



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

VOTES AND PROCEEDINGS

AFTERNOON SITTING

WEDNESDAY, OCTOBER 11, 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 Communication from the Chair:-

a) Visiting Delegation from the Nandi County Assembly Staff Advisory Committee

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, visiting delegation from the Nandi County Assembly Staff Advisory Committee. The delegation is undertaking a benchmarking visit with its counterpart in the Senate.

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

1. Hon. Eliud Kirongo - Leader of Minority and Member to the Board
2. Mr. Gideon Kisorio - Commissioner and Chair of the Committee
3. Ms. Clara Melly Chepkemei - Board Member
4. Mr. Henry K. Tarus - Deputy Clerk, HR/Finance and Accounts
5. Mr. Philemon K. Maiyo - Director HR/Administration

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.”

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

b) Visiting Teachers and Pupils from Melelu Primary School in Narok County

“Honourable Senators,

In the public gallery, we have fifty-three (53) pupils, accompanied by two (2) teachers from Melelu Primary School, Narok County who are in the Senate on an education tour.

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 visit.

I thank you.”

5. PETITIONS

- i.) Pursuant to Standing Order 238(2), the Senate Majority Leader, on behalf of the Chairperson of Standing Committee on Labour and Social Welfare, tabled the Report of the Standing Committee on Labour and Social Welfare on a Petition by Ms. Tarsila Mwashimba and other residents of Taita Taveta, concerning unlawful salary deductions of female teachers by the Kenya Women Teachers Association (KEWOTA).
- ii.) Pursuant to Standing Order 236 (2) (a), the Senator for Busia County (Sen. Okoiti Andrew Omtatah, MP) presented to the Senate, a Petition by the residents of Changara in Teso North Sub-County, Busia County concerning the Changara Water Pan, a World Bank – funded project.

Pursuant to Standing Order 238 (1), the Speaker subsequently committed the Petition to the Standing Committee on Land, Environment and Natural Resources for consideration.

6. PAPERS LAID

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

- i.) Report of the Standing Committee on Labour and Social Welfare on a Petition by Ms. Tarsila Mwashimba and other residents of Taita Taveta, concerning unlawful salary deductions of female teachers by the Kenya Women Teachers Association (KEWOTA).

(The Senate Majority Leader, on behalf of the Chairperson, Standing Committee on Labour and Social Welfare)

- ii.) The National Treasury and Economic Planning Micro, Small and Medium Enterprises (MSMEs) Credit Guarantee Scheme Performance Report for the period 1st July 2022 to 30th June, 2023.
- iii.) The National Treasury and Economic Planning, Annual Public Debt Management Report for Financial Year 2022/2023.
- iv.) The Lake Ol Bolossat Catchment Protection Area Order, Legal Notice No. 116 of 20223.
- v.) The Karai Wetland Conservation Area Order, Legal Notice No. 117 of 2023.
- vi.) The Mwangea Hills Catchment Protection Area Order, Legal Notice No. 118 of 2023.
- vii.) The Lari Swamp Catchment Protection Area Order, Legal Notice No. 119 of 2023.

(The Senate Majority Leader)

- viii.) Report of the Standing Committee on Labour and Social Welfare on its consideration of the Care and Protection of Child Parent Bill (Senate Bills No. 29 of 2023).
- ix.) Report of the Standing Committee on Labour and Social Welfare on its consideration of the County Hall of Fame Bill (Senate Bills No. 18 of 2023).

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

7. THE DIGITAL HEALTH BILL (NATIONAL ASSEMBLY BILL NO. 57 OF 2023)

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Digital Health Bill (National Assembly Bill No. 57 of 2023) be now read a Second Time.

(The Senate Majority Leader – 11.10.2023-Morning Sitting)

Debate interrupted on Wednesday; 11th October, 2023 (Morning Sitting) resumed;

And there being no other Senators wishing to contribute;

Mover replied;

The Senate proceeded to a Division;

The Temporary Speaker (Sen. Veronica Maina, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Temporary Speaker (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Temporary Speaker (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the **“Yes”**, **“No”** or **“Abstain”** button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Temporary Speaker (Sen. Veronica Maina, MP) allowed three (3) Senators to record their votes verbally.

Thereupon, the Senators recorded their votes as **“Yes”**:-

1. Sen. Kamau Joseph Githuku, MP
2. Sen. Muhia John Methu, MP
3. Sen. Tobiko Peris Pesi, MP – voted on behalf of Kajiado County delegation

The results of the Division were as follows: -

AYES – 32

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Cherarkey Samson Kiprotich, MP
4. Sen. Cheruiyot Aaron Kipkirui, MP
5. Sen. Chesang Allan Kiprotich, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Haji Abdul Mohammed, MP
9. Sen. Kamau Joseph Githuku - voted verbally

10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, CBS, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Mo Fire Mwenda Gataya, MP
17. Sen. Muhia John Methu, MP - voted verbally
18. Sen. Mundigi Alexander Munyi, MP
19. Sen. Mungatana Danson Buya, MP
20. Sen. Murango James Kamau, MP
21. Sen. Nderitu John Kinyua, MP
22. Sen. Ngugi Joe Nyutu, MP
23. Sen. Oketch Eddy Gicheru, MP
24. Sen. Recha Julius Murgor, MP
25. Sen. Roba Ali Ibrahim, MP
26. Sen. Sifuna Edwin Watenya, MP
27. Sen. Thangwa Paul Karungo, MP
28. Sen. Tobiko Peris Pesi, MP – voted on behalf of Kajiado County delegation
29. Sen. Wafula David Wakoli, MP
30. Sen. Wakili Hillary Kiprotich, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Question -agreed to;

Bill read a Second Time and committed to the Committee of the Whole tomorrow.

