



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – SIXTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, MARCH 02, 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. **COMMUNICATION FROM THE CHAIR**

The Speaker issued the following Communication –

On inappropriate conduct by certain members during the Afternoon Sitting of the House on Thursday, 24th February, 2022

Honourable Members,

Recent incidences of Members behaving inappropriately have been brought to my attention and indeed to the attention of the House Business Committee. Particularly, it has been brought to my attention that, during the Sitting of the House on Thursday, 24th February 2022, certain Members behaved in a manner that does not promote the dignity of Members and indeed of the House. I am informed that Members went to the extent of blatantly exhibiting defiance of the authority of the Presidium.

Regrettably, **Honourable Members**, the degrading conduct, inappropriate behavior and altercations that were witnessed at that Sitting cast this August House in bad light and dishonor.

In this regard, Honourable Members, I take this opportunity to remind the House of the provisions of Article 75 (1) (c) of the Constitution that require state officers to be **behave in manner that avoids demeaning the office of the office holder**.

Therefore, I would like to urge all Hon. Members to use parliamentary language and treat other members with decorum and utmost respect and to always show respect to the Presidium.

Honourable Members, I also encourage the Leaderships of the Majority Party, the Minority Party and other parliamentary parties to explore the option of reaching to one another for wider consultations and consensus building on matters that attract divergent opinion, as opposed to taking antagonistic stances in the House.

In any case, a healthy democracy is one in which the majority will have their way and the minority will have their say; thus either side is expected to respectably accept the outcome of a vote on any matter having been deliberated upon by the House.

On another different incident, **Honourable Members**, it was also reported that, during the same Sitting, a Member brought a firearm into the Chamber, contrary to Standing Order No. 100 (*Firearms and other offensive weapons*), which unequivocally prohibits any Member from bringing a firearm or any other offensive weapon into the Chamber. Consequent to the aforesaid breach, let me caution Hon. Members that from now on, if any Member brings a firearm or any offensive weapon into the Chamber, the firearm or weapon shall be confiscated forthwith and such shall be deposited with the Police. The Clerk is directed to ensure that the Serjeant-At-Arms strictly enforces compliance with the provisions of Standing Order. 100 and take action as ordered herein on any Member who contravenes the said Standing Order.

Finally, **Honourable Members**, I would like to assure the House that the Presidium will continue to be firm and fair in enforcing the Rules of the House. The House is accordingly guided.

I thank you.

5. **MESSAGE ON THE PASSAGE AND REFERRAL OF FOUR BILLS BY THE SENATE**

The Speaker conveyed the following Message –

Honourable Members, Pursuant to the provisions of Standing Order 41, I wish to report to the House that I have received four (4) Messages from the Senate regarding its passage of the following four (4) Bills –

The Heritage and Museums Bill (Senate Bill No. 22 of 2021);

- (i) The County Oversight and Accountability Bill (Senate Bill No. 17 of 2021);

- (ii) The County Governments (Amendment) Bill (Senate Bill No. 38 of 2021); and
- (iii) The Elections (Amendment) Bill (Senate Bill No. 42 of 2021).

Honourable Members, the **first Message** relates to the passage of the **Heritage and Museums Bill (Senate Bill No. 22 of 2021)** published *vide Kenya Gazette* Supplement No. 61 of 15th April 2021. The Bill seeks *"to provide for the conservation, preservation, protection, research and management of cultural and natural heritage at national and county levels of government."*

The **second Message** is in respect of the passage of the **County Oversight and Accountability Bill (Senate Bill No. 17 of 2021)** published *vide Kenya Gazette* Supplement No. 17 of 22nd March 2021 which seeks *"to give effect to Article 96(1) and (3) of the Constitution of Kenya, 2010; to enhance public financial accountability by county governments; and to provide a mechanism on how oversight over the County budgets can be carried out."*

The **third Message** relates to the passage of the **County Governments (Amendment) Bill (Senate Bill No. 38 of 2021)** which was published *vide Kenya Gazette* Supplement No. 26 of 8th March 2021. The Bill seeks *"to provide clarity in the operations of the County Assembly Service Board in instances where the office of the Speaker becomes vacant."*

Honourable Members, the **last Message** relates to the passage of the **Elections (Amendment) Bill (Senate Bill No. 42 of 2021)** published *vide Kenya Gazette* Supplement No. 136 of 9th July, 2021 which seeks *"to amend the Election Act to provide for inclusivity in election processes by enabling persons who can read and write to vie for election."*

Honourable Members, having considered and passed the four (4) Bills, the Senate now seeks the concurrence of the National Assembly on each of the Bills. The Standing Orders require the Speaker to cause a Bill received from the Senate to be read a First Time upon conveyance of its Message. In this regard, you will notice that the four Bills have been listed for First Reading in the Order Paper for this particular sitting. After being Read a First Time, the Bills will stand committed to respective Committees as follows –

- (i) The Heritage and Museums Bill (Senate Bill No. 22 of 2021) will stand committed to the **Departmental Committee on Sports, Culture and Tourism;**
- (ii) The County Governments (Amendment) Bill (Senate Bill No. 38 of 2021) and The County Oversight and Accountability Bill (Senate Bill No. 17 of 2021) will stand committed to the **Departmental Committee on Administration and National Security; and,**
- (iii) The Elections (Amendment) Bill (Senate Bill No. 42 of 2021) will stand committed to the **Departmental Committee on Justice and Legal Affairs.**

Honourable Members, the reports of the respective Committees shall guide the House with respect to the next stages and prioritization of the said Bills. I therefore request the Committees to prioritize the four (4) Senate Bills in their respective agenda.

