

**REPUBLIC OF KENYA****THIRTEENTH PARLIAMENT – SECOND SESSION****THE NATIONAL ASSEMBLY****VOTES AND PROCEEDINGS****THURSDAY, MARCH 16, 2023**

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

The Deputy Speaker conveyed the following Message from the President:

**On the Nomination of a Person for Appointment as the Chairperson of Kenya Fish Marketing Authority**

**“Honourable Members**, pursuant to the provisions of Standing Order No. 42, I wish to report to the House that I have received a Message from His Excellency the President regarding the nomination of a person for appointment as the Chairperson of Kenya Fish Marketing Authority.

**Honourable Members**, in the Message, His Excellency the President conveys that, in exercise of powers conferred by section 201(1)(a) as read together with section 201 (2) of the Fisheries Management and Development Act, 2016 and in accordance with the procedure in sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011, the President has nominated Hon. Martin Otieno Ogindo for appointment as the Chairperson of Kenya Fish Marketing Authority. The President now seeks the approval of the nominee by this House.

**Honourable Members**, Standing Order 45 requires that, upon receipt of notification of nomination for appointments, such nomination shall stand committed to the relevant Departmental Committee of the House for consideration. In this respect, I hereby refer the Message from H.E. the President, together with the Curriculum Vitae and Testimonials of the nominee, to the Departmental Committee on Blue Economy, Water and Irrigation for consideration.

**Honourable Members**, section 8 of the Public Appointments (Parliamentary Approval) Act, 2011 provides that, unless otherwise provided in law, the Committee to which such nomination is referred shall consider the matter and table a report in the House within twenty-eight (28) days. In this regard, the Committee is expected to immediately commence the approval process, notify the nominee and the general public of the time and place for holding the approval hearings, and thereafter, upon conclusion of the hearings, table its report on or before Thursday, 6<sup>th</sup> April 2023 to enable the House to consider the matter within the statutory timelines. I thank you!”

**5. PETITIONS**

The following Petitions were presented by –

- a) The Member for Maragua (*Hon. Mary Wamaua*) presented a Petition on behalf of the residents of Muthanga Farm Company Limited regarding resettlement of residents of Muthanga Farm;
- b) The Member for Kitui West (*Hon. Edith Nyenze*) resented a Petition on behalf of residents of Kitui West Constituency regarding de-siltation of Matinga Dam in Kitui West Constituency; and
- c) The Member for Narok East (*Hon. Aramat Lemanken*) presented a Petition on behalf of residents of Narok East Constituency regarding access roads for residents of Narok East Constituency.

The Petitions were referred to the Public Petitions Committee pursuant to Standing Order 227.

**6. RE-ORGANIZATION OF BUSINESS IN THE ORDER PAPER**

Pursuant to Standing Order 40(2), the Deputy Speaker re-ordering of the sequence of business on the Order Paper to the allow for the conclusion/putting of the Question on business appearing as Order No. 8 (*Special Motion – Consideration of Nominees for Appointment as Members of the National Climate Change Council*) before proceeding to Order No. 5 (Papers).

**7. PAPERS LAID**

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

- (i) Reports of the Auditor-General and Financial Statements in respect of the following Constituencies for the year ended 30th June, 2019 and the certificates therein: -
  - a) Oljoroorok;
  - b) Samburu North; and
  - c) Olkalou.
- (ii) 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: -
  - a) Kenya Post Office Savings Bank; and
  - b) National Cancer Institute of Kenya.
- (iii) 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) Agricultural Development Corporation; and
  - b) Kenya Export Promotion and Branding Agency.
- (iv) Annual Report and Financial Statements of the Power of Mercy Advisory Committee for the Financial Year 2021/2022 from the Office of the Attorney General and Department of Justice;
- (v) Annual Report and Financial Statements of the National Council on the Administration of Justice (NCAJ) for the Financial Year 2021/2022 from the Office of the Attorney General and Department of Justice;
- (vi) 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 –
  - a) Capacity Development Project for Sustainable Forest Management in Kenya (CADEP) (Grant No. 22) – Kenya Forest Service;
  - b) Youth Enterprise Development Fund;
  - c) Covid-19 Emergency Response Fund - The National Treasury;
  - d) National Exchequer Account - The National Treasury;

