



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FIFTH SESSION)

SPECIAL SITTING

VOTES AND PROCEEDINGS

TUESDAY, DECEMBER 21, 2021 AT 10.00 A.M.

1. The Senate assembled at ten O'clock.
2. The proceedings were opened with Prayer said by the Speaker.
3. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following Communication from the Chair-

“Honourable Senators,

I welcome you to these Special Sittings of the Senate. As leaders when duty calls we answer. Nevertheless I regret to interrupt this period of festivities when you get to spend with family, friends and constituents.

Honourable Senators,

On the request of the Senate Majority Leader and with the support of the requisite number of Senators, via letter Ref. No. SEN/SML/CORR, dated 16th December, 2021, I appointed today, Tuesday, 21st December, 2021 and tomorrow, Wednesday, 22nd December, 2021, as days for Special Sittings of the Senate, vide Gazette Notice No. 13791, of 17th December, 2021.

In the Gazette Notice, I indicated that the business to be transacted at the Special Sittings shall be-

- (a) the Budget Policy Statement for Financial Year 2022/2023;
- (b) the Report of the Standing Committee on Labour and Social Welfare on the status of the New Dandora Stadium in Nairobi City County;
- (c) the Cotton Industry Development Bill (Senate Bills No. 55 of 2021);
- (d) the County Oversight and Accountability Bill (Senate Bills No. 17 of 2021);
- (e) the County Governments Grants Bill (Senate Bills No. 35 of 2021);
- (f) the Kenyan Sign Language Bill (Senate Bills No. 5 of 2021);

- (g) the Street Vendors (Protection of Livelihood) Bill (Senate Bills No. 7 of 2021);
- (h) the County Hall of Fame Bill (Senate Bills No. 9 of 2021);
- (i) the Heritage and Museums Bill (Senate Bills No. 22 of 2021);
- (j) the County Governments (Amendment) Bill (Senate Bills No. 38 of 2021);
- (k) the Law of Succession (Amendment) Bill (Senate Bills No. 15 of 2021);
- (l) the Lifestyle Audit Bill (Senate Bills No. 36 of 2021);
- (m) the Kenya Citizenship and Immigration (Amendment) Bill (Senate Bills No. 33 of 2021);
- (n) the Intergovernmental Relations (Amendment) Bill (Senate Bills No. 37 of 2021); and
- (o) any other business that may be transmitted to Senate by the National Assembly.

Honourable Senators,

In accordance with Standing Order 30 (5), the business specified in the Gazette Notice, and as outlined in the Order Papers for the two days; shall be the only business before the Senate during the Special Sittings, following which the Senate shall stand adjourned until Tuesday, 8th February, 2021, at 2:30 p.m., in accordance with the Senate Calendar.

I thank you.”

4. **MESSAGE FROM THE NATIONAL ASSEMBLY ON THE PASSAGE OF THE COUNTY GOVERNMENTS GRANTS BILL (SENATE BILL NO. 35 OF 2021)**

The Speaker conveyed the following messages from the National Assembly-

Honourable Senators,

I wish to report to the Senate that, pursuant to Standing Order 41 (3) and (5), I received the following Message from the Speaker of the National Assembly regarding the passage by the Assembly of the County Governments Grants Bill (Senate Bill No. 35 of 2021)-

The Message which is dated Friday, 3rd December, 2021, was received on 7th December, 2021 while the Senate was on recess and was transmitted to all Senators on 8th December, 2021 pursuant to Standing Order No. 41 (5). Pursuant to the said Standing Order, I now report the Message-

“PURSUANT to the provisions of Standing Order 41(1) and 142 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

WHEREAS, the County Governments Grants Bill (Senate Bill No. 35 of 2021) was passed by the Senate on Wednesday, 15th September 2021 with amendments and referred to the National Assembly for consideration;

AND WHEREAS, the National Assembly passed the said Bill on Thursday, 2nd December 2021 with further amendments to the Title, Clause 1, 2, 3, 4, 8, 9, First Schedule and Second Schedule as attached herewith;

NOW THEREFORE, in accordance with the provisions of Article 110 of the Constitution and Standing Orders 41(1) and 144(c) of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate.”

