



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, MARCH 15, 2023 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. **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 five minutes pursuant to Standing Order 40;

And there being a Quorum after the expiry of five minutes;

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

4. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair: -

- i) **Visiting Delegation from Mwasere Girls' High School In Taita Taveta County.**

“Honourable Senators,

In the public gallery, we have forty-eight (48) students, accompanied by three (3) teachers from Mwasere Girls' High School in Taita Taveta County who are in the Senate on an education tour.

Honorable 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 visit.

I thank you!”

ii) Visiting Delegation from Miathene Boys High School, Meru County.

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, a visiting delegation from Miathene Boys High School in Tigania West Constituency, Meru County. The delegation comprises six (6) teachers and one hundred and seventeen (117) students who are in the Senate for a one- day study visit.

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 visit.

I thank you!”

5. PAPERS LAID

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

- i.) Report of the Auditor General on County Assembly of Machakos for the year ended 30th June, 2022.
- ii.) Report of the Auditor General on Kirinyaga County Health Sector Service for the year ended 30th June, 2022.
- iii.) Report of the Auditor General on Kirinyaga County Executive Staff Car Loan Scheme Fund for the year ended 30th June, 2022.
- iv.) Report of the Auditor General on Kirinyaga County Executive Staff Mortgage Scheme Fund for the year ended 30th June, 2022.
- v.) Report of the Auditor General on Kirinyaga County Emergency Fund for the year ended 30th June, 2022.
- vi.) Report of the Auditor General on Tetu-Aberdare Water and Sanitation Company Ltd for the year ended 30th June, 2022.
- vii.) Report of the Auditor General on Kirinyaga County Education Burdary Fund for the year ended 30th June, 2022.
- viii.) Report of the Auditor General on Busia County Agricultural Development Fund for the year ended 30th June, 2022.
- ix.) Report of the Auditor General on Busia County Alcoholic Drinks Control Fund for the year ended 30th June, 2022.

- x.) Report of the Auditor General on the County Assembly of Bungoma for the year ended 30th June, 2022.
- xi.) Report of the Auditor General on the County Executive of Bungoma for the year ended 30th June, 2022.
- xii.) Report of the Auditor General on County Executive of Embu for the Year ended 30th June, 2022.
- xiii.) Report of the Auditor General on County Assembly of Embu for the Year ended 30th June, 2022.
- xiv.) Report of the Auditor General on County Executive of Meru for the Year ended 30th June, 2022.
- xv.) Report of the Auditor General on the Financial Statements of County Assembly of Meru for the Year ended 30th June, 2022.

(The Deputy Senate Majority Whip)

- xvi.) Ruling of the Political Parties Disputes Tribunal at Nairobi A/PPDT Complaint No. E003 of 2023.

(Sen. Mogeni Erick Okong'o, MP)

- xvii.) Order of the Political Parties Disputes Tribunal at Nairobi A/PPDT Complaint No. E003 of 2023.

(Sen. Mwinyihaji Mohammed Faki, MP)

6. **STATEMENTS**

a) Pursuant to Standing Order 52(1)

The Senator for Vihiga County (Sen. Godfrey Osotsi, MP) made a statement concerning the demise of Mr. Francis Wangusi, MBS, the former Director General of the Communications Authority (CA).

The Senator informed the Senate that Mr. Francis Wangusi, MBS met his untimely demise on 7th March, 2023, in Nairobi Hospital, while undergoing treatment for cancer. The Senator noted that the late Wangusi was a visionary, who believed that access to information and communication technology was essential for socio-economic development. He worked tirelessly to ensure that the telecommunications sector was at the forefront of innovation. Under his leadership, the country made significant strides in expanding access to affordable and reliable communication services, which had a positive impact on the lives of millions of Kenyans.

In conclusion, the Senator stated that as the country mourns the demise of Mr. Wangusi, his legacy will live on through the countless individuals whose lives he touched and the impact he made on the telecommunications industry in Kenya and beyond. He also stated that Mr. Wangusi was a true hero and a beacon of hope for the continent.

b) Pursuant to Standing Order 56 (1) (a)

The Chairperson, Standing Committee on Roads, Transportation and Housing, (Sen. Paul Karungo Thang'wa, MP) made a statement concerning the status of a Petition regarding public transport in Lake Victoria between Mfangano Island in Suba Central Sub-County and Mbita.

The Chairperson informed the House that upon committal of the Petition to the Committee, the Committee adopted a work-plan that included meetings with the Petitioners and a visit to Mfangano island, and thereafter prepare its report thereon. The Chairperson however informed the Senate that the Committee was facing operational challenges in its efforts to conclude on the Petition due to requests for postponement of the visit to Mfangano island by the area Senator.

The Chairperson stated that such requests were delaying consideration of the Petition by the Committee and that as it were, the 60 day timeline provided for under Standing Order 238 (2) had lapsed. He concluded by stating that despite the uncertainties regarding the planned visit to Mfangano island, the Standing Committee remained committed to consideration of the Petition and will table a report thereon.

7. **SUSPENSION OF A SENATOR FOR DISORDERLY CONDUCT PURSUANT TO THE PROVISIONS OF STANDING ORDER 121 (2) (b)**

Pursuant to the provisions of Standing Order 121, the Temporary Speaker, (Sen. Abdul Haji, MP) ordered the Senator for Nairobi City County (Sen. Edwin Sifuna, MP) to withdraw from the precincts of Parliament for the remainder of the sitting day, for disorderly conduct.

Thereupon, the Senator withdrew from the Chamber.

8. **SUSPENSION OF A SENATOR AFTER NAMING PURSUANT TO STANDING ORDER 123 (1)**

Rising on a point of order pursuant to Standing Order 123 (1), the Senator for Kakamega County (Sen (Dr.) Boni Khalwale, MP), claimed to invite the Speaker to **name** the Senator for Nairobi City County (Sen. Edwin Sifuna, MP), for gross disorderly conduct.

Pursuant to Standing Order 123 (1), the Temporary Speaker (Sen. Abdul Haji, MP), declined the invitation.

9. **MOTION - ADOPTION OF THE REPORT OF THE JOINT COMMITTEE OF THE NATIONAL ASSEMBLY DEPARTMENTAL COMMITTEE ON ENVIRONMENT, FORESTRY AND MINING AND THE SENATE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES ON THE APPROVAL HEARING FOR THE NOMINEES FOR APPOINTMENT AS MEMBERS OF THE NATIONAL CLIMATE CHANGE COUNCIL**

Order read;

Motion made and Question proposed;

THAT the Senate adopts the Report of the Joint Committee of the National Assembly Departmental Committee on Environment, Forestry and Mining and the Senate Standing Committee on Land, Environment and Natural Resources on the Approval Hearing for the Nominees for Appointment as Members of the National Climate Change Council laid on the Table of the Senate on Tuesday, 14th March, 2023; and pursuant to Section 7 (4) of the Climate Change Act and Section 8 of the Public Appointments (Parliamentary Approval) Act, approves the nomination of Ms. Emily Mwendu Waita; Mr. John Kioli; and Prof. George Odera Outa for appointment as Members of the National Climate Change Council, and rejects the nomination of Ms. Umra Omar.

(The Vice Chairperson, Standing Committee on Land, Environment and Natural Resources)

Debate arising;

Pursuant to Standing Order 34(2), the Speaker interrupted proceedings at thirty-eight minutes past six O'clock and adjourned the Senate without Question put, pursuant to the Standing Orders.

10. **SENATE ROSE** – at thirty-eight minutes past six O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Thursday March 16, 2023 at 2:30 p.m.*