8. THE SOCIAL HEALTH INSURANCE BILL (NATIONAL ASSEMBLY BILL NO. 58 OF 2023)

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Social Health Insurance Bill (National Assembly Bill No. 58 of 2023) be now read a Second Time.

(The Senate Majority Leader)

Debate arising;

9. PROCEDURAL MOTION – EXTENSION OF SITTING PURSUANT TO STANDING ORDER 34 (4) (a)

Motion made and Question proposed;

THAT, pursuant to Standing Order 34(4)(a), the Senate resolves to extend its sitting, today, Wednesday, 11th October, 2022, until the conclusion of business appearing as Order Nos. 13, 14 and 15 in the Order Paper.

(Sen. Lelegwe Ltumbesi, MP)

And there being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order No. 84 (1), the Temporary Speaker (Sen. Veronica Maina, MP) informed the House that the Motion did not affect counties.

Question put and agreed to.

10. THE SOCIAL HEALTH INSURANCE BILL (NATIONAL ASSEMBLY BILL NO. 58 OF 2023)

THAT, the Social Health Insurance Bill (National Assembly Bill No. 58 of 2023) be now read a Second Time.

(The Senate Majority Leader)

Debate interrupted resumed;

And there being no other Senators wishing to contribute;

Mover replied;

The Senate proceeded to a Division;

The Temporary Speaker (Sen. Veronica Maina, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Temporary Speaker (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Temporary Speaker (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the **“Yes”**, **“No”** or **“Abstain”** button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Temporary Speaker (Sen. Veronica Maina, MP) allowed three (3) Senators to record their votes verbally.

Thereupon, the Senators recorded their votes as **“Yes”**: -

1. Sen. Chesang Allan Kiprotich, MP
2. Sen. Mo Fire Mwenda Gataya, MP
3. Sen. Tobiko Peris Pesi, MP – voted on behalf of Kajiado County delegation

The results of the Division were as follows: -

AYES – 32

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Cherarkey Samson Kiprotich, MP
4. Sen. Cheruiyot Aaron Kipkirui, MP
5. Sen. Chesang Allan Kiprotich, MP - voted verbally
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Haji Abdul Mohammed, MP
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, CBS, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mo Fire Mwenda Gataya, MP - voted verbally
18. Sen. Mundigi Alexander Munyi, MP
19. Sen. Mungatana Danson Buya, MP
20. Sen. Murango James Kamau, MP
21. Sen. Nderitu John Kinyua, MP
22. Sen. Ngugi Joe Nyutu, MP
23. Sen. Oketch Eddy Gicheru, MP
24. Sen. Recha Julius Murgor, MP
25. Sen. Roba Ali Ibrahim, MP
26. Sen. Sifuna Edwin Watanya, MP
27. Sen. Thangwa Paul Karungo, MP
28. Sen. Tobiko Peris Pesi, MP – voted on behalf of Kajiado County delegation
29. Sen. Wafula David Wakoli, MP
30. Sen. Wakili Hillary Kiprotich, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Question - agreed to;

Bill read a Second Time and committed to the Committee of the Whole tomorrow.

11. 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.

(Senate Majority Leader - 05.11.2023)

Debate interrupted on Thursday, 5th October, 2023 resumed on a Division;

The Temporary Speaker (Sen. Veronica Maina, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Temporary Speaker (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Temporary Speaker (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the **“Yes”**, **“No”** or **“Abstain”** button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Temporary Speaker (Sen. Veronica Maina, MP) allowed one (1) Senator to record her vote verbally.

Thereupon, the Senator recorded her vote as **“Yes”**:-

Sen. Tobiko Peris Pesi, MP – voted on behalf of Kajiado County delegation

The results of the Division were as follows: -

AYES – 32

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Cherarkey Samson Kiprotich, MP
4. Sen. Cheruiyot Aaron Kipkirui, MP
5. Sen. Chesang Allan Kiprotich, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Haji Abdul Mohammed, MP
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, CBS, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP

15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mo Fire Mwenda Gataya, MP
18. Sen. Mundigi Alexander Munyi, MP
19. Sen. Mungatana Danson Buya, MP
20. Sen. Murango James Kamau, MP
21. Sen. Nderitu John Kinyua, MP
22. Sen. Ngugi Joe Nyutu, MP
23. Sen. Oketch Eddy Gicheru, MP
24. Sen. Recha Julius Murgor, MP
25. Sen. Roba Ali Ibrahim, MP
26. Sen. Sifuna Edwin Watenya, MP
27. Sen. Thangwa Paul Karungo, MP
28. Sen. Tobiko Peris Pesi, MP - voted on behalf of Kajiado County delegation
29. Sen. Wafula David Wakoli, MP
30. Sen. Wakili Hillary Kiprotich, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Question - agreed to;

Bill read a Second Time and committed to the Committee of the Whole tomorrow.

And having concluded the Business appearing as Order Nos 13, 15 and 15 in the Order Paper as resolved, the Temporary Speaker (Sen. Veronica Maina, MP) adjourned the Senate at thirty-seven minutes past Six O'clock, without Question put, pursuant to the Standing Orders.

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

MEMORANDUM

*The Speaker will take the Chair on
Thursday, October 12, 2023 at 2:30 p.m.*