- e) Contingencies Fund - The National Treasury;
- f) Agricultural Information Resource Centre Revolving Fund;
- g) Office of the Director Public Prosecutions Staff Housing Mortgage and Car Loan Scheme;
- h) The Commission on Administrative Justice - Staff Mortgage and Car Loan;
- i) The Commission on Administrative Justice;
- j) Kenya National Commission on Human Rights;
- k) Kenya National Commission on Human Rights Car and Mortgage Loan Scheme;
- l) Strengthening Drought Resilience for Small Holder Farmers and Pastoralists in the IGAD Region Project No.03/Dress-EA/07/OSS-KE/20 – Ministry of Environment and Forestry;
- m) Sirari Corridor Accessibility and Road Safety Improvement Project: Isebania-Kisii-Ahero – (AI) road rehabilitation – Kenya National Highways Authority;
- n) Nairobi Outer Ring Road Improvement Project – Kenya Urban Roads Authority;
- o) National Action Plan on Artisanal Small – Scale Gold Mining Project – Ministry of Environment and Forestry;
- p) System Land Based Emissions and Estimation in Kenya (SLEEK) Project - Ministry of Environment and Forestry;
- q) Kenya Enabling Activities for HFC Phase – Down Project (Grant No. UNEP/KEN/SEV/81/TAS/01+) - Ministry of Environment and Forestry; and
- r) East Africa Skills for Transformation and Regional Integration Project (EASTRIP) (IDA Loan No.6334-KE) – Meru National Polytechnic.

*(Deputy Leader of the Majority Party)*

## **8. QUESTIONS**

(i) The following Questions were asked –

- a) **Question No. 047/2023** by the Member for Dagoretti North (Hon. Beatrice Elachi) regarding implementation of the Competence Based Curriculum in Junior Secondary Schools in informal settlements in the country, and particularly in Nairobi City County.

*(To be replied to by the Cabinet Secretary for Education before the Departmental Committee on Education)*

- b) **Question No. 048/2023** by the Member for Suba South (Hon. Caroli Omondi) regarding gazettelement of Suba South and Suba North Sub Counties as hardship areas.

*(To be replied to by the Cabinet Secretary for Ministry of Interior and National Administration before the Departmental Committee on Energy)*

- c) **Question No. 050/2023** by the Nominated Member (Hon. Sabina Chege) regarding details on the contract and sum in respect of the construction of *Mirira* Dam in Murang'a County.

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

- d) **Question No. 051/2023** by the Member for Kinango (Hon. Gonzi Rai) regarding details of ownership of *Taru Ranch* in Kwana County.  
(To be replied to by Cabinet Secretary for Lands, Public Works, Housing & Urban Development before the Departmental Committee on Lands)

(ii) The following Question was deferred –

- **Question No. 049/2023** by the Member for Wajir East (Hon. Aden Mohamed) to the Cabinet Secretary for Defence regarding alleged setting up of a foreign military base at Wajir International Airport.

## **9. STATEMENTS**

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 21, 2023.

## **10. SPECIAL MOTION – CONSIDERATION OF NOMINEES FOR APPOINTMENT AS MEMBERS OF THE NATIONAL CLIMATE CHANGE COUNCIL**

Motion made and Question proposed –

**THAT**, taking into consideration the findings of the Joint Committee of the National Assembly Departmental Committee on Environment, Forestry and Mining and the Senate Standing Committee on Land, Environment and Natural Resources in its report on the Vetting of Nominees for Appointment as Members of the National Climate Change Council, *laid on the Table of the House on Tuesday, 14<sup>th</sup> March, 2023*, and pursuant to Article 132 (2)(f) of the Constitution, section 7(4) of the Climate Change Act, sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 216 (5) (f) of the National Assembly and the Senate Standing Order 228 (4)(f) –

**(a) approves** the appointment of the following persons as **members** of the National Climate Change Council –

- (i) Ms. Emily Mwendu Waita;
- (ii) Mr. John Kioli Kalua; and
- (iii) Prof. George Odera Outa.

**(b) rejects** the appointment of Ms. Umra Omar as a Member of the National Climate Change Council.

*(The Chairperson, Departmental Committee on Environment, Forestry and Mining)*

Debate on the Motion having been concluded on Wednesday, 15<sup>th</sup> March 2023 (Afternoon Sitting);

Question put and agreed to.

Resolved accordingly.

## **11. MOTION – REPORT ON THE CONSIDERATION OF THE DRAFT SALARIES AND REMUNERATION COMMISSION (REMUNERATION AND BENEFITS OF STATE AND OTHER PUBLIC OFFICERS) REGULATIONS, 2022**

Motion made and Question proposed –

**THAT**, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the *Draft Salaries and Remuneration Commission (Remuneration and Benefits of State and other Public Officers) Regulations, 2022 laid on the Table of the House on Wednesday, 8<sup>th</sup> March*,

2023, and pursuant to the provisions of section 26(2) of the Salaries and Remuneration Commission Act, 2011 **rejects** the *Draft Salaries and Remuneration Commission (Remuneration and Benefits of State and other Public Officers) Regulations, 2022*.

