



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, MAY 22, 2024 (AFTERNOON SITTING)

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 OF THE SENATE**

The Deputy Speaker, having counted the Hon. 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. **PAPERS LAID**

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

- i.) The Second Report of the Procedure and Rules Committee (PRC) on the review of the Standing Orders of the Senate.

*(Sen. Abass Sheikh Mohamed on behalf of the Vice-Chairperson,
Procedure and Rules Committee)*

- ii.) Report of the Standing Committee on Health concerning the inspection tour of County Referral Hospitals in Kisii, Nyamira and Bomet Counties.

- iii.) Report of the Standing Committee on Health concerning the inspection tour of County Referral Hospitals in Vihiga and Kisumu Counties.

*(Sen. Omar Mariam Sheikh on behalf of the Chairperson, Standing Committee
on Health)*

5. **NOTICE OF MOTION - THE SECOND REPORT OF THE PROCEDURE AND RULES COMMITTEE (PRC) ON THE REVIEW OF THE STANDING ORDERS OF THE SENATE**

(Sen. Abass Sheikh Mohamed on behalf of the Vice-Chairperson, Procedure and Rules Committee)

THAT, pursuant to Standing Orders 267, 268 and 270, the Senate approves the Second Report of the Procedure and Rules Committee on the review of the Standing Orders of the Senate, laid on the Table of the Senate, on Wednesday, 22nd May, 2024, and that pursuant to the provisions of Article 124 (1) of the Constitution and Standing Orders 270 and 272-

- (i) resolves to amend its Standing Orders as contained in Annex 1 of the Report; and
- (ii) orders that the amendments to the Standing Orders as contained in Annex 1 to the Report come into effect on the 25th June, 2024.

6. **QUESTIONS AND STATEMENTS**

a) **Statements pursuant to Standing Order 52 (1)**

- i.) The Senator for Kitui County (Sen. Enoch Wambua, MP) made a statement regarding the proposed construction of the High Grand Falls Dam in Kitui and Tharaka Nithi Counties.

Thereupon, the Senator recalled that the scramble for and consequent partition of Africa in the 1880s remains the single most cavalier scheme to rob a subjugated people of their wealth, their cultural heritage and their self-worth, and the situation persists today with the full backing and connivance of a compromised lot of African leaders.

The Senator pointed out that the proposed High Grand Falls Dam straddling the two counties of Kitui and Tharaka Nithi, touted as one of the biggest hydro and agro-irrigation dams in the world and estimated to cover a distance of 58 kilometers long and eight kilometers wide and including a Resettlement Action Plan, would cause mass displacement of indigenous populations and result in loss of livelihoods, as well as the destruction of the natural ecosystem of the region.

The Senator questioned whether the investor had undertaken public participation prior to implementing the construction of the dam and raised concern over the benefits that would accrue to the community in the area following the construction of the dam.

- ii.) Nominated Senator (Sen. Karen Nyamu, MP) made a statement regarding the state of roads in the country.

Thereupon, the Senator informed the Senate on the critical role of roads in facilitating movement of people and goods and highlighted the poor condition of many roads in the country, leading to negative impacts such as increased accidents, job losses, wasted time, and higher operating costs.

The Senator also acknowledged that various factors have contributed to accidents, including poor road conditions. This has necessitated the need for tangible solutions to address road network challenges nationwide for economic development and public welfare.

The Senator called upon the government to take action with a view to reduce accidents and fatalities.

The proposed Statement by the Senator for Laikipia County (Sen. John Kinyua, MP) concerning the use of the term “corruption free zones” in Government was dropped in the absence of the Senator.

b) Requests for Statement pursuant to Standing Order 53 (1)

- i.) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) sought a Statement from the Standing Committee on Labour and Social Welfare concerning the state of the Jaramogi Odinga Grounds, Victoria Park and the establishment of other parks in Kisumu County.
- ii.) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) sought a Statement from the Standing Committee on Education regarding the state of Early Childhood Development Education (ECDE) in Kisumu County.
- iii.) Nominated Senator (Sen. Hamida Kibwana, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations concerning the circumstances that led to the death of the late Master Stephen Mwangi, a student at Maji Mazuri Day School in Eldama Ravine, Baringo County following an altercation with the Kenya Forest Service (KFS) officers.
- iv.) Nominated Senator (Sen. Betty Montet, MP) sought a Statement from the Standing Committee on Education regarding the operations of the National Council for Nomadic Education in Kenya (NACONEK).

