



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (THIRD SESSION)**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, OCTOBER 02, 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 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 Independent Electoral and Boundaries Commission (IEBC) annual report for the period ended 30<sup>th</sup> June, 2024.
- ii) Report of the Auditor General on Financial Statements of Bungoma County Referral Hospital - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2022.
- iii) Report of the Auditor General on Financial Statements of Kimilili Sub-County Hospital - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2022.
- iv) Report of the Auditor General on Financial Statements of Webuye Level 4 Hospital - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2022.

- v) Report of the Auditor General on Financial Statements of Moyale Level 4 Hospital - County Government of Marsabit for the year ended 30<sup>th</sup> June, 2022.
- vi) Report of the Auditor General on Financial Statements of Annex Hospital – Nakuru Level 4 Hospital - County Government of Nakuru for the year ended 30<sup>th</sup> June, 2022.
- vii) Report of the Auditor General on Financial Statements of Soin Level 4 Hospital - County Government of Nakuru for the year ended 30<sup>th</sup> June, 2022.
- viii) Report of the Auditor General on Financial Statements of Lodwar County Referral Hospital – County Government of Turkana for the year ended 30<sup>th</sup> June, 2023.
- ix) Report of the Auditor General on Financial Statements of Lokitaung Sub-County Level 4 Hospital - County Government of Turkana for the ended 30<sup>th</sup> June, 2023.
- x) Report of the Auditor General on Financial Statements of Lopiding Level 4 Hospital - County Government of Turkana for the year ended 30<sup>th</sup> June, 2023.
- xi) Report of the Auditor General on Financial Statements of Sigor Sub-County Level 4 Hospital - County Government of West Pokot for the year ended 30<sup>th</sup> June, 2023.
- xii) Report of the Auditor General on Financial Statements of Chepareria Level 4 Hospital - County Government of West Pokot for the year ended 30<sup>th</sup> June, 2023.
- xiii) Report of the Auditor General on Financial Statements of Kilifi County Referral Hospital - County Government of Kilifi for the year ended 30<sup>th</sup> June, 2023.
- xiv) Report of the Auditor General on Financial Statements of Gede Sub-County Level 4 Hospital - County Government of Kilifi for the fourteen (14) months ending on 30<sup>th</sup> June, 2023.
- xv) Report of the Auditor General on Financial Statements of Jibana Sub-County Level 4 Hospital - County Government of Kilifi for the year ended 30<sup>th</sup> June, 2023.
- xvi) Report of the Auditor General on Financial Statements of Malindi Sub-County Level 4 Hospital - County Government of Kilifi for the year ended 30<sup>th</sup> June, 2023.

- xvii) Report of the Auditor General on Financial Statements of Ahero County Level 4 Hospital - County Government of Kisumu for the year ended 30<sup>th</sup> June, 2023.
- xviii) Report of the Auditor General on Financial Statements of Rwambwa Sub-County Level 4 Hospital - County Government of Siaya for the year ended 30<sup>th</sup> June, 2023.
- xix) Report of the Auditor General on Financial Statements of Mukuyuni Sub-County Level 4 Hospital - County Government of Makueni for the year ended 30<sup>th</sup> June, 2023.
- xx) Report of the Auditor General on Financial Statements of Tawa Sub-County Level 4 Hospital - County Government of Makueni for the year ended 30<sup>th</sup> June, 2023.
- xxi) Report of the Auditor General on Financial Statements of Mandera County Referral Hospital - County Government of Mandera for the year ended 30<sup>th</sup> June, 2023.
- xxii) Report of the Auditor General on Financial Statements of Lafey Sub-County Level 4 Hospital - County Government of Mandera for the year ended 30<sup>th</sup> June, 2023.
- xxiii) Report of the Auditor General on Financial Statements of Samburu County Teaching and Referral Hospital - County Government of Samburu for the year ended 30<sup>th</sup> June, 2023.
- xxiv) Report of the Auditor General on Financial Statements of Iten County Referral Hospital - County Government of Elgeyo Marakwet for the year ended 30<sup>th</sup> June, 2023.
- xxv) Report of the Auditor General on Financial Statements of Nyeri Provincial General Hospital - County Government of Nyeri for the year ended 30<sup>th</sup> June, 2023.
- xxvi) Report of the Auditor General on Financial Statements of Wajir County Referral Hospital - County Government of Wajir for the year ended 30<sup>th</sup> June, 2023.
- xxvii) Report of the Auditor General on Financial Statements of Katulani Level 4 Hospital - County Government of Kitui for the year ended 30<sup>th</sup> June, 2023.
- xxviii) Report of the Auditor General on Financial Statements of Mutitu Sub-County Hospital - County Government of Kitui for the year ended 30<sup>th</sup> June, 2023.

