



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, OCTOBER 05, 2023 AT 2.30 PM

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with Prayer said by the Speaker.
3. **QUORUM IN THE HOUSE**

The Speaker, having counted the Honourable Senators present at the commencement of the Sitting and confirming that there was no Quorum, caused the Bell to be rung for ten minutes pursuant to Standing Order 40;

And there being a Quorum after the expiry of ten minutes,

The Speaker invited the Clerk to call the Orders of the day.

4. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair: -

i. Visiting delegation from the National Assembly of Zambia

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, a visiting delegation from the National Assembly of Zambia. The delegation comprises Members of staff who are undergoing a training programme in the Centre for Parliamentary Studies and Training (CPST).

Honourable Senators,

I request each Member of the delegation to stand when called out so that they may be acknowledged in the Senate tradition -

1. Mr. Tennieson Nyangu Principal Clerk / Leader of the delegation

2. Mr. Collins Ngozi Deputy Principal Clerk
3. Mr. Kabwibwi Mubanga Deputy Principal Clerk

On behalf of the Senate and on my own behalf, I extend a warm welcome and wish you a fruitful visit.

I thank you.”

ii. Visiting delegation from Uasin Gishu County Leadership

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, visiting delegation from the Uasin Gishu County Leadership who are in the Senate for a one - day visit.

I request each Member of the delegation to stand when called out so that you may be acknowledged in the Senate tradition.

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|----|-----------------------|----------------------------------|
| 1. | H.E. Jonathan Bii | Governor |
| 1. | Mr. Micah Rogony | CECM Finance |
| 2. | Mr. Joseph Lagat | CECM Public Works |
| 3. | Mr. Eliud Chemaget | Chief Officer |
| 4. | Ms. Victorine Kapkiai | Chief Officer |
| 5. | Mr. Willy Kenei | Chairperson, Ad Hoc
Committee |
| 6. | Mr. Julius Kitur | Chairman, Municipal
Board |
| 7. | Mr. Tito Koiyet | Municipal Manager |
| 8. | Mr. Emmanuel Serem | Director, Assets |
| 9. | Mr. Noah Samoei | Office Administrator |

Honourable Senators,

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them and, on behalf of the Senate and on my own behalf, wish them a fruitful engagement.

I thank you.”

5. PAPERS

The following Papers were laid on the Table of the Senate: -

- i.) Annual Report of the National Police Service Commission for the Financial Year 2022/2023.
- ii.) Statement on the business of the Senate for the week commencing Wednesday, 11th October, 2023.

(The Senate Majority Whip)

6. **QUESTIONS AND STATEMENTS**

STATEMENTS

a) **Pursuant to Standing Order 52 (1)**

- i.) The Senator for Turkana County (Sen. James Lomenen, MP) made a statement concerning the disparities in service delivery to refugee communities in Kakuma and Kalobeyei camps in Turkana County.

Thereupon, the Senator informed the Senate that both Camps were home to over 196,666 refugees as of July 2020 and that this situation had presented challenges for the Turkana community. He informed the Senate that despite the Kalobeyei Integrated Socio-Economic Development Program (KISDBP) aiming for equal services for refugees and the local community, discrimination persisted in various aspects such as, scholarships, healthcare, training programs, access to water, and job opportunities at the UNHCR for the Turkana.

The Senator emphasized on the need to ensure fair access to scholarships, more educational facilities, equitable healthcare, cultural respect, expanded gender-based violence services, enhanced security, tailored livelihood programs, additional water points, qualified job opportunities, community engagement, and conflict resolution in order to address the challenges.

- ii.) The Senator for Nandi County (Sen. Samson Cherarkey, MP) made a statement concerning the stunning performance by Kenyan athletes at the World Road Running Championships in Riga, Latvia.

Thereupon, the Senator congratulated the Kenyan athletes who participated at the World Athletics Road Running Championship in Riga, Latvia. The Senator highlighted the sterling performance that the athletes demonstrated in the half-marathon and securing gold medals for Team Kenya, led by Sebastian Sawe and Peres Jepchirchir.

In addition, the Senator recognized Ms. Beatrice Chebet who claimed victory in the women's 5 kilometers and Mr. Daniel Simiyu Ebenyo and Samwel Nyamai Mailu who enabled the Kenyan male team in securing their 17th title. This, he said, was a remarkable performance.

