



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, NOVEMBER 14, 2023 AT 2.30 PM

1. The Senate assembled at thirty minutes past Two O'clock.
2. The proceedings were opened with a Prayer said by the Temporary Speaker (Sen. Veronica Maina, MP).

3. **QUORUM OF THE SENATE**

The Temporary Speaker (Sen. Veronica Maina, MP), having counted the Hon. 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 at the expiry of the ten minutes;

The Temporary Speaker (Sen. Veronica Maina, MP) invited the Clerk to call the Orders of the day.

4. **COMMUNICATION FROM THE CHAIR ON THE DEMISE OF HON. GODLIVER NANJIRA OMONDI, FORMER NOMINATED SENATOR**

The Temporary Speaker (Sen. Veronica Maina, MP) conveyed the following communication from the Chair: -

“Hon. Senators,

It is with deep sorrow that I notify you of the untimely demise of former Nominated Senator, Hon. Godliver Omondi. She passed away in the evening of Monday, 13th November, 2023, after succumbing to a short illness.

Hon. Senators,

The Late Hon. Godliver Omondi was born on 15th December, 1971, in Kakamega County. She held a Degree in Community Development and a Diploma in Community Development both from Maasai Mara University. In 2010, she became a County Coordinator for the walemavu na Raila movement until 2014 when she became a secretary for the ODM Office Matungu Sub-branch.

Until her demise, the Late Hon. Omondi was serving as a nominated Member of the County Assembly of Kakamega. Previously, she had been elected as the Member for Kholera Ward in Kakamega County in 2017, where she served as the Deputy Minority Leader in the County Assembly.

Hon. Senators,

Hon. Omondi also served as a nominated Senator, representing Persons with Disabilities in the Senate from 2013 to 2017. The late Hon Member will be remembered as a dedicated legislator who served in the Departmental Committee on Health, the Library and Broadcasting Committee and the National Cohesion and Equal Opportunities Committee.

On behalf of all Senators and the entire staff of the Senate, and indeed on my own behalf, I wish to take this opportunity to condole with the family of Hon. Godliver Omondi, the people of Kakamega County, and all her friends in this most difficult time.

The Parliament of Kenya and the nation at large has indeed lost a diligent and selfless leader who always championed for the interests of the people of Kakamega county, more so women, youths and persons with disabilities.

Hon. Senators,

In honour of our departed colleague, I request that in the usual tradition, we all stand and observe a moment of silence.

May the soul of the Late Hon. Godliver Omondi rest in Peace.”

Thereupon, the Temporary Speaker (Sen. Veronica Maina, MP) allowed Hon. Senators to eulogise the Late Hon. Godliver Omondi.

5. **PETITIONS**

- i.) Pursuant to Standing Order 238 (2), the Chairperson, Standing Committee on Labour and Social Welfare tabled before the Senate, the Report of the Standing Committee on a Petition to the Senate by Mr. Elijah Mathungii on behalf of Supply Chain Management Assistants concerning discrimination against other health workers in the Ministry of Health.

- ii.) Pursuant to Standing Order 238 (2), the Senator for Nyeri County (Sen. Wahome Wamatinga, MP), a member of the Standing Committee on Land, Environment and Natural Resources, tabled before the Senate, on behalf of the Chairperson, the Report of the Standing Committee on a Petition to the Senate by residents of Chokaa Mihangó in Nairobi City County, regarding illegal demolition at Mihangó, Njiru Chokaa.
- iii.) Pursuant to Standing Order 238 (2), the Senator for Nyeri County (Sen. Wahome Wamatinga, MP), a member of the Standing Committee on Land, Environment and Natural Resources, tabled before the Senate, on behalf of the Chairperson, the Report of the Standing Committee on a Petition to the Senate by three petitioners from the Lugari East Africa Tanning Extract Company, on behalf of the residents of the Mautuma Settlement Scheme concerning the degazettement of 1577.86 hectares of Lugari/Turbo forest in Kakamega County.
- iv.) Pursuant to Standing Order 238 (2), the Senator for Nyeri County (Sen. Wahome Wamatinga, MP), a member of the Standing Committee on Land, Environment and Natural Resources, tabled before the Senate, on behalf of the Chairperson, the Report of the Standing Committee on a Petition to the Senate by Mr. Charles Waikwa on behalf of residents of Laikipia West Constituency regarding degazettement of Land Reference No. 12493 situated west of Rumuruti township in Laikipia County.

