

Twelfth Parliament
(No.18)

Sixth Session
(184)



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – SIXTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, MARCH 01, 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. **PETITIONS**

The following Petitions were presented –

- i. By the Speaker regarding reclamation of arid and semi-arid land

“Honourable Members,

Standing Order 225(2)(b) requires the Speaker to report to the House any petition, other than those presented by a Member. Further, Article 119 of the Constitution provides for the right of any person to petition Parliament to consider any matter within its authority, including petitioning the House to enact, amend or repeal any legislation.

Honourable Members, in this regard I wish to report to the House that my office has received a petition from Mr. Benjamin Liru Shivina of P.O. Box 293 Turbo calling for *the establishment of a special fund and enactment of appropriate legislation to facilitate reclamation of arid and semi-arid land in historically marginalized counties.*

In his petition, Honourable Members, the Petitioner voices his concerns regarding the huge concentration of people in regions that are traditionally the country's food basket, which constitutes less than 20% of the total land mass. He cites the high population density in agriculturally-productive areas, the continuous subdivision of farm lands and the skyrocketing rate of urbanization as the prime cause of food production shortfalls in the country. The petitioner is further convinced that it will have become necessary by the year 2040 to relocate people from densely-populated agricultural rural counties to the sparsely-populated counties to enable a sustainable number of people to focus on intensive food production in arable lands.

In light of these concerns, Honourable Members, the Petitioner seeks the intervention of this House to:

- a) establish a Special Fund to facilitate aggressive reclamation of arid and semi-arid lands in historically-marginalized counties over a period of 50 years;
- b) enact legislation aimed at attracting local investors and communities to migrate to the reclaimed lands so as to reduce pressure on arable lands; and,
- c) enact legislation to reserve the development and extraction of oil and gas in Lamu, Mandera and Anza basins for future generations.

Honourable Members, having determined that the matters raised by the petitioner are well within the authority of this House, I order that, pursuant to the provisions of Standing Order 227(1), this Petition be committed to the Departmental Committee on Lands. 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). Thank you”.

- ii. By the Member for South Imenti Constituency (Hon. Kathuri Murungi, MP) regarding –
 - a) Delayed Gazettement of Igoki Division in Imenti South Sub-County, Meru County; and
 - b) Regarding Delayed Sub-Division and Gazettement of Imenti South Sub-County in Meru County into three(3) Sub-Counties
- iii. By the Member for Kilifi South (Hon. Kiti Chonga) regarding persistent harassment and unlawful eviction of residents of Kuruwitu Village in Junju Ward in Kilifi South Constituency.

5. PAPERS LAID

The following Papers were laid on the Table –

- a) 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: -
 - i. Kiambu Institute of Science and Technology;
 - ii. Auctioneers Licensing Board;
 - iii. Kenya Medical Laboratory Technicians and Technologists Board;
 - iv. Kenya Medical Research Institute;
 - v. Kenya Medical Practitioners and Dentists Council;
 - vi. Kenya Medical Training College;
 - vii. Pharmacy and Poisons Board;
 - viii. National Aids Control Council;
 - ix. National Quality Control Laboratory;
 - x. Regional Centre on Groundwater Resources Education, Training and Research in Eastern Africa;
 - xi. Meru National Polytechnic;
 - xii. Moi Teaching and Referral Hospital;
 - xiii. Kenya Coast National Polytechnic;
 - xiv. Pwani University;
 - xv. Ahmed Shahame Mwidani Technical Training Institute;
 - xvi. National Mining Corporation;
 - xvii. Kenya Water Institute;
 - xviii. Public Regulatory Authority;
 - xix. NUU Technical and Vocational College; and
 - xx. Mitunguu Technical Training Institute.

- b) 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: -

- i. Kitui East;
- ii. Mwingi West;
- iii. Machakos Town;
- iv. Kangundo;
- v. Mbeere North;
- vi. Belgut;
- vii. Kitui Central;
- viii. Kangema;
- ix. Kaloleni;
- x. Mvita;
- xi. Marakwet East;
- xii. Magarini;
- xiii. Kari;
- xiv. Lungalunga;
- xv. Sigor;
- xvi. Kitutu Chache South;
- xvii. Rangwe;
- xviii. Lugari;
- xix. Kimilili;
- xx. Bobasi;
- xxi. Budalangi;
- xxii. Wajir East;
- xxiii. Shinyalu;
- xxiv. Endebess; and
- xxv. Malava.

(The Leader of the Majority Party)

- c) Reports of the Departmental Committee on Transport, Public Works and Housing on its Consideration of –
- i.) A Petition on Behalf of the Residents of South Rift and Nyanza regarding the viability of the Standard Gauge Railway Project;
 - ii.) A Petition regarding compensation of owners of land acquired for construction of St. Mary's – Kinooro, Access to Igoji TTC, Gianchuku – Mbogoro roads project; and
 - iii.) A Petition regarding proposal to amend the National Construction Authority Act to provide for inclusion of the cost of public funded projects on project boards.

(The Chairperson, Departmental Committee on Transport, Public Works and Housing)

- d) Report of the Departmental Committee on Health on its consideration of the Mental Health (amendment) Bill, (Senate Bill No. 28 of 2020).

