



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, FEBRUARY 28, 2024 (AFTERNOON SITTING)

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with Prayer said by the Speaker.

3. **QUORUM OF THE SENATE**

The Speaker, having counted the Honourable Senators present at the commencement of the Sitting and confirming that there was no Quorum, directed that the Bell be rung for ten minutes pursuant to Standing Order 40;

And there being a Quorum before the expiry of the ten minutes;

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

4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair: -

a) Visiting teachers and students from Gangara Secondary School in Embu County

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting teachers and students from Gangara Secondary School in Embu County. The delegation comprises three (3) teachers and forty-seven (47) students, who are in the Senate for a one-day academic exposition.

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.”

b) Visiting teachers and students from Kisima Girls' Secondary School in Samburu County

"Honourable Senators,

In the Public gallery, we have fifty-two (52) students, accompanied by four (4) teachers from Kisima Girls' Secondary School in Samburu County, who are undertaking an education visit in the Senate.

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 Financial Statement of the Wajir County Revolving Fund for the year ended 30th June, 2015.
- ii.) Report of the Auditor General on Financial Statement of the Wajir County Revolving Fund for the year ended 30th June, 2016.
- iii.) Report of the Auditor General on Financial Statement of the Nyandarua County Bursary Fund for the year ended 30th June, 2023.
- iv.) Report of the Auditor General on Financial Statement of the Nyandarua County Emergency Fund for the year ended 30th June, 2023.
- v.) Report of the Auditor General on Financial Statement of the Meru County Youth Service Board for the year ended 30th June, 2023.
- vi.) Report of the Auditor General on Financial Statement of the County Assembly of Meru Staff Car Loan and Housing Scheme Fund for the year ended 30th June, 2023.
- vii.) Report of the Auditor General on Financial Statement of the County Assembly of Meru Members Car Loan and Housing Scheme Fund for the year ended 30th June, 2023.
- viii.) Report of the Auditor General on Financial Statement of the County Government of Turkana – Receiver of Revenue for the year ended 30th June, 2023.

- ix.) Report of the Auditor General on Financial Statement of the Turkana County Emergency Fund for the year ended 30th June, 2023.
- x.) Report of the Auditor General on Financial Statement of the County Government of Turkana – County Revenue Fund for the year ended 30th June, 2023.
- xi.) Report of the Auditor General on Financial Statement of the Turkana County COVID 19 Emergency Response Fund for the year ended 30th June, 2023.
- xii.) Report of the Auditor General on Financial Statement of the Embu Climate Change Fund for the year ended 30th June, 2023.
- xiii.) Report of the Auditor General on Financial Statement of the Embu County Executive Car Loan and Mortgage (Committee Members) Scheme Fund for the year ended 30th June, 2023.
- xiv.) Report of the Auditor General on Financial Statement of the County Assembly of Embu Car Loan and Mortgage (Staff) Scheme Fund for the year ended 30th June, 2023.
- xv.) Report of the Auditor General on Financial Statement of the Embu County Education Support Fund for the year ended 30th June, 2023.
- xvi.) Report of the Auditor General on Financial Statement of the County Government of Embu – Receiver of Revenue – Revenue Statements for the year ended 30th June, 2023.
- xvii.) Report of the Auditor General on Financial Statement of the County Executive of Lamu for the year ended 30th June, 2023.
- xviii.) Report of the Auditor General on Financial Statement of the County Assembly of Lamu for the year ended 30th June, 2023.
- xix.) Report of the Auditor General on Financial Statement of the County Government of Lamu – County Revenue Fund for the year ended 30th June, 2023.
- xx.) Report of the Auditor General on Financial Statement of the County Government of Lamu – Receiver of Revenue – Revenue Statements for the year ended 30th June, 2023.
- xxi.) Report of the Auditor General on Financial Statement of the Lamu County Youth Development Fund for the year ended 30th June, 2023.

- xxii.) Report of the Auditor General on Financial Statement of the Lamu County Bursary and Scholarship Fund for the year ended 30th June, 2023.
- xxiii.) Report of the Auditor General on Financial Statement of the Lamu County Fisheries Development Agency for the year ended 30th June, 2023.
- xxiv.) Report of the Auditor General on Financial Statement of the Lamu Car Loan and Mortgage Fund for the year ended 30th June, 2023.
- xxv.) Report of the Auditor General on Financial Statement of the Lamu County Executive Staff Housing Fund for the year ended 30th June, 2023.
- xxvi.) Report of the Auditor General on Financial Statement of the Lamu County Emergency Fund for the year ended 30th June, 2023.
- xxvii.) Report of the Auditor General on Financial Statement of the Lamu County Disability Fund for the year ended 30th June, 2023.
- xxviii.) Report of the Auditor General on Financial Statement of the County Government of Tharaka Nithi – Receiver of Revenue – Revenue Statements for the year ended 30th June, 2023.
- xxix.) Report of the Auditor General on Financial Statement of the County Executive of Nyamira for the year ended 30th June, 2023.
- xxx.) Report of the Auditor General on Financial Statement of the County Assembly of Nyamira for the year ended 30th June, 2023.
- xxxi.) Report of the Auditor General on Financial Statement of the Nyamira County Emergency Fund for the year ended 30th June, 2023.
- xxxii.) Report of the Auditor General on Financial Statement of the County Government of Nyamira – Receiver of Revenue- Revenue Statements for the year ended 30th June, 2023.
- xxxiii.) Report of the Auditor General on Financial Statement of the Kericho County Agricultural Development Fund for the year ended 30th June, 2023.
- xxxiv.) Report of the Auditor General on Financial Statement of the County Assembly of Mandera for the year ended 30th June, 2023.