6. PAPERS

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

- i.) The Tenth (10th) State of the Nation Address by His Excellency the President delivered at a Joint Sitting of Parliament on Thursday, 9th November, 2023.
- ii.) The Tenth (10th) Annual Report (2022/2023) on the Measures Taken and Progress Achieved in the Realization of National Values and Principles of Governance.
- iii.) The Annual Report to Parliament on the State of National Security, November 2023.
- iv.) The 2023 Budget Review and Outlook Paper for the Financial Year 2024/2025 and Medium-Term Budget.
- v.) Report of the Auditor General on the financial statements of the Ikanga Level 4 Hospital, County Government of Kitui for the year ended 30th June, 2022.
- vi.) Report of the Auditor General on the financial statements of the Kauwi Level 4 Hospital, County Government of Kitui for the year ended 30th June, 2022.

- vii.) Report of the Auditor General on the financial statements of the Migwani Level 4 Hospital, County Government of Kitui for the year ended 30th June, 2022.
- viii.) Report of the Auditor General on the financial statements of the Lumumba Sub-County Hospital, County Government of Kisumu for the year ended 30th June, 2022.
- ix.) Report of the Auditor General on the financial statements of the Kisumu County Referral Hospital, County Government of Kisumu for the year ended 30th June, 2022.
- x.) Report of the Auditor General on the financial statements of the Kericho County Referral Hospital, County Government of Kericho for the year ended 30th June, 2022.
- xi.) Report of the Auditor General on the financial statements of the Londiani Sub-County Level 4 Hospital, County Government of Kericho for the year ended 30th June, 2022.
- xii.) Report of the Auditor General on the financial statements of the Kwale Sub-County Level 4 Hospital, County Government of Kwale for the year ended 30th June, 2022.
- xiii.) Report of the Auditor General on the financial statements of the Lungalunga Sub-County Hospital, County Government of Kwale for the year ended 30th June, 2022.
- xiv.) Report of the Auditor General on the financial statements of the Msambweni County Referral Hospital, County Government of Kwale for the year ended 30th June, 2022.

(The Senate Majority Whip)

- xv.) Report of the Standing Committee on Labour and Social Welfare on a Petition to the Senate by Mr. Elijah Mathungii on behalf of Supply Chain Management Assistants, concerning alleged discrimination against other health workers at the Ministry of Health.

(The Chairperson, Standing Committee on Labour and Social Welfare)

- xvi.) Report of the Standing Committee on Land, Environment and Natural Resources on a Petition to the Senate by residents of Chokaa/ Mihangó in Nairobi City County regarding illegal demolitions at Chokaa/ Mihangó/ Njiru area.

- xvii.) Report of the Standing Committee on Land, Environment and Natural Resources on a Petition to the Senate by three Petitioners from the Lugari East Africa Tanning Extract Company, on behalf of the residents of the Mautuma Settlement Scheme concerning the degazettement of 1577.86 hectares of Lugari/Turbo forest in Kakamega County.
- xviii.) Report of the Standing Committee on Land, Environment and Natural Resources on a Petition to the Senate by Mr. Charles Waikwa on behalf of residents of Laikipia West Constituency regarding degazettement of Land Reference No. 12493 situated west of Rumuruti township in Laikipia County

(Sen. Wahome Wamatinga, MP on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources)

7. **NOTICE OF MOTION - DEBATE ON THE PRESIDENT'S ADDRESS TO PARLIAMENT**

(The Senate Majority Leader)

THAT, pursuant to Standing Order 25 (1), the thanks of the Senate be recorded for the exposition of public policy contained in the Address of His Excellency the President, delivered on Thursday, 9th November, 2023 and further that the Senate notes the following Reports submitted by His Excellency the President in fulfillment of Articles 132 (1) (c) and 240 (7) of the Constitution, laid on the Table of the Senate on Tuesday, 14th November, 2023 –

- i.) The Tenth (10th) State of the Nation Address by His Excellency the President delivered at a Joint Sitting of Parliament on Thursday, 9th November, 2023;
- ii.) The Tenth (10th) Annual Report (2022/2023), on the Measures Taken and Progress Achieved in the Realization of National Values and Principles of Governance; and
- iii.) The Annual Report to Parliament on the State of National Security, November 2023.

