



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – THIRD SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, MARCH 12, 2024 AT 2.30PM (AFTERNOON SITTING)**

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

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

- (a) Reports of the Auditor-General and Financial Statements for the year ended 30<sup>th</sup> June, 2023 and the certificates therein in respect of:
  - (i) Rivatex East Africa Limited;
  - (ii) Karugu Agricultural Training Centre;
  - (iii) Mt. Elgon Lodge Limited;
  - (iv) Cooperative Societies Liquidation Account;
  - (v) Numerical Machining Complex Limited;
  - (vi) Kenya Development Corporation;
  - (vii) Youth Enterprise Development Fund;
  - (viii) Tana Water Works Development Agency;
  - (ix) Kenya Maritime Authority Staff Mortgage and Car Loan Scheme;
  - (x) East Africa Trade and Transport Facilitation Project (IDA Credit No. 4148-KE);
  - (xi) Northern Corridor Transport Improvement Project IDA Credit No. 3930-KE and 4571-KE;
  - (xii) Mombasa-Nairobi-Addis Ababa Road Corridor Project Phase III (Turbi-Moyale) No.P-ZI-DBO-095 Loan No. 21001500255546;
  - (xiii) Kenol-Sagana-Marua Highway Improvement Project (P-Ke-DBO-037) Credit Nos.5050200000901 and 2000200004504;
  - (xiv) Kenya Institutional Strengthening Project Phase XII (Project Number: KEN/SEV/86/INS/64); and
  - (xv) Twake Multi-Purpose Development Program Phase I (AFDB Loan No.2100150029993, 2000200003351, AGTF No.5050200000501 and AFDB Grant No.2100155025973.

*(The Hon. Owen Baya, CBS, MP – Deputy Leader of the Majority Party)*

- (b) Report of the Committee on Regional Integration on its participation in the 10<sup>th</sup> African Grain Trade Summit held in Uganda from 5<sup>th</sup> to 7<sup>th</sup> October 2023.

*(The Hon. Wanjiku Muhia, CBS, MP – Chairperson, Committee on Regional Integration)*

- (c) Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Houses of Parliament (Bicameral Relations) Bill, 2023 (National Assembly Bill No. 44 of 2023).

*(The Hon. Gitonga Murugara, CBS, MP - Chairperson, Departmental Committee on Justice and Legal Affairs)*

- (d) The Addendum to the Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the National Government Administration Laws (Amendment) Bill (National Assembly Bill No. 73 of 2023); and

*(The Hon. Gitonga Murugara, CBS, MP - Chairperson, Departmental Committee on Justice and Legal Affairs)*

- (e) Reports of the Public Petitions Committee on its consideration of:

- (i) Public Petition No. 3 of 2022 by Hon. Said Buya Hiribae regarding degazettement of Hola Irrigation Scheme Land to allow for the expansion of the County Headquarters of Tana River; and

- (ii) Public Petition No. 4 of 2022 by Mr. Stephen Mutoro regarding funds spent by the National Government contrary to the Provisions of Article 223 of the Constitution.

*(The Hon. Janet Sitienei, MP – Vice Chairperson, Public Petition Committee)*

## **5. NOTICES OF MOTION**

The following Notice of Motion was given –

**Report on the Petition regarding Funds Spent by the National Government contrary to the provisions of Article 223 of the Constitution.**

**THAT**, this House **adopts** the Report of the Public Petitions Committee on its consideration of Public Petition No. 4 of 2022 regarding Funds Spent by the National Government contrary to the provisions of Article 223 of the Constitution, *laid on the Table of the House on Tuesday, 12<sup>th</sup> March 2024.*

*(The Hon. Janet Sitienei, MP – Vice Chairperson, Public Petitions Committee)*

## **6. STATEMENTS PURSUANT TO STANDING ORDER 44**

The following Requests for Statements were made pursuant to the provisions of Standing Order 44(2)(c) –

- (i) Request for a Statement by the Member for Soy (Hon. David Kiplagat, MP) from the Chairperson of the Departmental Committee on Agriculture and Livestock regarding distribution of subsidised fertilizers to farmers in the North Rift region;
- (ii) Request for a Statement by the Member for Tharaka (Hon. Gitonga Murugara, CBS, MP) from the Chairperson of the Departmental Committee on Interior
- (iii) and Administration and Internal Affairs regarding the mysterious death of Miss Peris Karimi Mugeru of Tharaka Nithi County; and

[Request for Statement by the Nominated Member (Hon. Irene Mayaka, MP) from the Chairperson, Departmental Committee on Social Protection regarding the Status of the Campaign to end Female Genital Mutilation (FGM) in Kenya.

