



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – (SIXTH SESSION)**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, MARCH 23, 2022 AT 2.30 P.M.**

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with prayer said by the Deputy Speaker.
3. **PAPERS**

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

- (i) The Intergovernmental Relations (Alternative Dispute Resolution), 2021 Regulations, (Legal Notice No. 4 of 2022);
- (ii) Report of the Controller of Budget, on the First Half National Government Budget Implementation Review for financial year 2021/2022;
- (iii) The National Land Commission, Annual Report for financial year 2020/2021;
- (iv) Report of the Auditor General on the financial statement of Garissa County Investment Development Authority for the year ended 30<sup>th</sup> June, 2020;
- (v) Report of the Auditor General on the financial statement of Busia Water and Sewerage Services Company Limited for the year ended 30<sup>th</sup> June, 2020;
- (vi) Report of the Auditor General on the financial statement of Bungoma County Assembly Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2020;
- (vii) Report of the Auditor General on the financial statement of Kisumu County Trade Fund for the year ended 30<sup>th</sup> June, 2020;
- (viii) Report of the Auditor General on the financial statement of Kisii County Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June, 2020;

- (ix) Report of the Auditor General on the financial statement of Kisii County Assembly Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2020;
- (x) Report of the Auditor General on the financial statement of Kisii County Executive Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2020;
- (xi) Report of the Auditor General on the financial statement of Kisii County Teaching and Referral Hospital for the year ended 30<sup>th</sup> June, 2020;
- (xii) Report of the Auditor General on the financial statement of Tharaka Nithi County Executive Municipality of Kathwana for the year ended 30<sup>th</sup> June, 2020;
- (xiii) Report of the Auditor General on the financial statement of Lamu Water and Sewerage Company Limited for the year ended 30<sup>th</sup> June, 2020;
- (xiv) Report of the Auditor General on the financial statement of Mandera Water and Sewerage Company Limited for the year ended 30<sup>th</sup> June, 2020;
- (xv) Report of the Auditor General on the financial statement of Kajiado County Assembly Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2020;
- (xvi) Report of the Auditor General on the financial statement of County Assembly of Nakuru Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2014;
- (xvii) Report of the Auditor General on the financial statement of County Assembly of Nakuru Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2015;
- (xviii) Report of the Auditor General on the financial statement of County Assembly of Nakuru Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2016;
- (xix) Report of the Auditor General on the financial statement of County Assembly of Nakuru Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2017;
- (xx) Report of the Auditor General on the financial statement of Nakuru County Bursary Fund for the year ended 30<sup>th</sup> June, 2020;
- (xxi) Report of the Auditor General on the financial statement of Nakuru County Emergency Fund for the year ended 30<sup>th</sup> June, 2020;
- (xxii) Report of the Auditor General on the financial statement of Central Rift Valley Water Works Development Agency for the year ended 30<sup>th</sup> June, 2020;

- (xxiii) Report of the Auditor General on the financial statement of Baringo County Elderly and Persons with Disability Fund for the year ended 30<sup>th</sup> June, 2016;
- (xxiv) Report of the Auditor General on the financial statement of Baringo County Elderly and Persons with Disability Fund for the year ended 30<sup>th</sup> June, 2017;
- (xxv) Report of the Auditor General on the financial statement of Baringo County Elderly and Persons with Disability Fund for the year ended 30<sup>th</sup> June, 2018;
- (xxvi) Report of the Auditor General on the financial statement of Baringo County Elderly and Persons with Disability Fund for the year ended 30<sup>th</sup> June, 2019;
- (xxvii) Report of the Auditor General on the financial statement of Nyandarua County Emergency Fund for the year ended 30<sup>th</sup> June, 2020;
- (xxviii) Report of the Auditor General on the financial statement of Vihiga County Education Fund for the year ended 30<sup>th</sup> June, 2020;
- (xxix) Report of the Auditor General on the financial statement of Nyamira County Education Support Fund for the year ended 30<sup>th</sup> June, 2020;
- (xxx) Report of the Auditor General on the financial statement of Maasai Mara Community Support Fund for the year ended 30<sup>th</sup> June, 2020;
- (xxxi) Report of the Auditor General on the financial statement of Meru County Executive Staff Housing Fund for the year ended 30<sup>th</sup> June, 2020;

*(The Senate Majority Leader)*

- (xxxii) Report of the Standing Committee on Finance and Budget on the County Resources Development Bill (Senate Bills No. 45 of 2021);
- (xxxiii) Report of the Standing Committee on Finance and Budget on the Division of Revenue Bill (National Assembly Bills No. 8 of 2022).