8. **QUESTIONS AND STATEMENTS**

Requests for Statements, pursuant to Standing Order 53(1)

- i.) Nominated Senator (Sen. Esther Okenyuri, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding theft and snatching of mobile phones and other electronic gadgets from unsuspecting Kenyans.
- ii.) Seneta wa Kaunti ya Mombasa (Sen. Mohammed Mwinyihaji, Mb) aliomba kauli kutoka kwa Kamati ya Fedha na Bajeti kuhusu shirika la Kenya National Assurance (KNAC) ambalo liko katika hali ya upokeaji.

- iii.) The Senator for Migori County (Sen. Eddy Oketch, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the Kenya Defence Forces (KDF) recruitment exercises for years 2022 and 2023.
- iv.) The Senator for Bungoma County (Sen. David Wakoli, MP) sought a statement from the Standing Committee on Labour and Social Welfare concerning the delayed payment to agripreneurs engaged in data collection for the farmer registration exercise in Bungoma County.
- v.) The Senator for Bungoma County (Sen. David Wakoli, MP) sought a statement from the Standing Committee on Labour and Social Welfare concerning policies governing appointment of persons in acting capacity in the public service sector.
- vi.) Nominated Senator (Sen. Gloria Orwoba, MP) sought a statement from the Standing Committee on Health regarding the mysterious disappearance of a child at Kayole II Level Four Sub-County Hospital.
- vii.) Nominated Senator (Sen. Gloria Orwoba, MP) sought a statement from the Standing Committee on Education regarding the decongestion of schools in Nairobi City County.
- viii.) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) sought a statement from the Standing Committee on Education concerning the implementation of the presidential directive on lowering of entry requirements for diploma teacher training programmes.
- ix.) 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 disregard of the conditions of allotment of Msambweni community land to Bata Shoe Company Limited.
- x.) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) sought a statement from the Standing Committee on Education concerning the completion status of Voi Girls School in Taita Taveta County.
- xi.) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) sought a statement from the Standing Committee on Finance and Budget regarding the status of pending bills in Taita Taveta County.
- xii.) Nominated Senator (Sen. Crystal Asige, MP) sought a statement from the Standing Committee on Education regarding the prevalence of corporal punishment in education institutions in the country.

- xiii.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) sought a statement from the Standing Committee on Roads, Transportation and Housing concerning the financial status of the Kenya Railways Corporation (KRC).
- xiv.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) sought a statement from the Standing Committee on Justice, Legal Affairs and Human Rights regarding the status of court construction projects in Kenya.
- xv.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) sought a statement from the Standing Committee on Trade, Industrialization and Tourism regarding the financial status of the East African Portland Cement Company (EAPCC).
- xvi.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) sought a statement from the Standing Committee on Land, Environment and Natural Resources concerning unauthorized occupation and encroachment of land belonging to the Kenya National Trading Corporation (KNTC).
- xvii.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) sought a statement from the Standing Committee on Trade, Industrialization and Tourism regarding the financial status of the Kenyatta International Convention Centre (KICC).

9. **THE COUNTY PUBLIC FINANCE LAWS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2023)**

(Sen. Kathuri Murungi,MP)

Order for First Reading read;

Bill read a First Time and committed to the Standing Committee on Finance and Budget.

10. **THE METEOROLOGY BILL (SENATE BILLS NO. 45 OF 2023)**

(The Senate Majority Leader)

Order for First Reading read;

Bill read a First Time and committed to the Standing Committee on Land, Environment and Natural Resources.

11. **MOTION - DEBATE ON THE PRESIDENT'S ADDRESS TO PARLIAMENT - 1ST DAY**

Order read;

Motion made and Question proposed;

THAT, pursuant to Standing Order 25 (1), the thanks of the Senate be recorded for the exposition of public policy contained in the Address of His Excellency the President, delivered on Thursday, 9th November, 2023 and further that the Senate notes the following Reports submitted by His Excellency the President in fulfillment of Articles 132 (1) (c) and 240 (7) of the Constitution, laid on the Table of the Senate on Tuesday, 14th November, 2023 –

- i.) The Tenth (10th) State of the Nation Address by His Excellency the President delivered at a Joint Sitting of Parliament on Thursday, 9th November, 2023;
- ii.) The Tenth (10th) Annual Report (2022/2023), on the Measures Taken and Progress Achieved in the Realization of National Values and Principles of Governance; and
- iii.) The Annual Report to Parliament on the State of National Security, November 2023.

(The Senate Majority Whip)

Debate arising;

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.

12. **SENATE ROSE** – at thirty minutes past six O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday, November 15, 2022 at 9.30 a.m.*