**7. PROCEDURAL MOTION - REDUCTION OF PUBLICATION PERIOD OF SPECIFIED BILLS**

Motion made and Question proposed;

**THAT**, pursuant to the provisions of Standing Order 120(1)(c), this House resolves to reduce the publication period of the Division of Revenue Bill (National Assembly Bill No. 14 of 2024) from even (7) days to one (4) days.

*(The Hon. Owen Baya, CBS, MP – Deputy Leader of the Majority Party)*

There being no debate arising;

Question put and agreed to.

**8. THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILL NO. 6 OF 2022)**

Motion having been made and Question proposed;

**THAT**, the Natural Resources (Benefit Sharing) Bill (Senate Bills No. 6 of 2022) be now read a Second Time;

*(The Hon. David Gikaria, CBS, MP – Chairperson, Departmental Committee on Environment, Forestry and Mining – 07.03.2024)*

Debate having been concluded on Thursday, Marcy 07, 2024;

Mover having replied;

Question put and negatived.

**9. THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2024)**

(The Chairperson, Budget & Appropriations Committee)

Order for First Reading read;

Bill read a First Time and committed to the relevant Committee pursuant to Standing Order 127.

**10. THE REGIONAL DEVELOPMENT AUTHORITIES BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2023)**

Motion having been made and Question proposed –

**THAT**, the Regional Development Authorities Bill (National Assembly Bill No. 7 of 2023) be now read a Second Time;

*(The Hon. Peter Lochakapong, MP – Chairperson, Departmental Committee on Regional Development – 07.3.2024)*

Debate interrupted on Thursday, March 07, 2024 resumed;

*(Change of Chair from the Deputy Speaker to the Third Chairperson of Committees)*

And the time being Six O'clock, the Fifth Chairperson interrupted proceedings of the House without Question put to allow comments on Legislative Proposals to amend the Constitution under Standing Order 114(7A).

**11. GENERAL COMMENTS ON THE LEGISLATIVE PROPOSAL TO AMEND THE CONSTITUTION UNDER STANDING ORDER 114(7A)**

Pursuant to the provisions of Standing Order 114(7A), Members made General Comments on the following Legislative Proposals to amend the Constitution–

- (a) a Legislative Proposal by the Member for Mandera North (Hon. Maj. (Rtd) Bashir Sheikh) to amend Article 88 of the Constitution to provide that when the Independent Electoral and Boundaries Commission is not constituted, the Secretary of the Commission can perform the functions of the Commission that are limited to conducting by-elections under Article 101 (4)(b) of the Constitution.

*(The Hon. Maj. (Rtd) Bashir Sheikh, MP)*

- (b) a Legislative Proposal by the Member for Thika Town (Hon. Alice Ng'ang'a) to amend Article 89 of the Constitution to protect 27 Constituencies that were protected for the First delimitation of electoral units in spite of not meeting the population quota requirement and which constituencies risk being merged with others when the Independent Electoral and Boundaries Commission conducts the Second review that is due.

*(The Hon. Alice Ng'ang'a, MP)*

Debate interrupted on Thursday 7<sup>th</sup> March 2024;

Debate resumed;

*(Change of Chair from the Third Chairperson to the Fifth Chairperson of Committees)*

Rising in his place on a Point of Order pursuant to the provisions of Standing Order 35, the Member for Seme, the Hon. (Dr.) James Nyikal) objected that there was no quorum present in the House;

And the Fifth Chairperson having ascertained the claim, ordered that the Division Bell be rung for ten (10) minutes;

And there being No Quorum after expiry of ten minutes;

And the time being Thirty Four Minutes Past Six O'clock, the Fifth Chairperson interrupted proceedings and adjourned the House without Question put pursuant to the provision of Standing Orders 35(2)(a).

**12. HOUSE ROSE - at Thirty-Four Minutes past Six O'clock**

**M E M O R A N D U M**

The Speaker will take the Chair on,  
Wednesday, March 13, 2024 at 9.30 a.m.

--X--