*(Sen. Farhiya Haji, MP, a Member of the Standing Committee on Finance and Budget, on behalf of the Chairperson)*

- (xxxiv) Report of the Standing Committee on Agriculture, Livestock and Fisheries on the Irrigation (Amendment) Bill (National Assembly Bills No. 12 of 2021);

*(The Deputy Senate Majority Whip, on behalf of the Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)*

**4. STATEMENTS****a) Pursuant to Standing Order 47 (1)**

Nominated Senator (Sen. (Dr.) Getrude Msuruve Inimah, MP) made a statement on the World Meteorological Day.

In the Statement, the Senator informed the Senate that the Day was established in 1950 with the aim of creating awareness on the for protection of the earth's atmosphere. She further informed the House that the Day is celebrated every year on March 23<sup>rd</sup>.

The Senator further informed the House that the focus of this year's celebrations included; weather, climate, water and the environment and focused being making the general public aware that taking the right action on time could go a long way in preventing problems on a larger scale later. She argued that climatic conditions influences policy, decision making and peoples' way of life. She further stated that predicted information on climate change when disseminated in good time, helps farmers to prepare themselves adequately for the future, including government interventions against drought.

The Senator urged the government to invest more resources in the Meteorological Department in order to help in giving appropriate predictable climate patterns and changes for government interventions. The Senator further urged the government at both national and county levels to devolve the department and involve local communities in training programmes that result in accurate predictions on the effects of climate change in their areas and mitigation strategies to minimize the effects of famine and drought.

The Senator finally urged universities and colleges to include climate change in their course contents as a common unit in order to raise awareness and sensitize students. The Senator argued that this would help in disseminating information on climate change more effectively.

**b) Pursuant to Standing Order 48 (1)**

Seneta wa Kaunti ya Mombasa (Sen. Mohamed Faki, MP) aliomba kauli kutoka kwa Kamati ya Barabara na Uchukuzi, kuhusu ujenzi wa mahakama mpya katika Kaunti ya Mombasa.

**5. THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILLS NO. 8 OF 2022)**

(The Senate Majority Leader)

*(Second Reading)*

***(Resumption of debate interrupted on Tuesday, 22<sup>nd</sup> March, 2022)***

***(Division)***

Order Deferred.

6. **THE LANDLORD AND TENANT BILL (NATIONAL ASSEMBLY BILLS NO. 3 OF 2021)**

(The Senate Majority Leader)

*(Second Reading)*

***(Resumption of debate interrupted on Wednesday, 23<sup>rd</sup> February, 2022-  
Morning Sitting)***

***(Division)***

Order Deferred.

7. **THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE BILLS NO. 29 OF 2020)**

(Sen. Aaron Cheruiyot, MP and Sen. (Dr) Isaac Mwaura, MP)

*(Second Reading)*

***(Resumption of debate interrupted on Thursday, 10<sup>th</sup> March, 2022)***

***(Division)***

Order Deferred.

8. **MOTION - ADOPTION OF REPORTS OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON CONSIDERATION OF THE REPORTS BY THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF VARIOUS COUNTY EXECUTIVES FOR FINANCIAL YEAR 2018/2019**

(Chairperson, Sessional Committee on County Public Accounts and Investments)

**THAT**, the Senate adopts the Report of the Sessional Committee on County Public Accounts and Investments on consideration of the Reports by the Auditor General on the Financial Statements of the following County Executives for the Financial Year 2018/2019- Embu; Homa-Bay; Kericho; Kilifi; Kirinyaga; Kisii; Kwale; Machakos; Mombasa; Nandi; Baringo; Bomet; Garissa; Kajiado; and West Pokot as contained in Volume 1 of the Report and the following County Executives- Isiolo; Kakamega; Kisumu; Laikipia; Mandera; Marsabit; Nakuru; Narok; Nyandarua; Samburu; Taita Taveta; Trans-Nzoia; Uasin- Gishu; Vihiga; and Wajir, as contained in Volume 2 of the Report , Laid on the Table of the Senate on Thursday 2<sup>nd</sup> December, 2021.

***(Resumption of debate interrupted on Tuesday, 8<sup>th</sup> March, 2022)***

***(Division)***

Order Deferred.

9. **COMMITTEE OF THE WHOLE  
THE INTERGOVERNMENTAL RELATIONS (AMENDMENT) BILL (SENATE BILLS NO. 37 OF 2021)**

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

***(Resumption of debate interrupted on Wednesday, 22<sup>nd</sup> December, 2021 –  
Morning Sitting)***

*(Division)*

Order Deferred.

