



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – SIXTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, MARCH 03, 2022

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

There being no Quorum present at the commencement of the Sitting, the Hon. Speaker ordered that the Quorum Bell be rung for ten minutes;

And Quorum having been attained before expiration of ten minutes, proceedings commenced.

5. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following Communication –

**The Status of the County Governments Grants Bill (Senate Bill No. 35 of 2021)**

“Honourable Members,

You will recall that the National Assembly passed the County Government Grants Bill (Senate Bill No. 35 of 2021) on Thursday, 2nd December 2021 with amendments. Subsequently, the Senate was informed of the decision of the House on Friday, 3<sup>rd</sup> December, 2021.

**Honourable Members**, on 21<sup>st</sup> December, 2021 the Clerk of the Senate communicated the decision of the Senate on County Government Grants Bill, 2021 and the appointment of Members to the Mediation Committee. Consequently, on 23<sup>rd</sup> December, 2021, I communicated to the Senate the progress made by the National Assembly with regard to the said Bill, i.e. the appointment of the following Members to represent the National Assembly in the Mediation Committee on the Bill–

- 1) The Hon. Kanini Kega, CBS, MP;
- 2) The Hon. (Dr.) Kanyuithia Mutunga, MP;
- 3) The Hon. Naisula Lesuuda, OGW, MP;
- 4) The Hon. Millie Odhiambo-Mabona, CBS, MP; and
- 5) The Hon. (Dr.) Makali Mulu, MP.

**Honourable Members**, to this end, the first meeting of the mediation committee was scheduled on Wednesday, 19<sup>th</sup> January, 2022 at 9.30 a.m. at the Mini-

Chambers, County Hall, Parliament Buildings. However, the meeting did not take place and was postponed to Tuesday, 25<sup>th</sup> January, 2022 at 10a.m., which was further postponed on account of the Senate counterparts were holding a Special Sitting on the appointed date, to consider the Political Parties (Amendment) Bill, 2021.

The 3<sup>rd</sup> meeting was called on 15<sup>th</sup> February, 2022 in Red-Cross Building, Parliament Buildings at 11.00 a.m. However, it was postponed due to the fact that the four (4) members from the National Assembly were engaged in the Budget and Appropriations Committee retreat to consider the 2022 Budget Policy Statement.

**Honourable Members**, with the foregoing, efforts to call for a subsequent meeting has not borne fruit on account that the National Assembly Budget and Appropriations Committee has been considering the 2022 Budget Policy Statement and the Financial Year 2021/22 Supplementary Estimates I. In this case, the Mediation Committee on the County Government Grants Bill (Senate Bill No. 35 of 2021) has so far not held any meeting to deliberate on the Bill as required under Standing Order 149.

**Honourable Members**, the Bill once passed will unlock the conditional grants for county governments and many stakeholders have been inquiring on its status. It is quite disturbing then that the mediation process has not taken off.

In the circumstances, Honourable Members, noting the importance of the said Bill, I direct the Chairperson, Budget and Appropriation Committee and other Members of the Mediation Committee to avail themselves and attend the meeting of the Mediation Committee. In the event that the members fail to meet within seven days, I will call upon the leadership of the House to nominate other members to sit in the Committee.

**I thank you!"**

## 6. PETITIONS

The Nominated Member (Hon. David Sankok) presented a petition on behalf of concerned citizens regarding interventions to address the drastic rise in food prices in the country.

The Petition referred to the Departmental Committee on Agriculture and Livestock pursuant to Standing Order 227.

## 7. PAPERS LAID

The following Papers were laid on the Table –

- a) Report of the Auditor-General and Financial Statement in respect of Kenya Coast National Polytechnic for the year ended 30th June, 2017 and the certificate therein;
- b) Report of the Auditor-General and Financial Statement in respect of Kenya Coast National Polytechnic for the year ended 30th June, 2018 and the certificate therein;
- c) 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: -
  - (i) Chuka Technical and Vocational College;
  - (ii) Tharaka Technical and Vocational College; and
  - (iii) Kenya Coast National Polytechnic.
- d) Reports of the Auditor-General and Financial Statements in respect of the following Constituencies for the year ended 30th June, 2020 and the certificates therein: -