(The Senate Majority Leader)

6. QUESTIONS AND STATEMENTS

a) Statement pursuant to Standing Order 52(1)

Nominated Senator (Sen. Hamida Kibwana, MP) made a statement regarding the persistent challenges faced in the legislative process.

Thereupon, the Senator informed the House that there have been delays encountered during the processing of Bills at pre-publication scrutiny by the relevant Committee as well as during the concurrence phase between the two Speakers on whether a Bill concerns Counties.

The Senator further pointed out that a significant amount of time, energy and resources are put into developing legislative proposals, however, many of those bills face prolonged delays and encounter insurmountable obstacles and ultimately are neglected at the scrutiny stage by the Committee thus undermining the efforts of the sponsoring Senator.

The Senator consequently urged the Senate to consider reviewing and strengthening the Standing Orders, enhancing accountability mechanisms, encouraging greater collaboration and implementing performance evaluation mechanisms to assess the efficiency and effectiveness of the legislative process. The Senator finally implored the Senate to identify areas for improvement in order to improve the legislative functions of the Senate.

b) Request for Statements pursuant to Standing Order 53(1)

- i.) The Senator for Bomet County (Sen. Wakili Hillary Sigei, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the safety, security and freedom of journalists in Bomet County.
- ii.) The Senator for Meru County (Sen. Kathuri Murungi, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the renewed wave of banditry along the Meru-Isiolo border.
- iii.) The Senator for Taita Taveta (Sen. Johnes Mwaruma, MP) sought a statement from the Standing Committee on Land, Environment and Natural Resources regarding the boundary dispute between residents of Marungu Village and Oza Group Ranch in Taita Taveta County.
- iv.) The Senator for Machakos County (Sen. Agnes Kavindu, MP) sought a statement from the Standing Committee on Education regarding the status of the release of Capitation Funds to all universities in the country.

- v.) The Senator for Nairobi City County (Sen. Edwin Sifuna, MP) on behalf of Nominated Senator, (Sen. Tabitha Mutinda, MP) sought a Statement from the Standing Committee on Education regarding the state of infrastructure at Mwiki Primary School.
- vi.) The Senator for Narok County (Sen. Ledama Olekina, MP) sought a Statement from the Standing Committee on Trade, Industrialization and Tourism regarding the status of tourism and consequent agreements in the greater Mara and Triangle.
- vii.) The Senator for Narok County (Sen. Ledama Olekina, MP) sought a Statement from the Standing Committee on Roads, Housing and Transportation regarding the status of utilization of the development budget in the Department of Public Works, Roads and Transport in the County Government of Narok.
- viii.) Request for Statement by the Senator for Marsabit County, (Sen. Mohamed Chute, MP) from the Standing Committee on Finance and Budget regarding expenditure of funds in Marsabit County was dropped in the absence of the Senator.
- ix.) Request for Statement by Nominated Senator (Sen. George Mbugua, MP) from the Standing Committee on National Security, Defence and Foreign Relations regarding the delayed issuance of passports was dropped in the absence of the Senator.

7. **MOTION - REPORT OF THE STANDING COMMITTEE ON ENERGY ON THE INQUIRY INTO THE HIGH COST OF ELECTRICITY IN THE COUNTRY**

Order read;

Motion made and Question proposed: -

THAT, the Senate adopts the report of the Standing Committee on Energy on the inquiry into the high cost of electricity in the Country laid on the table of the Senate on Wednesday, 27th September, 2023.

(The Chairperson, Standing Committee on Energy – 27.02.2024)

Debate arising;

And there being no more Senators wishing to contribute;

Mover replied.

Before the Question was put and pursuant to Standing Order 84 (1), the Deputy Speaker ruled that the Motion did not affect counties.

Question put and **agreed to.**

RESOLVED ACCORDINGLY

THAT, the Senate adopts the report of the Standing Committee on Energy on the inquiry into the high cost of electricity in the Country laid on the table of the Senate on Wednesday, 27th September, 2023.

8. **MOTION - REPORT OF THE SELECT COMMITTEE ON COUNTY PUBLIC INVESTMENTS AND SPECIAL FUNDS ON NON-REMITTANCE OF PENSION DEDUCTIONS TO THE PENSION SCHEMES BY COUNTY GOVERNMENT ENTITIES**

Order read;

Motion made and Question proposed: -

THAT, the Senate adopts the Report of the Select Committee on County Public Investments and Special Funds on non-remittance of pension deductions to the Pension Schemes by County Government entities laid on the Table of the Senate on Wednesday, 14th February, 2024.

(The Chairperson, Select Committee on County Public Investments and Special Funds)

Debate arising;

And the time being thirty minutes past six O'clock, Temporary Speaker (Sen. Wakili Hillary Sigei, MP) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

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

MEMORANDUM

*The Speaker will take the Chair on
Thursday, February 29, 2024 at 2:30 p.m.*

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