



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, APRIL 24, 2024 (MORNING SITTING)

1. The Senate assembled at thirty Minutes past Nine O'clock.
2. The proceedings were opened with Prayer said by the Speaker.
3. **QUORUM OF THE SENATE**

The 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 no Quorum after the expiry of the ten minutes, the Speaker directed that the Bell be rung for a further ten minutes;

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

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

4. **QUESTIONS AND STATEMENTS**

QUESTIONS

- a) **Question No. 025** by Sen. Tabitha Mutinda, MP on behalf of Sen. James Murango, MP to the Cabinet Secretary for Gender, Culture, the Arts and Heritage on the establishment of public libraries in the 47 counties was answered by the Cabinet Secretary.
- b) **Question No. 037** by Sen. (Dr.) Boni Khalwale, MP to the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs on Welfare of Kenyans working in the Gulf States was deferred in the absence of the Prime Cabinet Secretary.
- c) **Question No. 040** by Sen. (Prof.) Tom Ojienda, SC, MP to the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs on Obligations of the Government to Kenyans in the diaspora who face arrest, detention and deportation was deferred in the absence of the Prime Cabinet Secretary.

5. MOTION – STATUS OF PENDING BILLS IN COUNTIES

Order Read;

Motion made and Question proposed;

THAT, AWARE THAT, as at 31st December, 2023, according to the County Governments Budget Implementation Review report for the first half of the financial year 2023/2024, County Governments had accumulated a total of Ksh.156.34 Billion shillings in pending bills with Nairobi City County accumulating the largest share of Ksh.107, 037,053,000 followed by Kiambu and Mombasa Counties at Kshs. 5,711,614,412 and Kshs. 3,922,131,877 respectively;

CONCERNED THAT, the accumulated pending bills in Counties have significantly affected service providers in the counties leading to closure of businesses, stalling of county projects, adversely affecting economic growth in counties, service delivery and ultimately slowing down the country's economic growth;

FURTHER CONCERNED that most of the service providers in the counties are battling court cases lodged against them by their financiers and suppliers while others are languishing in poverty exacerbated by the increased cost of living, with increased mental health disease incidences and others dying as a result of the effects of colossal amounts of debt owed to them by county governments;

NOW THEREFORE, the Senate-

1. recommends that all County Governments pay verified pending bills amounting to less than Ksh. 1 Billion by the end of this financial year and those above Ksh.1 Billion by the end of the financial year 2024/2025; and
2. Resolves that-
 - i) pursuant to the provisions of Regulation 41(2) & (3) of the Public Finance Management (County Governments) Regulations, 2015, County Governments prioritize payment of pending bills as a first charge on the County Revenue Fund, failure to which the subsequent quotas budget releases will not be done;
 - ii) County Governments shall only pay pending Bills contained in their respective procurement plans pursuant to Regulation 50 (2) & (3) of the Public Finance Management (County Governments) Regulations;
 - iii) supplementary budgets for County Governments are prepared in the 3rd Quarter to curb instances of arbitrary re-allocations out of the approved budget estimates; and
 - iv) County Governments shall conduct public participation while formulating supplementary budgets, failure to which the Controller of Budget (CoB) shall not approve the supplementary budgets.

(Sen. Ledama Olekina, MP – 28.03.2024)

Debate interrupted on Thursday, 28th March, 2024 resumed;

And the time being One O'clock, the Deputy Speaker interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

6. SENATE ROSE - at One O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, April 24, 2024 at 2.30 p.m.*

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