1. Igembe North
2. Rongo;
3. South Mugirango;

4. Sigowet/Soin;
5. Mwingi Central;
6. Kabuchai;

- |                      |                    |
|----------------------|--------------------|
| 7. Kilome;           | 25. Embakasi East; |
| 8. Kaiti;            | 26. Ndaragwa;      |
| 9. Webuye West;      | 27. Webuye East;   |
| 10. Buuri;           | 28. Cherangany;    |
| 11. Kitutu Chache;   | 29. Mumias East;   |
| 12. Luanda;          | 30. Bura;          |
| 13. Kisumu Central;  | 31. Mandera North; |
| 14. Kitutu Masaba;   | 32. Mandera South; |
| 15. Borabu;          | 33. Lafey;         |
| 16. Laisamis;        | 34. Ndhiwa;        |
| 17. North Mugirango; | 35. Kisumu West;   |
| 18. Laikipia East;   | 36. Mwea;          |
| 19. Eldama Ravine;   | 37. Suba South;    |
| 20. Rarieda;         | 38. Narok North;   |
| 21. Konoin;          | 39. Kibwezi East;  |
| 22. Kuresoi South;   | 40. Kasarani; and  |
| 23. Subukia;         | 41. Kajiado North. |
| 24. Teso South;      |                    |

e) Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June, 2020 and the certificates therein: -

1. Kisumu National Polytechnic;
2. Sigalagala National Polytechnic;
3. North Eastern National Polytechnic.
4. Tourism Regulatory Authority;
5. Kibos Seeds Company Limited;
6. Mt. Elgon Lodge Limited;
7. Kenya Seed Company Limited;
8. Nzoia Sugar Company Limited;
9. Media Council of Kenya;
10. Kenya School of Government;
11. Postal Corporation of Kenya;
12. National Council of Youth;
13. Lake Basin Development Authority;
14. National Biosafety Authority;
15. Kenya Medical Supplies Authority;
16. Kenya Tourism Board;
17. Kenya National Convention Bureau;
18. Kenya Forestry Research Institute;
19. Kenya Water Towers Agency;
20. Export Processing Zones Authority;
21. Golf Hotel Limited;
22. National Council for Children Services;
23. South Nyanza Sugar Company;
24. Kenya Academy of Sports;
25. Nairobi Centre for International Arbitration (NCIA);
26. Meru University of Science and Technology; and
27. Lake Victoria South Water Works Development Agency.

- f) Reports of the Auditor-General and Financial Statements in respect of the following Colleges for the year ended 30th June, 2020 and the certificates therein: -
1. Dr. Daniel Wako Murende Technical and Vocational College;
  2. Okame Technical and Vocational College;
  3. Tharaka University College;
  4. David Mbiti Wambulu Technical and Vocational College;
  5. Masinga Technical and Vocational Training College;
  6. Sikri Technical and Vocational College;
  7. Ndia Technical and Vocational College;
  8. Chuka Technical and Vocational College;
  9. Tharaka Technical and Vocational College;
  10. Kimasian Technical and Vocational College;
  11. Kipsinende Technical and Vocational College;
  12. Ugenya Technical and Vocational College;
  13. Bunyala Technical and Vocational College; and
  14. Bukura Agricultural College.
- g) Reports of the Auditor-General and Financial Statements in respect of the following Technical Training Institutes for the year ended 30th June, 2020 and the certificates therein: -
1. Bondo Technical Training Institute;
  2. Jeremiah Nyagah Technical Institute;
  3. Ekerubo Gietai Technical Institute;
  4. Katine Technical Training Institute;
  5. Kiirua Technical Training Institute; and
  6. Keroka Technical Training Institute

*(The Leader of the Majority Party)*

- h) The Report of the Committee on Sports, Culture and Tourism on its consideration of a Public Petition by Mr. Kennedy Kaunda Omuga regarding proposed amendments to the Tourism Act No. 28 of 2011 to recognize tour guides and appointment to boards of directors of the Tourism Board and other related boards.  
*(Vice Chairperson, Departmental Committee on Sports, Culture and Tourism)*
- i) The Reports of the Departmental Committee on Education and Research on its consideration of -
1. A Petition by Mr. Amos Kamotho regarding repeal of sections of the Universities' Act 2012, pertaining to the elections of university student leaders; and
  2. A Petition by Hon. Omboko Milemba, MP regarding suspension of Teachers Professional Development Programme (TPD) by the Teachers Service Commission.

