



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SIXTH SESSION)

VOTES AND PROCEEDINGS

THURSDAY, JUNE 09, 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 Speaker.
3. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair: -

i. Visiting Teachers and Students from the Stepping Stones Elementary School, Kitengela, Kajiado County

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting teachers and students from the Stepping Stones Elementary School, Kitengela, Kajiado County, who are on an academic trip.

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!”

ii. Visiting Teachers and Students from Chania Girls’ High School, Kiambu County

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting teachers and History students from Chania Girls’ High School in Kiambu County, who are on an academic trip.

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!”

4. **MESSAGE FROM THE NATIONAL ASSEMBLY - APPROVAL OF THE PUBLIC FINANCE MANAGEMENT (NATIONAL GOVERNMENT) (AMENDMENT) REGULATIONS, 2022 (LEGAL NOTICE NO. 89 OF 26TH MAY, 2022)**

The Speaker conveyed the following Message from the National Assembly on the approval by the National Assembly of the Public Finance Management (National Government) (Amendment) Regulations, 2022 (Legal Notice NO. 89 of 26th May, 2022)-

“Honourable Senators,

I wish to report to the Senate that, pursuant to Standing Order 41 (3), I have received the following Message from the Speaker of the National Assembly regarding the approval by the National Assembly of the Public Finance Management (National Government) (Amendment) Regulations, 2022 (Legal Notice No. 89 of 26th May, 2022).

Pursuant to the said Standing Order, I now report the Message-

“PURSUANT to the provisions of Standing Order 41(1) and 210(4)(b)(ii) of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

WHEREAS section 50(2) of the Public Finance Management Act, 2012 requires that the limit for public debt be set by Parliament;

FURTHER WHEREAS the Cabinet Secretary for the National Treasury and Planning published a Statutory Instrument cited as Legal Notice No. 89 of 26th May, 2022 being Public Finance Management (National Government) (Amendment) Regulations, 2022 which amends Regulation 26(1) of the Public Finance Management (National Government) Regulations, 2015 (Principal Regulations), by deleting paragraph (c) and substituting therefor the following paragraph-

“(c) pursuant to the provisions of section 50(2) of the Act, the public debt shall not exceed ten trillion shillings.”

AND WHEREAS the National Assembly, by a Resolution made on Tuesday, 7th June 2022 considered and approved the said Legal Notice in the form published and submitted to Parliament thereby raising the limit for public debt to an amount not exceeding Kenya Shillings ten trillion;

NOW THEREFORE, in accordance with the provisions of section 50(2) of the Public Finance Management Act, 2012 and Standing Orders 41(1) and 210(4)(b)(ii) of the National Assembly Standing Orders, I hereby refer the said Legal Notice to Senate for concurrence.

Honourable Senators,

These Regulations were tabled in the Senate on Tuesday, 7th June, 2022 and the Sessional Committee on Delegated Legislation is currently seized of the matter. I direct that the Committee concludes its consideration of the matter and table its report on Tuesday, 14th June, 2022.

I thank you.”

5. PETITIONS

- i. Pursuant to Standing Order 232(2), the Senate Majority Leader, on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources, presented the report of the Standing Committee on Land, Environment and Natural Resources on a Petition by Bishop Paul Kariuki Njiru and Sister Alice Wambui, concerning illegal alienation of Parcel of Land, Embu/Municipality/375 (Leasehold) by the Child Welfare Society of Kenya.
- ii. Pursuant to Standing Order 232(2), the Senate Majority Leader, on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources, presented the report of the Standing Committee on Land, Environment and Natural Resources on a Petition by Ms. Linda Munyao and other members of the Environment Institute of Kenya (EIK) regarding the introduction to the Senate of the proposed Environment Institute of Kenya Bill.
- iii. Pursuant to Standing Order 232(2), the Senate Majority Leader, on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources, presented the report of the Standing Committee on Land, Environment and Natural Resources on a Petition by the Kenya Water and Sanitation Civil Society Network, to expunge the alleged offending provisions in the Water Services Regulations, 2021 and the Water Resources Regulations, 2021.
- iv. Pursuant to Standing Order 232(2), the Senate Majority Leader, on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources, presented the report of the Standing Committee on Land, Environment and Natural Resources on a Petition by Kirimun residents regarding historical land injustices against the Samburu Community living in Kirimun, Laikipia North, Laikipia County.

6. PAPERS

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

- i. Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by Bishop Paul Kariuki Njiru and Sister Alice

- Wambui, concerning illegal alienation of Parcel of Land, Embu/Municipality/375 (Leasehold) by the Child Welfare Society of Kenya.
- ii. Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by Ms. Linda Munyao and other members of the Environment Institute of Kenya (EIK) regarding the introduction to the Senate of the proposed Environment Institute of Kenya Bill.
 - iii. Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by the Kenya Water and Sanitation Civil Society Network, to expunge the alleged offending provisions in the Water Services Regulations, 2021 and the Water Resources Regulations, 2021.
 - iv. Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by Kirimun residents regarding historical land injustices against the Samburu Community living in Kirimun, Laikipia North, Laikipia County.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources)

- v. Report of the Standing Committee on Labour and Social Welfare on a Study Visit on Sports Development and Management in the United Kingdom.

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

7. STATEMENTS

a. Pursuant to Standing Order 48 (1)

- i. The Senator for Kitui County (Sen. Enoch Kio Wambua, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the heightened insecurity in Ikandani area of Kitui South Constituency, Kitui County.
- ii. Nominated Senator (Sen. Judith Pareno, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations on the killing of five (5) by-standers by General Service Unit (GSU) officers in Masimba area, Kinyawa Poka Ward in Kajiado County.

b. Pursuant to Standing Order 52 (1)

The Senate Majority Leader issued a statement on the business of the Senate for the week commencing Tuesday, 14th June, 2022.

