



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, MARCH 29, 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 Deputy Speaker.
3. **QUORUM IN THE SENATE**

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

4. **COMMUNICATIONS FROM THE CHAIR**

The Deputy Speaker conveyed the following Communications from the Chair: -

a) Visiting teachers and students from Lenana school in Nairobi City County

“Honourable Senators,

In the public gallery, we have eighty-six (86) form four (4) students, accompanied by three (3) teachers from the Lenana School in Nairobi 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.”

b) Visiting delegation from the British Army Training Unit in Kenya (BATUK)

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, a delegation from the British Army Training Unit in Kenya (BATUK). The delegation is undertaking a study tour in the Senate.

I request each Member of the delegation to stand when called out so that you may be acknowledged in the Senate tradition –

1. Major David Kalawa
2. Warrant Officer 2 Vesi George
3. Sergeant Gurung Sudesh
4. Corporal Vakacegu Una
5. Lance Corporal Purvis Robyn
6. Lance Corporal Llamosa Daniel
7. Mrs. Eunice Kinyua
8. Mrs. Jane Oyugi
9. Mr. Brian Ochieng’

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.”

c) Visiting teachers and students from Mununga High School in Nakuru County

“Honourable Senators,

In the public gallery, we have ninety-seven (97) students, accompanied by six (6) teachers from Mununga High School in Nakuru 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.”

d) Visiting teachers and students from Gitwe Girls' High school in Kiambu County

"Honourable Senators,

In the public gallery, we have one hundred and twenty-seven (127) students, accompanied by six (6) teachers from Gitwe Girls High School in Kiambu County who are in the Senate on an education tour.

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."

e) Visiting delegation from the County Assembly of Bomet

"Honorable Senators,

I would like to acknowledge the presence, in the Speaker's Gallery this afternoon, a delegation from the County Assembly of Bomet comprising Members of the County Assembly. The delegation is undertaking a study tour in the Senate.

I request each Member of the delegation to stand when called out so that you may be acknowledged in the Senate tradition –

- | | | |
|----|-----------------------|--|
| 1. | Hon. Paul Kirui | Majority Leader & MCA, Ndanai-Abosi Ward |
| 2. | Hon. Philip Korir | MCA, Kiprereres Ward |
| 3. | Hon. Wesley Kiprotich | MCA, Chepchas Ward |
| 4. | Hon. Leonard Rotich | MCA, Cheseon Ward |

Honorable Senators,

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to the delegation 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 the financial statement of the Kajiado County Executive for the year ended 30th June, 2022.
- ii.) Report of the Auditor General on the financial statement of the Kajiado County Assembly for the year ended 30th June, 2022.
- iii.) Report of the Auditor General on the financial statement of the Kajiado County Assembly Car Loan & Mortgage Fund for the year ended 30th June, 2022.
- iv.) Report of the Auditor General on the financial statement of the Kajiado County Emergency Fund for the year ended 30th June, 2022.
- v.) Report of the Auditor General on the financial statement of the Bomet County Car Loan and Mortgage Scheme for the year ended 30th June, 2022.

(The Senate Majority Leader)

- vi.) Excerpt of a video recording at which the National Assembly Majority Leader made comments at Kianyanga in Kirinyaga County, on 18th March, 2023.
- vii.) Excerpt of a video recording at which the Deputy President of the Republic of Kenya made comments at a function in Kericho County, on 18th February, 2023.
- viii.) A copy of a “tweet” made by Hon. Moses Kuria on 28th March, 2023.
- ix.) A copy of a “tweet” made by Hon. Didmus Barasa, MP, made on 22nd March, 2023.
- x.) Daily Nation newspaper cutting with the headline “How politicians planned” and another with the heading “Wanted: Sponsors of Kenyatta farm attack”.
- xi.) Citizen Digital newsbyte dated 25th March, 2023, on utterances made by Hon. Moses Kuria.

(Sen. Eddy Oketch, MP)

In connection with directions given by the Speaker for the Senator to substantiate claims made on Tuesday, 28th March, 2023.

6. **STATEMENTS PURSUANT TO STANDING ORDER 53(1)**

- a) Nominated Senator (Sen. Crystal Asige, MP) sought a statement from the Standing Committee on Labour and Social Welfare regarding claims of

inaccurate data of Persons with Disabilities (PWDs) as reflected in the National Census of 2019.

- b) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) on behalf of Nominated Senator (Sen. Beatrice Ogola, MP), sought a statement from the Standing Committee on Land, Environment and Natural Resources regarding the status of Ruma and Koderia forests in Homa Bay County.
- c) The Senator for Vihiga County (Sen. Godfrey Osotsi, MP) sought a statement from the Standing Committee on Land, Environment and Natural Resources regarding the status of degazettement of Kibiri forest and settlement at Shiru/Shaviringa settlement scheme.

7. **THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILLS NO. 6 OF 2022)**

(Sen. Danson Mungatana, MP)

Order for Second Reading read;

(Second Reading)

***(Resumption of debate interrupted on Thursday, 9th March, 2023)
(Division)***

Order deferred.

8. **THE COUNTY VOCATIONAL EDUCATION AND TRAINING BILL (SENATE BILLS NO. 3 OF 2022)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the County Vocational Education and Training Bill (Senate Bills No. 3 of 2022) be now read a Second Time.

(Sen. Moses Kajwang', MP – 21.03.2023)

Debate interrupted on Thursday, 23rd March, 2023 resumed for the Mover to reply;

Thereupon, the Mover replied;

Pursuant to Standing Order 66(3), the Mover (Sen. Moses Kajwang', MP) requested the Deputy Speaker to defer putting of the Question to a later date.

And the Deputy Speaker acceding to the request, nominated Thursday, 30th March, 2023, as the day when the Question shall be put.

9. **MOTION - AMENDMENT OF THE SENATE CALENDAR FOR THE SECOND SESSION**

Order read;

Motion made and Question proposed;

THAT, notwithstanding the Resolution of the Senate on the approval of the Senate Calendar made on 16th February, 2023 and noting the Resolution of the Senate made on Thursday, 23rd March, 2023, on the Fifth Report of the Procedure and Rules Committee (PRC) on the amendments to the Standing Orders of the Senate; and pursuant to Standing Order 32 (4), the Senate resolves to amend its Calendar (Regular Sessions) of the Senate for the Second Session, 2023 to provide for morning sittings on Wednesdays pursuant to Standing Order 34.

(The Senate Majority Leader)

Debate arising;

And there being no other Senator wishing to contribute;

The Mover replied;

Before the Question was put and pursuant to Standing Order 84 (1), the Temporary Speaker (Sen. Veronica Maina, MP) ruled that the Motion does not affect counties.

Question put, agreed to.

RESOLVED ACCORDINGLY

THAT, notwithstanding the Resolution of the Senate on the approval of the Senate Calendar made on 16th February, 2023 and noting the Resolution of the Senate made on Thursday, 23rd March, 2023, on the Fifth Report of the Procedure and Rules Committee (PRC) on the amendments to the Standing Orders of the Senate; and pursuant to Standing Order 32 (4), the Senate resolves to amend its Calendar (Regular Sessions) of the Senate for the Second Session, 2023 to provide for morning sittings on Wednesdays pursuant to Standing Order 34.

And the time being thirty Minutes past Six O'clock, the Temporary Speaker (Sen. Veronica Maina, MP) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

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

MEMORANDUM

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