mosop Constituency)

7. QUESTIONS

a) The following Questions were asked –

- (i) **Question No.020/2022** by the Member for Mwingi Central (Hon. Gideon Mulyungi) regarding the plans in place by the Ministry to construct and develop dams, boreholes, and water pans in Mwingi Central Constituency.

(To be replied to by the Cabinet Secretary for Water, Sanitation and Irrigation before the Departmental Committee on Blue Economy and Irrigation)

- (ii) **Question No.021/2022** by the Member Kisumu Central (Hon. Oron Odongo) regarding the measures that the Ministry has put in place to mitigate the continued release of effluent and other pollutants into Lake Victoria leading to damage and loss of the marine biodiversity.

(To be replied to by the Cabinet Secretary for Environment and Forestry before the Departmental Committee on Environment, Forestry and Mining)

- (iii) **Question No.022/2022** by the Member for Ndhiwa (Hon. Martin Owino) regarding the current ownership status of 116 hectares of land in *Kanyadoto Ward in Ndhiwa Constituency* which were donated by the community to the Government for development in 1980 and later alleged to have been transferred to the *International Centre of Insect Physiology and Ecology (ICIPE)*.

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

- (iv) **Question No.027/2022** by the Member for Ruiru (Hon. Simon King'ara, MP) regarding the steps that have been taken to curb the increasing cases of accidents involving pedestrians crossing the *Thika* superhighway particularly, in Ruiru Constituency where numerous lives have been lost.

(To be replied to by the Cabinet Secretary for Roads and Transport before the Departmental Committee on Transport and Infrastructure)

b) The following Question was deferred-

- (i) **Question No.008/2022** by the Member for Laikipia East (Hon. Mwangi Kiunjiri, MP) regarding the steps in place by Ministry of Roads and Transport to ensure

Timau – Chumvi – Dol Dol, Timau – Ngare Ndare –Anadungoro roads in Laikipia East Constituency are upgraded to bitumen standards.

8. STATEMENTS

Pursuant to the provisions of Standing Order 44(2) (c), the following statements were requested in the House:

- (i) By the Member for Embakasi West (Hon. Mark Mwenje) from the Chairperson of the Departmental Committee on Education regarding preparation undertaken by the Ministry of Education and the Kenya National Examination Council in connection with the simultaneous examination of the Kenya Certificate of Primary Education and Kenya Primary School Assessment National Examinations.
- (ii) By the Member for Pokot South (Hon. David Pkosing) from the Leader of the Majority Party regarding the planned importation of maize into the Country.

9. MOTION – ADJOURNMENT OF THE HOUSE TO DISCUSS A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE REGARDING IMPORTATION OF GMO MAIZE IN THE COUNTRY

Motion made-

THAT, pursuant to Standing Order No. 33(1), I rise to seek the leave for adjournment of the House in order to discuss a definite matter of urgent national importance regarding importation of genetically modified organism (GMO) maize into the Country.

(Hon. Abraham Kirwa)

Debate arising;

(Change of Chair from Honourable Speaker to Deputy Speaker)

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

(Change of Chair from the First Chairperson to the Fifth Chairperson)

Debate concluded.

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

10. HOUSE ROSE

- at Seven O'clock

MEMORANDUM

The Speaker will take the Chair on
Wednesday, November 23, 2022 at 9.30am

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