Honourable Senators,

In addition to forwarding the Message and the Schedule of Amendments to all Senators, Pursuant to Standing Order 41 (6) (c) I referred the Message to the Committee on Finance and Budget for consideration and reporting.

Honourable Senators,

The Committee has concluded its consideration of the National Assembly amendments to the said Bill and has compiled a report which is listed in today’s Order Paper for Tabling. Further, pursuant to Standing Order 159 (1), a Motion seeking the approval of the Senate to consider National Assembly amendments to the Bill has been listed in Order No. 9 in today’s Order Paper. If the Senate resolves to consider the said amendments, the amendments will be listed in the afternoon’s Order Paper. However, if the Motion in Order No. 9 is defeated, the Bill will be referred to a Mediation Committee pursuant to Standing Order 159 (4) (b) and Article 113 of the Constitution.

I thank you!

5. **PAPERS LAID**

The following papers were laid on the Table of the Senate –

- i. Report of the Standing Committee on Finance and Budget on the 2022 Budget Policy Statement and the Medium-Term Debt Management Strategy.
- ii. Report of the Standing Committee on Finance and Budget on the Consideration of amendments passed by the National Assembly to the County Governments Grants Bill (Senate Bills No. 35 of 2021)

(The Chairperson, Standing Committee on Finance and Budget)

6. **NOTICE OF MOTION - CONSIDERATION OF AMENDMENTS BY THE NATIONAL ASSEMBLY TO THE COUNTY GOVERNMENTS GRANTS BILL (SENATE BILLS NO. 35 OF 2021)**

(The Chairperson, Standing Committee on Finance and Budget)

THAT, the amendments by the National Assembly to the County Governments Grants Bill (Senate Bills No. 35 of 2021) be now considered.

7. **NOTICE OF MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE 2022 BUDGET POLICY STATEMENT AND THE MEDIUM TERM DEBT MANAGEMENT STRATEGY**

(The Chairperson, Standing Committee on Finance and Budget)

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the 2022 Budget Policy Statement and the Medium-Term Debt Management Strategy, laid on the Table of the Senate on Tuesday, 21st December, 2021, and pursuant to Section 25 (7) of the Public Finance Management Act and Standing Order 180 (7) of the Senate, approves the 2022 Budget Policy Statement.

8. **THE COTTON INDUSTRY DEVELOPMENT BILL, (SENATE BILLS NO. 55 OF 2021)**

Order for First Reading Read;

Bill Read a First Time and Committed to the Standing Committee on Agriculture, Livestock and Fisheries.

9. **MOTION - CONSIDERATION OF AMENDMENTS BY THE NATIONAL ASSEMBLY TO THE COUNTY GOVERNMENTS GRANTS BILL (SENATE BILLS NO. 35 OF 2021)**

Order read;

Motion made and Question proposed;

THAT, the amendments by the National Assembly to the County Governments Grants Bill (Senate Bills No. 35 of 2021) be now considered.

(The Chairperson, Standing Committee on Finance and Budget)

Debate arising;

And there being no other Senator wishing to contribute;

The Mover replied;

Before the Question was put, and pursuant to Standing Order No. 79, the Speaker informed the House that the Motion did not affect counties.

Question put and negatived.

10. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE 2022 BUDGET POLICY STATEMENT AND THE MEDIUM-TERM DEBT MANAGEMENT STRATEGY**

Order read;

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the 2022 Budget Policy Statement and the Medium-Term Debt Management Strategy, laid on the Table of the Senate on Tuesday, 21st December, 2021, and pursuant to Section 25 (7) of the Public Finance Management Act and Standing Order 180 (7) of the Senate approves the 2022 Budget Policy Statement.

(Chairperson, Standing Committee on Finance and Budget)

Debate arising;

And the time being thirty minutes past noon O'clock the Temporary Speaker (Sen. John Kinyua, MP) adjourned the Senate without Question put, pursuant to Standing Orders.

11. **SENATE ROSE** - at thirty Minutes past noon O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Tuesday, December 21, 2021 at 2:30 p.m.*

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