8. **THE PERSONS WITH DISABILITIES BILL (NATIONAL ASSEMBLY BILLS NO. 61 OF 2021)**

(The Senate Majority Leader)

Order for First Reading read;

Bill read a First time and committed to the Standing Committee on Labour and Social Welfare.

9. **THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATION BILL (SENATE BILLS NO. 2 OF 2022)**

(The Chairperson, Standing Committee on Finance and Budget)

(Second Reading)

***(Resumption of debate interrupted on Wednesday, 8th June, 2022)
(Division)***

Order deferred.

10. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS CASH DISBURSEMENT SCHEDULE FOR THE FINANCIAL YEAR 2021/2022 AND APPROVAL OF THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS CASH DISBURSEMENT SCHEDULE FOR THE FINANCIAL YEAR 2021/2022**

(Chairperson, Standing Committee on Finance and Budget)

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments Additional Allocations Cash Disbursement Schedule for the Financial Year 2021/2022 and approval of the County Governments Additional Allocations Cash Disbursement Schedule for the Financial Year 2021/2022 laid on the Table of the Senate on Wednesday, 8th June, 2022, and that pursuant to Section 17 (7) of the Public Finance Management Act and Standing Order 183 (3), the Senate approves the County Governments Additional Allocations Cash Disbursement Schedule for Financial Year 2021/2022.

Order deferred.

11. **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, 22nd December, 2021 –
Morning Sitting)***

(Division)

Order deferred.

12. **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, 2nd March, 2022 – Morning Sitting)

(Division)

Order deferred.

13. **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, 2nd March, 2022 – Morning Sitting)

(Division)

Order deferred.

14. **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, 1st March, 2022)

(Division)

Order deferred.

15. **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, 2nd March, 2022 – Morning Sitting)

(Division)

Order deferred.

16. **COMMITTEE OF THE WHOLE**

THE IRRIGATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2021)

(The Senate Majority Leader)

(Resumption of debate interrupted on Wednesday, 4th May, 2022)

(Division)

Order deferred.

17. **COMMITTEE OF THE WHOLE**
THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATION BILL (SENATE
BILLS NO. 2 OF 2022)

(The Chairperson, Standing Committee on Finance and Budget)

Order deferred.

18. **COMMITTEE OF THE WHOLE**
THE KENYA MEDICAL SUPPLIES AUTHORITY (AMENDMENT) BILL
(SENATE BILLS NO. 53 OF 2021)

(Sen. Naomi Shiyonga, MP)

Order deferred.

19. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE**
ON EDUCATION ON THE INQUIRY INTO THE EARLY CHILDHOOD
DEVELOPMENT EDUCATION (ECDE) LANDSCAPE IN THE COUNTRY

(The Chairperson, Standing Committee on Education)

THAT, the Senate adopts the Report of the Standing Committee on Education on the inquiry into the Early Childhood Development Education (ECDE) landscape in the country, laid on the Table of the Senate on Tuesday, 10th May, 2022.

Order deferred.

20. **MOTION - ADOPTION OF THE FIRST PROGRESS REPORT OF THE**
STANDING COMMITTEE ON HEALTH ON THE COVID-19 PANDEMIC
SITUATION IN KENYA

(The Chairperson, Standing Committee on Health)

THAT, the Senate adopts the First Progress Report of the Standing Committee on Health on the Covid-19 pandemic situation in Kenya, laid on the Table of the Senate on Tuesday, 30th March, 2021.

Order deferred.

21. **MOTION - ADOPTION OF THE SECOND PROGRESS REPORT OF THE**
STANDING COMMITTEE ON HEALTH ON THE COVID-19 SITUATION IN
KENYA AND PRELIMINARY FINDINGS ON THE SPECIAL AUDIT REPORT
ON THE UTILIZATION OF COVID - 19 FUNDS BY COUNTY
GOVERNMENTS.

(The Chairperson, Standing Committee on Health)

THAT, the Senate adopts the Second Progress Report of the Standing Committee on Health on the COVID-19 situation in Kenya and preliminary findings of the Committee, on the Special Audit Report on the Utilization of

COVID-19 funds by County Governments, laid on the table of the Senate on Tuesday, 30th March, 2021.

Order deferred.

22. **MOTION - ADOPTION OF THE THIRD PROGRESS REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE COVID-19 SITUATION IN KENYA AND PRELIMINARY FINDINGS ON THE NATIONWIDE COVID-19 VACCINE ROLL OUT**

(The Chairperson, Standing Committee on Health)

THAT, the Senate adopts the Third Progress Report of the Standing Committee on Health on the COVID-19 situation in Kenya and preliminary findings on the nationwide COVID-19 vaccine roll out, laid on the Table of the Senate on Tuesday, 21st September, 2021.

Order deferred.

23. **MOTION - ADOPTION OF THE FOURTH PROGRESS REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE COVID-19 PANDEMIC SITUATION AND THE IMPLEMENTATION OF THE NATIONWIDE COVID-19 VACCINE DEPLOYMENT**

(The Chairperson, Standing Committee on Health)

THAT, the Senate adopts the Fourth Progress Report of the Standing Committee on Health on the Covid-19 pandemic situation and the implementation of the Nationwide Covid-19 vaccine deployment, laid on the Table of the Senate on Thursday, 2nd December, 2021.

Order deferred.

And there being no other business on the Order Paper, the Temporary Speaker (Sen. Judith Pareno, MP) adjourned the Senate fifty-one minutes past Three O'clock without Question put, pursuant to the Standing Orders.

24. **SENATE ROSE** – at fifty- one minutes past Three O'clock.

M E M O R A N D U M

The Speaker will take the Chair on Tuesday, June 14, 2022 at 2:30 p.m.