10. **COMMITTEE OF THE WHOLE**  
**THE LAW OF SUCCESSION (AMENDMENT) BILL, (SENATE BILLS NO. 15 OF 2021)**

(Sen. Abshiro Halake, MP)

*(Resumption of debate interrupted on Wednesday, 2<sup>nd</sup> March, 2022 – Morning Sitting)*

*(Division)*

Order Deferred.

11. **COMMITTEE OF THE WHOLE**  
**THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILLS NO. 21 OF 2021)**

(Sen. Abshiro Halake, MP)

*(Resumption of debate interrupted on Wednesday, 2<sup>nd</sup> March, 2022 – Morning Sitting)*

*(Division)*

Order Deferred.

12. **COMMITTEE OF THE WHOLE**  
**THE LIFESTYLE AUDIT BILL (SENATE BILLS NO. 36 OF 2021)**

(Sen. (CPA). Farhiya Haji, MP)

*(Resumption of debate interrupted on Tuesday, 1<sup>st</sup> March, 2021)*

*(Division)*

Order Deferred.

13. **COMMITTEE OF THE WHOLE**  
**THE SPECIAL NEEDS EDUCATION BILL (SENATE BILLS NO. 44 OF 2021)**

(Sen. (Dr.) Getrude Musuruve and Sen. (Prof.) Margaret Kamar, MP)

*(Resumption of debate interrupted on Wednesday, 2<sup>nd</sup> March, 2022 – Morning Sitting)*

*(Division)*

Order Deferred.

14. **THE ELECTION CAMPAIGN FINANCING (AMENDMENT) BILL (SENATE BILLS NO. 51 OF 2021)**

Order for Second Reading Read;

Motion made and Question proposed-

THAT, the Election Campaign Financing (Amendment) Bill (Senate Bills No. 51 of 2021) be now read a Second time.

*(Sen. Ledama Olekina, MP)*

Debate arising;

And there being no other Senator wishing to contribute;

The Mover replied;

Raising a point of order pursuant to Standing Order 61 (3), the Mover requested the Deputy Speaker to defer putting of the Question to a later date;

And the Deputy Speaker acceded to the request, deferred putting of the Question to the next sitting.

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

(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

*(Second Reading)*

Order Deferred.

16. **THE EMPLOYMENT (AMENDMENT) BILL (SENATE BILLS NO. 54 OF 2021)**

(Sen. Samson Cherarkey, MP)

*(Second Reading)*

Order Deferred.

17. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE SPECIAL AUDIT REPORT ON UTILIZATION OF COVID-19 FUNDS BY TWENTY EIGHT (28) COUNTY GOVERNMENTS**

Order read;

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Standing Committee on Health on the special audit report on utilization of COVID-19 funds by twenty eight (28) county governments, laid on the Table of the Senate on Wednesday, 9th February, 2022.

*(Sen. Ledama Olekina, a Member of the Standing Committee on Health, on behalf of the Chairperson)*

Debate arising;

And there being no other Senator wishing to contribute;

Sen. Ledama Olekina, MP, a Member of the Standing Committee on Health, replied on behalf of the Mover.

Raising a point of order pursuant to Standing Order 61 (3), Sen. Ledama Olekina, MP, requested the Deputy Speaker to defer putting of the Question to a later date;

And the Deputy Speaker acceded to the request, deferred putting of the Question to the next sitting.

18. **COMMITTEE OF THE WHOLE**  
**THE ELECTIONS (AMENDMENT) (NO. 3) BILL (SENATE BILLS NO. 48 OF 2021)**

(Sen. (Eng.) Ephraim Maina, MP)

Order deferred.

19. **COMMITTEE OF THE WHOLE**  
**THE COUNTY RESOURCE DEVELOPMENT BILL (SENATE BILLS NO. 45 OF 2021)**

(Sen. Rose Nyamunga, MP)

Order deferred.

20. **COMMITTEE OF THE WHOLE**  
**THE IRRIGATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2021)**

(The Senate Majority Leader)

Order deferred.

21. **COMMITTEE OF THE WHOLE**  
**THE COMMUNITY GROUPS REGISTRATION BILL (NATIONAL ASSEMBLY BILLS NO. 20 OF 2021)**

(The Senate Majority Leader)

Order deferred.

And there being no other business on the Order Paper, the Deputy Speaker adjourned the Senate at forty minutes past Four O'clock without Question put, pursuant to the Standing Orders.

22. **SENATE ROSE** – forty minutes past Four O'clock

**MEMORANDUM**

*The Speaker will take the Chair on  
Thursday, March 24, 2022 at 02:30 p.m.*