In conclusion, the Senator called upon the Ministry of Sports, Athletics Kenya (AK) and the National Olympics Committee of Kenya (NOCK) to partner with the Ministry of Tourism and utilize

the fame and good name of the Kenyan athletes to market Kenya as a tourist destination by making them Brand Kenya ambassadors.

b) Pursuant to Standing Order 53(1)

- i.) Request for Statement by the Senator for Murangá County (Sen. Joe Nyutu, MP) from the Standing Committee on National Security, Defense and Foreign Relations regarding the upsurge of insecurity in parts of Murangá County was **dropped** in the absence of the Senator.
- ii.) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) sought a Statement from the Standing Committee on Land, Environment and Natural Resources concerning the Part Development Plan (PDP) of Voi town in Taita Taveta County.
- iii.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) sought a Statement from the Standing Committee on Trade, Industrialization and Tourism regarding the production and importation of cooking oil in Kenya.
- iv.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) sought a Statement from the Standing Committee on Finance and Budget regarding alleged tax exemptions to the Kenya National Trading Corporation (KNTC) Limited.
- v.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the demarcation of jurisdictional boundaries between Marsabit and Wajir Counties.
- vi.) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a Statement from the Standing Committee on Finance and Budget concerning the status of pending bills in counties.
- vii.) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a Statement from the Standing Committee on Finance and Budget concerning the closure of bank accounts of Small and Micro-Enterprises (SMEs) by Standard Chartered Bank.
- viii.) Request for Statement by Nominated Senator (Sen. Hamida Kibwana, MP) from the Standing Committee on Health concerning the challenges faced by Kenyans with hearing impairment was **dropped** in the absence of the Senator.
- ix.) The Senator for Turkana County (Sen. James Lomenen, MP) sought a Statement from the Standing Committee on Energy regarding the

electricity transmission infrastructure in major towns within Turkana County.

- x.) The Senator for Turkana County (Sen. James Lomenen, MP) sought a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the compulsory acquisition of unregistered communal land belonging to the Turkana community for the Lamu Port, South Sudan, Ethiopia Transport Corridor (LAPSSSET).

c) Pursuant to Standing Order 57(1)

The Senate Majority Whip issued a statement on the business of the Senate for the week commencing Wednesday, 11th October, 2023.

7. **ARIFA YA HOJA – KUAHIRISHWA KWA KIKAO CHA SENETI KWA MUJIBU WA KANUNI YA 37(1) YA KANUNI ZA KUDUMU ZA SENETI, ILI KUJADILI SWALA MAHSUSI LA DHARURA NA MUHIMU KWA TAIFA, KUHUSU UKOSEFU WA USALAMA KATIKA MJI WA SONDU NA KATIKA KAUNTI YA TURKANA**

Kwa mujibu wa kanuni ya 37(1) ya Kanuni za Kudumu za Seneti, Seneta wa Kaunti ya Embu (Sen. Alexander Mundigi, Mb.) alitoa Arifa ya Hoja, akiomba kuahirishwa kwa kikao cha Seneti ili kujadili swala mahsusi la dharura na muhimu kwa taifa, kuhusu ukosefu wa usalama katika mji wa Sondu na katika Kaunti ya Turkana.

Na maseneta waliposimama kuunga mkono hoja hiyo kwa idadi inayohitajika;

Mheshmiwa Spika akaamuru ya kwamba Seneti itajadili hoja hiyo saa kumi na moja jioni.

8. **NOTICE OF MOTION – ADJOURNMENT OF THE SENATE PURSUANT TO STANDING ORDER 37 TO DISCUSS A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE RELATING TO THE SECURITY SITUATION IN SONDU TOWN AND TURKANA COUNTY**

Rising a point of order, pursuant to Standing Order 37, the Senator for Embu County (Sen. Alexander Mundigi, MP) sought leave to give notice of a Motion for the adjournment of the Senate to discuss a definite matter of urgent national importance, namely, the security situation in Sondu town and Turkana County.

And there being the requisite number of Senators rising in support of the claim;

Thereupon, the Speaker nominated five O'clock, as the time when the Motion would be moved.