*(The Chairperson, Committee on Delegated Legislation)*

Debate arising

*Change of Chair from the Deputy Speaker to the Sixth Chairperson of the Committees*

Mover replied;

Question deferred.

## **12. MOTION – APPROVAL OF NOMINEES TO THREE NATIONAL GOVERNMENT CONSTITUENCY DEVELOPMENT FUND COMMITTEES**

Motion made and Question proposed –

**THAT**, this House **adopts** the Report of the National Government Constituency Development Fund Committee on three (3) Constituency Committees *laid on the Table of the House on Wednesday, 15<sup>th</sup> March, 2023*, and pursuant to the provisions of section 43(4) of the National Government Constituency Development Fund Act, 2015 and paragraphs 5(2) and (10) of the National Government Constituencies Development Fund Regulations, 2016 **approves** the list of nominees for appointment to the following **three (3)** Constituency Committees of the National Government Constituency Development Fund –

### **1. GARISSA TOWNSHIP CONSTITUENCY**

<b>No.</b>	<b>Name</b>	<b>Category</b>	<b>Statutory Provision for Assumption of Position</b>
1.	Farah Yussuf Ollow	<i>Male Representative</i>	<i>Youth</i> Appointment, pursuant to Sec.43(2)(b)
2.	Hassan Osman Shurie	<i>Male Adult Representative</i>	Appointment, pursuant to Sec.43(2)(b)
3.	Maryan Somo Hussein	<i>Female Representative</i>	<i>Youth</i> Appointment, pursuant to Sec. 43(2)(c)
4.	Fatuma Ahmed Kosar	<i>Female Representative</i>	<i>Adult</i> Appointment, pursuant to Sec.43(2)(c)
5.	Siyat Hared Muhumed	<i>Representative of Persons Living with Disability</i>	Appointment, pursuant to Sec. 43(2)(d)
6.	Mahamud Ahmed Dayib	<i>Nominee of the Constituency Office (Male)</i>	Appointment, pursuant to Sec.43(2)(e)
7.	Haretha Kahiya Saman	<i>Nominee of the Constituency Office (Female)</i>	Appointment, pursuant to Sec.43(2)(e)

### **2. MBEERE NORTH CONSTITUENCY (Additional names)**

<b>No.</b>	<b>Name</b>	<b>Category</b>	<b>Statutory Provision for Assumption of Position</b>
1.	Brian Wallen Muteti Njiru	<i>Male Representative</i>	<i>Youth</i> Appointment, pursuant to Sec.43(2)(b)
2.	Jervasius Nyombyekothe Ngunji	<i>Male Representative</i>	<i>Adult</i> Appointment, pursuant to Sec.43(2)(b)

**3. NAROK EAST CONSTITUENCY**

No.	Name	Category	Statutory Provision for Assumption of Position
1.	Oropi Ole Matuyia Meshuko	Male Representative	Youth Appointment, pursuant to Sec.43(2)(b)
2.	Tapaiya Olingashar Punyua	Male Representative	Adult Appointment, pursuant to Sec.43(2)(b)
3.	Hanah Naishipae Kusero	Female Representative	Youth Appointment, pursuant to Sec. 43(2)(c)
4.	Gladys Wanjiru Soitara	Female Representative	Adult Appointment, pursuant to Sec.43(2)(c)
5.	Leshinka Mututua	Representative of Persons Living with Disability	Appointment, pursuant to Sec. 43(2)(d)
6.	John Salaton Swakei	Nominee of the Constituency Office (Male)	Appointment, pursuant to Sec.43(2)(e)
7.	Pilale Ene Kashanga Kisotu	Nominee of the Constituency Office (Female)	Appointment, pursuant to Sec.43(2)(e)

*(The Chairperson, Select Committee on National Government Constituencies Development Fund)*

Debate arising

*Change of Chair from the Sixth Chairperson to the Third Chairperson of the Committees*

Mover replied;

Putting of Question deferred.

**QUORUM OF THE HOUSE**

The Member for Embakasi South (Hon. Julius Mawathe) rose on a Point of Order pursuant to Standing Order 35(1) and objected that there was no quorum present in the House; And the Chair having ascertained the claim, ordered that the division bell be rung for ten (10) minutes;

Having no quorum present at the expiration of the ten minutes, the Third Chairperson of Committee adjourned the House without Question put pursuant to Standing Order 35(2)(a).

**13. 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- Tuesday, March 21, 2023 at 2.30pm

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