*(Chairperson, Departmental Committee on Education and Research)*

## 8. QUESTIONS

- a) The following Questions were asked-
- (i) **Question No.055/2022** by the Member for Mathioya (Hon. Peter Kihara) on why *M/s Macnut Farm Products* located in *Kairi* area, Mathioya Constituency which was awarded *tender no. MOALFI/SDCD/REG/03/2018-2019* on 24<sup>th</sup> May 2019 for the supply of coconut and grafted cashew nuts seedlings to five Counties and issued five (5) local purchase orders (LPOs) on 23<sup>rd</sup> June 2019 worth twenty-seven million

shillings out of a total of nine LPOs worth forty-four million shillings under the tender, is yet to be instructed to supply the said seedlings;

*(To be answered by the Cabinet Secretary for Agriculture, Livestock & Fisheries before the Departmental Committee on Agriculture & Livestock)*

- (ii) **Question No.076/2022** by the Member for Rarieda (Hon. (Dr.) Otiende Amollo) on the action, if any, taken against Kenya Coast Guard Service officers stationed at Mbita in Suba North Constituency and elsewhere around Lake Victoria, who are allegedly engaged in illegal economic activities in Kenya's territorial waters, including extorting, harassing and unlawfully obtaining money from fisherfolk and boat operators of *Luanda K'Otieno* Beach and other beaches in Rarieda Constituency;

*(To be replied to by the Cabinet Secretary for Interior & Coordination of National Government before the Departmental Committee on Administration & National Security)*

- (iii) **Question No.079/2022** by the Member for Rarieda (Hon. (Dr.) Otiende Amollo) on behalf of the Member for Alego Usonga (Hon. Samuel Atandi) regarding the increased insecurity in *Siaya Town, Siaya County* and its environs that has seen numerous cases of breakages in shops and homes, theft of properties, the killing of *Ms. Monica Anyango Wayodi* on the night of *11<sup>th</sup> February, 2022* at *Pandi Estate in Siaya Town* and the shooting of a fifteen-year old girl on *22<sup>nd</sup> February, 2022* at *Ngiya Market*;

*(To be replied to the Cabinet Secretary for Interior & Coordination of National Government before the Departmental Committee on Administration & National Security)*

b) The following Question was deferred -

- (i) **Question No. 081/2022** by the Member for Meru County (Hon. Bishop Kawira Mwangaza) regarding the steps taken to establish and support talent-nurturing facilities in the country, particularly in Meru County.

c) The following Question was dropped from the Order Paper -

- (i) **Question No.075/2022** by the Nominated Member (Hon. Dennitah Ghati) on the status of construction of the Nguruna Gender Based Violence and Women Centre in Nyabasi East Ward, Kuria East Constituency, Migori County, which commenced in 2016/2017 financial year.

## 9. REQUESTS FOR STATEMENT PURSUANT TO STANDING ORDER 44(2)(c)

The Member for Nandi Hills (Hon. Alfred Keter) requested for a statement from the Chairperson of the Departmental Committee on Labour & Social Welfare regarding the introduction of tea harvesting machines in Nandi Hills Constituency.

The Member for Mukurweini (Hon. Anthony Kiai) requested for a statement from the Chairperson of the Departmental Committee on Education & Research on the rise and rampant cases of sodomy in schools within the Country.

The Member for Tigania West (Hon. John Mutunga) requested for a statement from the Chairperson of the Departmental Committee on Administration and National Security regarding the demand for deployment of additional security personnel in Tigania West Constituency.

## 10. STATEMENT PURSUANT TO STANDING ORDER 43(1)

The Member for Nyakach (Hon. Aduma Owuor) issued a Statement on the demise of the former Member of Parliament and Senator of Nyakach Constituency (the late Hon. Ondiek Chillo).