9. **THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL (NATIONAL ASSEMBLY BILLS NO. 23 OF 2023)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the County Governments Additional Allocations Bill (National Assembly Bills No. 23 of 2023) be now read a Second Time.

(The Senate Majority Whip on behalf of the Senate Majority Leader - 03.10.2023)

Debate interrupted on Wednesday, 4th October, 2023 (Afternoon Sitting) resumed;

And there being no other Senator wishing to contribute;

The Senate Majority Whip on behalf of the Mover replied;

Pursuant to Standing Order 66 (3), the Senate Majority Whip requested the Speaker to defer putting of the Question to a later date;

And the Speaker acceding to the request, deferred putting of the Question to a later date.

10. **COMMITTEE OF THE WHOLE**
THE LEARNERS WITH DISABILITIES BILL (SENATE BILLS NO. 4 OF 2023)
(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)

(Resumption of debate interrupted on 9th August, 2023)
(Division)

Order for Committee of the Whole read;

Order deferred.

11. **COMMITTEE OF THE WHOLE**
THE EQUALIZATION FUND (ADMINISTRATION) BILL (SENATE BILLS NO. 14 OF 2023)
(The Chairperson, Standing Committee on Finance and Budget)

Order for Committee of the Whole read;

Order deferred.

12. **COMMITTEE OF THE WHOLE**
THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILLS NO. 9 OF 2022)
(Sen. Mariam Sheikh Omar, MP)

Order for Committee of the Whole read;

Order deferred.

13. **COMMITTEE OF THE WHOLE**
THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL
(SENATE BILLS NO. 12 OF 2022)
(Sen. Maureen Tabitha Mutinda, MP)

Order for Committee of the Whole read;

Order deferred.

14. **COMMITTEE OF THE WHOLE**
THE MUNG BEANS BILL (SENATE BILLS NO. 13 OF 2022)
(Sen. Enoch Wambua, MP)

Order for Committee of the Whole read;

Order deferred.

15. **COMMITTEE OF THE WHOLE**
THE START-UP BILL (SENATE BILLS NO. 14 OF 2022)
(Sen. Crystal Asige, MP)

Order for Committee of the Whole read;

Order deferred.

16. **COMMITTEE OF THE WHOLE**
THE PERSONS WITH DISABILITIES BILL (SENATE BILLS NO. 7 OF 2023)
(Sen. Crystal Asige, MP)

Order for Committee of the Whole read;

Order deferred.

17. **THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2023)**
(Sen. Moses Kajwang' MP)

(Second Reading)

Order read;

Order deferred.

18. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE**
ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON THE
APPLICATION FOR CONFERMENT OF CITY STATUS TO THE
MUNICIPALITY OF ELDORET

Order read;

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on the application for conferment of city status to the Municipality of Eldoret laid on the table of the Senate on Wednesday, September 20, 2023 and pursuant to Section 8(6) of the Urban Areas and Cities Act, 2011 the Senate approves the conferment of City status to the Municipality of Eldoret.

(Sen. Richard Onyonka, MP, on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

Debate arising;

And the time being Five O'clock, the Deputy Speaker interrupted debate;

19. **HOJA – KUAHIRISHA KIKAO CHA SENETI KWA MUJIBU WA KANUNI ZA KUDUMU KIPENGELE CHA 37(1) ZA SENETI, ILI KUJADILI SWALA MAHSUSI LA DHARURA NA MUHIMU KWA TAIFA, KUHUSU UKOSEFU WA USALAMA KATIKA MJI WA SONDU NA KATIKA KAUNTI YA TURKANA**

Hoja kupendekezwa na Swala kuamuliwa;

YA KWAMBA, kikao cha Seneti kihahirishwe kwa mujibu wa Kanuni za Kudumu za Seneti Kipengele cha 37 (1), ili kujadili swala mahsusi la dharura na muhimu kwa taifa, kuhusu ukosefu wa usalama katika mji wa Sondu na katika Kaunti ya Turkana.

(Sen. Alexander Mundigi, Mb.)

Mjadala kuanza;

And the time being thirty Minutes past Six O'clock, the Temporary Speaker (Sen. Abdul Haji, MP) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

20. **SENATE ROSE** – at thirty Minutes past Six O'clock

MEMORANDUM

*The Speaker will take the Chair on
Wednesday, October 11, 2023 at 9.30 a.m.*

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