(The Chairperson, Committee on Health)

6. QUESTIONS

The following Questions were asked –

- a) **Question No. 056/2022** by the Member for Nakuru Town East (Hon. David Gikaria, MP) regarding the stoppage of public service vehicles (PSVs) from using the bus stop commonly referred to as *Gateiguru*

stop located near the Nakuru Town Footbridge along the Nakuru - Nairobi Highway

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

- b) **Question No. 059/2022** by the Member for Endebess (Hon. (Dr.) Robert Pukose, MP) regarding the circumstances that led to the suspension of Community Forest Associations that undertook the *Shamba* System commonly referred as *Taungya System* in various forest establishments in the country.

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

- c) **Question No. 060/2022** by the Nominated Member (Hon. Wilson Sossion, MP) numerous cases of interdictions, suspensions and transfers of teachers who have raised pertinent issues regarding the rolling out of the Competency-Based Curriculum (CBC) and Teacher Professional Development Programme (TPDP)

(To be replied to by Teachers Service Commission before the Departmental Committee on Education and Research)

The following Question was deferred –

- d) **Question No. 062/2022** by the Member for Sigowet/Soin (Hon. Kipsengeret Koros, MP) regarding the state the current financial position of Egerton University in terms of the university's income, disbursements by the Government, expenditure for day-to-day running of the university's operations, and the current debt.

The following Question was dropped –

- e) **Question No. 063/2022** by the Member for Kuresoi South (Hon. Joseph Tonui, MP) regarding delays in the construction of *Lelechwet - Cheram* bridge in Kuresoi South Constituency, which was launched in 2017.

7. **REQUEST FOR STATEMENT PURSUANT TO STANDING ORDER 44(2)(c)**

The Member for Matuga (Hon. Kassim Tandaza Sawa) requested for a Statement from the Chairperson Departmental Committee on Transport, Public Works and Housing regarding failure by the Kenya National Highways Authority to compensate residents of Matuga Constituency.

8. **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 Division of Revenue Bill (National Assembly Bill No. 8 of 2022) from **7 days to 4 days**.

(Chairperson, Budget and Appropriations Committee)

There being no Member wishing to contribute;

Question put and agreed to.

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

(Chairperson, Budget and Appropriations Committee)

Order for First Reading read;

Bill read a First time and referred to the relevant Budget and Appropriations Committee pursuant to the Standing Orders.

10. **MOTION - REPORT ON THE MEDIUM-TERM DEBT MANAGEMENT STRATEGY FOR THE FY 2022/2023**

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Budget and Appropriations Committee on the Medium-Term Debt Management Strategy for the financial year 2022/2023 submitted by the Cabinet Secretary for the National Treasury pursuant to the provisions of section 33 of the Public Finance Management Act, 2012 and Standing Order 232(4), *laid on the Table of the House on Tuesday, February 15, 2022* and pursuant to the provisions of section 15(4) of the Public Finance Management Act, 2012 and Standing Order 232(9) and (10)-

- **approves** the Medium-Term Debt Management Strategy for the financial year 2022/2023;
- **approves** the national borrowing strategy as contained in the 2022/2023 Medium-Term Debt Management Strategy, at a level consistent with the fiscal deficit of Ksh. 400 billion or 3 % of GDP, whichever is lower; and,
- makes the **policy resolutions** contained in the Second Schedule to the Order Paper *(Policy Resolutions relating to the Medium-Term Debt Management Strategy for the financial year 2022/23)*

(Chairperson, Budget and Appropriations Committee)

Debate arising;

Amendment proposed;

THAT, the Motion be amended –

(i) by deleting paragraph (b); and

(ii) inserting the following new paragraph after paragraph (c)-
“(d) delete the words “this should be consistent with the fiscal deficit of Ksh. 400 billion or 3 % of GDP, whichever is lower;” appearing under paragraph 18 (Financial Recommendations) of the Report”.

(The Leader of the Majority Party)

Debate arising;

Question on the amendment put and agreed to

Further amendment proposed;

THAT, the Motion be amended by inserting the following new paragraph immediately after paragraph (b)-

“(ba) That, the House **notes** that the approval of the 2022/2023 Budget Policy Statement and the 2022/2023 Medium-Term Debt Management Strategy is not to be construed to imply the approval of the increase of the National Debt Limit (Kshs. Nine Trillion) as stipulated under Legal Notice No. 155 on the Public Finance Management Act, No 18 of 2012.”

(Hon. Kimani Ichung’wah, MP)

Debate arising;

Question on the amendment put and negatived

Resumption of debate on the Motion as amended;

Mover replied;

Question deferred.

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

Motion made –

THAT, the Coffee Bill (Senate Bill No. 22 of 2020) be now read a second time.

(The Chairperson, Departmental Committee on Agriculture and Livestock)

Rising in her place on a Point of Order under Standing Order 35, the Member for Suba North (Hon. Millie Odhiambo) objected that there was not a quorum present.

Having determined that there was no Quorum present in the House, the Speaker ordered that the Quorum Bell be rung for Ten minutes;

And Quorum having not been attained at the expiry of the Ten Minutes;

And the time being eight minutes past six O’clock, the Third Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

12. HOUSE ROSE - at eight minutes past six O’clock

M E M O R A N D U M

The Speaker will take the Chair on
Wednesday, March 02, 2022 at 9.30 a.m.

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