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- v.) Nominated Senator (Sen. Shakila Abdalla, MP) sought a Statement from the Standing Committee on Roads, Transportation and Housing regarding transportation challenges along the Lamu – Garsen road at Gamba in Tana River County.
- vi.) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a Statement from the Standing Committee on Education concerning alleged unfair labour practice by the Teachers Service Commission (TSC) in the employment of Junior Secondary Schools (JSS) teachers.
- vii.) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a Statement from the Standing Committee on Finance and Budget regarding collection targets by the Kenya Revenue Authority (KRA) for the financial year 2023/2024.
- viii.) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the status of dam construction projects in the country.
- ix.) The Senator for Bungoma County (Sen. David Wakoli, MP) sought a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the status of public land belonging to the County Government of Bungoma.
- x.) The Senator for Bungoma County (Sen. David Wakoli, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the death of Ms. Ruth Ayuma Inganga who was involved in a hit-and-run accident at Chabera Shopping Centre in Nyamira County.

7. **THE METEOROLOGY BILL (SENATE BILLS NO. 45 OF 2023)**

(The Senate Majority Leader)

(Second Reading)

(Resumption of debate interrupted on Thursday, 16th May, 2024)

(Division)

Order read;

Order deferred.

8. **THE HOUSES OF PARLIAMENT (BICAMERAL RELATIONS) BILL (NATIONAL ASSEMBLY BILLS NO. 44 OF 2023)**

(The Senate Majority Leader)

Order read;

Motion made and Question proposed;

THAT, the Houses of Parliament (Bicameral Relations) Bill (National Assembly Bills No. 44 of 2023) be now read a Second Time.

(The Senate Majority Leader – 14.05.2024)

Debate interrupted on Tuesday, 21st May, 2024 resumed;

And there being no more Senators wishing to contribute;

And in the absence of the Mover;

The Deputy Speaker deferred the reply to a later date.

9. **COMMITTEE OF THE WHOLE**
THE GAMBLING CONTROL BILL (NATIONAL ASSEMBLY BILLS NO. 70 OF 2023)

(The Senate Majority Leader)

*(Resumption of debate interrupted on Wednesday, 15th May, 2024 –
Afternoon Sitting)
(Division)*

Order read;

Order deferred.

10. **COMMITTEE OF THE WHOLE**
THE TEA (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2023)

(Sen. Wakili Hillary Sigei, MP)

Order read;

Order deferred.

11. **COMMITTEE OF THE WHOLE**
THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 2 OF 2023)

(The Senate Majority Leader)

Order read;

Order deferred.

12. **THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 59 OF 2022)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the National Construction Authority (Amendment) Bill (National Assembly Bills No. 59 Of 2022) be now read a Second Time.

(The Deputy Senate Majority Leader)

Debate arising;

And there being no more Senators wishing to contribute;

Mover replied;

Pursuant to Standing Order 66(3), the Mover requested that the putting of the Question be deferred to a later date;

And the Deputy Speaker, acceding to the request, nominated Thursday, 23rd May, 2024 as the day when the Question shall be put.

13. **THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 46 OF 2023)**

(Sen. Johnes Mwaruma, MP)

Order read;

Order deferred.

14. **THE NUTS AND OIL CROPS DEVELOPMENT BILL (SENATE BILLS NO. 47 OF 2023)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Nuts and Oil Crops Development Bill (Senate Bills No. 47 Of 2023) be now read a Second Time.

(Sen. Hamida Kibwana, MP)

Debate arising;

And there being no more Senators wishing to contribute;

Mover replied;

Pursuant to Standing Order 66(3), the Mover requested that the putting of the Question be deferred to a later date;

And the Temporary Speaker (Sen. Abdul Haji, MP), acceding to the request, nominated Thursday, 23rd May, 2024 as the day when the Question shall be put.

15. **MOTION - REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE STATUS OF IMPLEMENTATION OF PROJECTS FUNDED BY THE CONDITIONAL GRANT FOR THE CONSTRUCTION OF COUNTY HEADQUARTERS**

Order read;

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the status of implementation of projects funded by the Conditional Grant for the construction of County Headquarters laid on the Table of the Senate on Thursday, 28th March, 2024.

(The Vice Chairperson, Standing Committee on Finance and Budget)

16. **QUORUM OF THE SENATE**

Rising on a Point of Order pursuant to Standing Order 41, Nominated Senator (Sen. Hamida Kibwana, MP) drew the attention of the Temporary Speaker (Sen. Abdul Haji, MP) to the fact that there was no Quorum in the Senate;

And the Temporary Speaker (Sen. Abdul Haji, MP), having counted the Senators present and confirming that there was no Quorum in the House, ordered that the Quorum bell be rung for ten minutes;

And there being no Quorum after the expiry of the ten minutes, the Temporary Speaker (Sen. Abdul Haji, MP) adjourned the Senate, pursuant to Standing Order 40(2), at fourteen minutes past Six O'clock without Question put.

17. **SENATE ROSE** – at fourteen minutes past Six O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Thursday, May 23, 2024 at 2:30 p.m.*

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