



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, NOVEMBER 21, 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 Speaker
3. **QUORUM OF THE SENATE**

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 at the expiry of ten minutes;

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

4. **PAPERS**

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

- i) The National Land Commission Annual Report for Financial Year 2022/2023.
- ii) The Architects and Quantity Surveyors (Amendment) By-Laws, 2023 – Legal Notice No. 188 of 2023

(The Senate Majority Whip)

5. **NOTICE OF MOTION – ADJOURNMENT OF THE SENATE PURSUANT TO STANDING ORDER 37(1) TO DISCUSS A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE REGARDING THE PREVAILING HEAVY RAIN AND SUBSEQUENT FLOODING IN MANY PARTS OF THE COUNTRY**

Rising a point of order pursuant to Standing Order 37(1), the Senator for Tana River County (Sen. Danson Mungatana, MP) sought leave to give notice of a

Motion for the adjournment of the Senate to discuss a definite matter of urgent national importance, regarding the prevailing heavy rain and subsequent flooding in many parts of the Country.

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

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

6. QUESTIONS AND STATEMENTS

Requests for Statements pursuant to Standing Order 53(1)

- i) Nominated Senator (Sen. Raphael Chimera, MP) sought a Statement from the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration regarding the adherence to the principles of meritocracy, transparency, fairness and equal opportunity in the recruitment of the Director General of the Competition Authority of Kenya (CAK).
- ii) Nominated Senator (Sen. Raphael Chimera, MP) sought a Statement from the Standing Committee on Health regarding delay in processing of medical insurance claims for teachers and police officers by Medical Administrators Kenya Limited.
- iii) Nominated Senator (Sen. Raphael Chimera, MP) sought a Statement from the Standing Committee on Health regarding withheld functions and financial challenges at the National Cancer Institute (NCI)-Kenya.
- iv) Request for Statement by the Senator for Nyandarua County (Sen. John Methu, MP) from the Standing Committee Land, Environment and Natural Resources concerning harassment of farmers in Bahati and Dundori forest by the Kenya Forest Service (KFS) rangers was **dropped** in the absence of the Senator.
- v) Request for Statement by the Senator for Nyandarua County (Sen. John Methu, MP) from the Standing Committee on Agriculture, Livestock and Fisheries regarding agricultural support to farmers in Bahati and Dundori areas was **dropped** in the absence of the Senator.
- vi) Request for Statement by the Nominated Senator (Sen. Shakila Abdalla, MP) from the Standing Committee on Finance and Budget concerning customs regulations and taxation for travelers returning to Kenya via the Jomo Kenyatta International Airport (JKIA) was **dropped** in the absence of the Senator.
- vii) Request for Statement by the Nominated Senator (Sen. Hamida Kibwana, MP) from the Standing Committee on National Security, Defence and Foreign Relations regarding the review of charges, fees and levies relating

to Immigration and Citizen Services was **dropped** in the absence of the Senator.

viii) Request for Statement by the Nominated Senator (Sen. Hamida Kibwana, MP) from the Standing Committee on Justice, Legal Affairs and Human Rights concerning gender-based violence incidents in the political space in Kenya was **dropped** in the absence of the Senator.

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

(The Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

Order read;

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.

*(Resumption of debate interrupted on Thursday 19th October, 2023)
(Division)*

Order deferred.

8. **THE EQUALIZATION FUND APPROPRIATION BILL (SENATE BILLS NO. 30 OF 2023)**

(The Chairperson, Standing Committee on Finance and Budget)

Order for Second reading read;

*(Resumption of debate interrupted on Wednesday 18th October, 2023 – Afternoon Sitting).
(Division)*

Order deferred.

9. **THE CARE AND PROTECTION OF CHILD PARENTS BILL (SENATE BILLS NO. 29 OF 2023)**

(Sen. Miraj Abdillahi Abdulrahman, MP)

Order for Second reading read;

*(Resumption of debate interrupted on Thursday, 16th November, 2023)
(Division)*

Order deferred.

10. **THE PREVENTION OF LIVESTOCK AND PRODUCE THEFT BILL (SENATE BILLS NO. 12 OF 2023)**

Order for Second Reading read;

Motion made and Question proposed;

That the Prevention of Livestock and Produce Theft Bill (Senate Bills No. 12 of 2023) be now read a second time.

(Sen. Samson Cherarkey, MP – 31.10.2023)

Debate interrupted on Thursday, 2nd November, 2023 resumed;

And there being no other Senator wishing to contribute;

And the time being thirty minutes past five O'clock, the Temporary Speaker (Sen. Abdul Haji, MP) interrupted the debate.

11. **MOTION – ADJOURNMENT OF THE SENATE PURSUANT TO STANDING ORDER 37(1) TO DISCUSS A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE REGARDING THE PREVAILING HEAVY RAIN AND SUBSEQUENT FLOODING IN MANY PARTS OF THE COUNTRY**

Motion made and Question proposed;

THAT, pursuant to Standing Order 37(1), the Senate do now adjourn to discuss a definite matter of urgent national importance, regarding the prevailing heavy rains and subsequent flooding in many parts of the country.

(Sen. Danson Mungatana, MP)

Debate arising;

12. **QUORUM OF THE SENATE**

Raising a Point of Order pursuant to Standing Order 41(1), Nominated Senator (Sen. Beatrice Ogolla, MP) drew the attention of the Temporary Speaker (Sen. Abdul Haji, MP) to the fact that there was no quorum in the House;

And the Temporary Speaker (Sen. Abdul Haji, MP) having counted the Senators present and confirmed that there was no quorum, caused the Division Bell to be rung for ten minutes;

And there being no quorum after the expiry of ten minutes;

The Temporary Speaker (Sen. Abdul Haji, MP) adjourned the Senate at fifty-six minutes past five O'clock without Question put, pursuant to the Standing Orders.

13. SENATE ROSE – at fifty-six minutes past five O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday, November 22, 2023 at 9.30 a.m.*

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