11. STATEMENT PURSUANT TO STANDING ORDER 44(2)(a)

The Leader of the Majority Party issued a Statement regarding the Business of the House for the week commencing Tuesday, March 22, 2022.

12. THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 8 OF 2022)

Order for Second Reading read;

Motion made and Question proposed -

**THAT**, the Division of Revenue Bill (National Assembly Bill No. 8 of 2022) be now read a Second Time.

*(Vice Chairperson, Budget and Appropriations Committee - 02.03.2022)*

Debate on the Motion having been concluded on 02.03.2022;

Question put and agreed to.

Bill read a Second Time and committed to the Committee of the whole House today.

13. THE PUBLIC DEBT MANAGEMENT AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2020)

Order for Second Reading read;

Motion made and Question proposed -

**THAT**, the Public Debt Management Authority Bill (National Assembly Bill No. 36 of 2020) be now read a Second Time.

*(Hon. Sakwa Bunyasi - 02.03.2022)*

Debate on the Motion having been concluded on 02.03.2022;

Question put and agreed to.

Bill read a Second Time and committed to the Committee of the whole House tomorrow.

14. THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 37 OF 2020)

Order for Second Reading read;

Motion made and Question proposed -

**THAT**, the Higher Education Loans Board (Amendment) Bill (National Assembly Bill No. 37 of 2020) be now read a Second Time.

*(Hon. John Mwirigi - 02.03.2022)*

Debate on the Motion having been concluded on 02.03.2022;

Question put and agreed to.

Bill read a Second Time and committed to the Committee of the whole House tomorrow.

15. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

**IN THE COMMITTEE**

The Deputy Speaker in the Chair

**The Division of Revenue Bill (National Assembly Bill No. 8 of 2022)**

Clauses 3, 4 & 5 - agreed to.

Schedule - agreed to.

Clause 2 - agreed to.

Title - agreed to.

Clause 1 - agreed to.

Bill to be reported without amendments.

16. **HOUSE RESUMED** - The Speaker in the Chair

**The Division of Revenue Bill (National Assembly Bill No. 8 of 2022)**

Bill reported without amendments;

Motion made and Question proposed –

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

*(Leader of the Majority Party for Chairperson, Budget & Appropriations Committee)*

Question put and agreed to.

Motion made and Question proposed –

**THAT**, the Division of Revenue Bill (National Assembly Bill No. 8 of 2022) be now read a Third time.

*(Leader of the Majority Party for Chairperson, Budget & Appropriations Committee)*

There being no Member wishing to contribute;

Question put and agreed to.

Bill read a Third time and passed.

17. THE COFFEE BILL (SENATE BILL NO. 22 OF 2020)

Order for Second Reading read;

Motion made and Question proposed –

**THAT**, the Coffee Bill (Senate Bill No.22 of 2020) be now read a Second Time

*(Chairperson, Departmental Committee on Agriculture & Livestock – 23.02.2022)*

Debate interrupted on Tuesday, March 01, 2022 (Afternoon Sitting) resumed;

*[Change of Chair from the Speaker to the Second Chairperson of Committees]*

Rising in his place on a Point of Order under Standing Order 95, the Member for Homa Bay Town (Hon. Peter Kaluma) claimed to move that “the Mover be now called upon to reply”;

And the Speaker acceding to the claim;

Question put and agreed to;

Thereupon, Mover replied;

Question deferred to another day.

18. THE ELECTIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 41 OF 2021)

Order for Second Reading read;

Motion made and Question proposed -

**THAT**, the Elections (Amendment) Bill (National Assembly Bill No. 41 of 2021) be now read a Second Time

*(Chairperson, Constitutional Implementation Oversight Committee)*

Debate arising;

Rising in his place on a Point of Order under Standing Order 95, the Member for Nambale (Hon. Sakwa Bunyasi) claimed to move that “the Mover be now called upon to reply”;

And the Speaker acceding to the claim;

Question put and negatived;

Debate interrupted resumed;

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

19. HOUSE ROSE - at Seven O'clock



M E M O R A N D U M

The Speaker will take the Chair on  
Tuesday, March 22, 2022 at 2.30 p.m.

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