6. **PAPERS LAID**

The following Papers were laid on the Table –

1. Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June, 2021 and the certificates therein: -
 - a) GCF Project Preparation Facility: “Devolved Climate Change Governance to strengthen resilience of communities in targeted counties” Green Growth and Employment Thematic Programme;
 - b) Kenya Special Project for BRSM and SAICM;
 - c) Nairobi-Thika Highway Improvement Project Lot I&II;
 - d) Coastal Region Water Security and Climate Resilience Project;
 - e) United Nations Population Fund (UNFPA) 9th Country Programme for Kenya; and
 - f) Kenya Gold Mercury Free ASGM Project Grant/Project No.GEF/UNDP/GOK-00108253.
2. The Performance Report for the MSMEs Credit Guarantee Scheme for the period 8th December, 2020 to 31st December, 2021 by the National Treasury and Planning; and
3. Report of the Auditor-General and Financial Statement on Multi-National Rural Livelihoods Adaptation to Climate Change in the Horn of Africa (ADB/ADF Grant No. 5550155001201) for the year ended 30 June, 2020.

(The Deputy Leader of Majority Party)

4. Report on its consideration of the Division of Revenue Bill (National Assembly Bill No. 8 of 2022)

(Vice Chairperson, Budget and Appropriations)

7. **QUESTIONS**

- a) The following Questions were asked –

- (i) Question 69/2022 by the Member for Nyandarua (Hon Faith Gitau) regarding measures to address the high cost of fertilizer in the country;

(To be replied to by the Cabinet Secretary for Agriculture, Livestock and Fisheries before the Departmental Committee on Agriculture and Livestock)

- (ii) Question 70/2022 by the Member for Magarini (Hon. Michael Kingi) regarding construction of Shakahola and Bombi footbridges in Magarini constituency;

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

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- (iii) Question 71/2022 by the Member for Dagoretti South (Hon. John Kiarie) regarding construction of roads in Dagoretti South constituency;

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

b). The following question was dropped

Question 61/2022 by the Member for Nakuru Town East (Hon. David Gikaria) regarding amount of Uwezo funds distributed to registered groups in Nakuru Town East;

8. **STATEMENT PURSUANT TO STANDING ORDER 44(2C)**

Pursuant to the provisions of Standing Order 44(2C), the Members for Muhoroni, (the Hon. James Onyango K'oyoo) sought for a statement regarding take-over of the Miwani Sugar Company and harassment of staff.

9. **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) -

- (a) **approves** the Medium-Term Debt Management Strategy for the financial year 2022/2023;
- (b) makes the **policy resolutions** contained in the Schedule to the Order Paper (*Policy Resolutions relating to the Medium-Term Debt Management Strategy for the financial year 2022/23*); and,
- (c) deletes the words "This should be consistent with the fiscal deficit of Ksh.400 billion or 3% of GDP whichever is lower" in paragraph 18 (Financial Recommendations) of the Report.

(Chairperson, Budget and Appropriations Committee – 01-03-2022)

Debate on the Motion having been concluded on Tuesday, March 01, 2022;

Question put and agreed to.

10. **THE NATIONAL COHESION AND INTEGRATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2022)**

(Chairperson, Committee on National Cohesion and Equal Opportunity)

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Order for First Reading read;

Bill read a First time and referred to the relevant Departmental Committee pursuant to Standing Order 127(2)

11. **COUNTY OVERSIGHT AND ACCOUNTABILITY BILL (SENATE BILL NO. 17 OF 2021)**

(Chairperson, Departmental Committee on Administration and National Security)

Order for First Reading read;

Bill read a First time and referred to the relevant Departmental Committee pursuant to Standing Order 127(2)

12. **THE HERITAGE AND MUSEUMS BILL (SENATE BILL NO. 22 OF 2021)**
(Chairperson, Departmental Committee on Sports, Culture and Tourism)

Order for First Reading read;

Bill read a First time and referred to the relevant Departmental Committee pursuant to Standing Order 127(2)

13. **THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 38 OF 2021)**
(Chairperson, Departmental Committee on Justice and Legal Affairs)

Order for First Reading read;

Bill read a First time and referred to the relevant Departmental Committee pursuant to Standing Order 127(2)

14. **THE ELECTIONS (AMENDMENT) BILL (SENATE BILL NO. 42 OF 2021)**
(Chairperson, Departmental Committee on Justice and Legal Affairs)

Order for First Reading read;

Bill read a First time and referred to the relevant Departmental Committee pursuant to Standing Order 127(2)

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

Order for Second reading read;

Motion made and Question proposed –

THAT, the Division of Revenue Bill (National Assembly Bill No.9 of 2022) be now read a Second Time

(Hon. Bernard Shinyali)

Debate arising;

(Change of Chair from the Hon. Speaker to the Fourth Chairperson)

Mover replied;

Question deferred.

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(201)

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

16. **HOUSE ROSE** - at Seven O'clock
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MEMORANDUM

The Speaker will take the Chair on
Thursday, March 03, 2022 at 2.30 p.m.

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