- xxix) Report of the Auditor General on Financial Statements of Mwingi Level 4 Hospital - County Government of Kitui for the year ended 30<sup>th</sup> June, 2023.
- xxx) Report of the Auditor General on Financial Statements of Moyale Level 4 Hospital - County Government of Marsabit for the year ended 30<sup>th</sup> June, 2023.
- xxxii) Report of the Auditor General on Financial Statements of Kericho County Referral Level 5 Hospital - County Government of Kericho for the year ended 30<sup>th</sup> June, 2023.
- xxxiii) Report of the Auditor General on Financial Statements of Sigowet Sub-County Level 4 Hospital - County Government of Kericho for the year ended 30<sup>th</sup> June, 2023.
- xxxiv) Report of the Auditor General on Financial Statements of Londiani Sub-County Level 4 Hospital - County Government of Kericho for the year ended 30<sup>th</sup> June, 2023.
- xxxv) Report of the Auditor General on Financial Statements of Roret Sub-County Level 4 Hospital - County Government of Kericho for the year ended 30<sup>th</sup> June, 2023.

*(The Senate Majority Leader)*

5. **QUESTIONS AND STATEMENTS**

**QUESTIONS**

- i) **Question No. 021** by Sen. Edwin Sifuna, MP to the Cabinet Secretary for the National Treasury and Economic Planning on failure by the E-Citizen digital platform to process payments made to some Government institutions was answered by the Cabinet Secretary.
- ii) **Question No. 060** by Sen. Catherine Mumma, MP to the Cabinet Secretary for the National Treasury and Economic Planning on financing and utilization of the National Government development budget for the FY 2022/2023 was answered by the Cabinet Secretary.
- iii) **Question No. 088** by Sen. Wakili Hillary Sigei, MP on behalf of Sen. Joyce Korir, MP to the Cabinet Secretary for the National Treasury and Economic Planning on delayed processing of pension benefits to retired civil servants was answered by the Cabinet Secretary.

- iv) **Question No. 096** by Sen. Hezena Lemaletian, MP on behalf of Sen. (Prof.) Tom Ojienda, SC, MP to the Cabinet Secretary for the National Treasury and Economic Planning on economic impact of the demonstrations witnessed in June, July and August 2024 was answered by the Cabinet Secretary.
- v) **Question No. 091** by Sen. Julius Murgor, MP to the Cabinet Secretary for East African Community (EAC), the ASALs and Regional Development on socio-economic activities carried out by the Kerio Valley Development Authority (KVDA) in West Pokot County was deferred in the absence of the Cabinet Secretary.
- vi) **Question No. 070** by Sen. James Murango, MP to the Cabinet Secretary for Interior and National Administration on interventions by Government agencies to address the April/May 2024 flooding in Kirinyaga County was deferred in the absence of the Cabinet Secretary.
- vii) **Question No. 073** by Sen. James Murango, MP to the Cabinet Secretary for Interior and National Administration on insecurity in Ndia Constituency, Kirinyaga County was deferred in the absence of the Cabinet Secretary.
- viii) **Question No. 077** by Sen. Daniel Maanzo, MP to the Cabinet Secretary for Interior and National Administration on assault of persons during the protests over the high cost of living in June and July, 2023, Kirinyaga County was deferred in the absence of the Cabinet Secretary.
- ix) **Question No. 079** by Sen. Joe Nyutu, MP to the Cabinet Secretary for Interior and National Administration on irregular dismissal of Mr. Joseph Odhiambo Ochoro from the Kenya Prisons Service was deferred in the absence of the Cabinet Secretary.
- x) **Question No. 084** by Sen. Agnes Kavindu, MP to the Cabinet Secretary for Interior and National Administration on operationalization of a framework for the compensation of surviving Kenyan Victims of the 1998 bombing of the United States of America Embassy in Nairobi was deferred in the absence of the Cabinet Secretary.
- xi) **Question No. 092** by Sen. Kathuri Murungi, MP to the Cabinet Secretary for Interior and National Administration on recurring banditry attacks in Igembe North Constituency in Meru County was deferred in the absence of the Cabinet Secretary.
- xii) **Question No. 093** by Sen. (Prof.) Tom Ojienda, SC, MP to the Cabinet Secretary for Interior and National Administration on operationalization of Kabonyo Kanyagwal Division in Kisumu County was deferred in the absence of the Cabinet Secretary.

xiii) **Question No. 097** by Sen. (Prof.) Tom Ojienda, SC, MP to the Cabinet Secretary for Interior and National Administration on state of security, civilian protection, and law enforcement during demonstrations witnessed in June, July and August 2024 was deferred in the absence of the Cabinet Secretary.

6. **MOTION – REPORT OF THE 66<sup>TH</sup> COMMONWEALTH PARLIAMENTARY CONFERENCE HELD IN ACCRA, GHANA FROM 30<sup>TH</sup> SEPTEMBER – 6<sup>TH</sup> OCTOBER, 2023**

Order read;

Motion made and Question proposed;

THAT, the Senate notes the Report of the Kenya Parliament Delegation to the 66<sup>th</sup> Commonwealth Parliamentary Conference held in Accra, Ghana from 30<sup>th</sup> September – 6<sup>th</sup> October, 2023 laid on the Table of the Senate on 15<sup>th</sup> February, 2024.

*(Sen. (Prof.) Margaret Kamar, MP – 24.07.2024)*

Debate interrupted on Wednesday, 25<sup>th</sup> September, 2024 – (Morning sitting) resumed;

And there being no Senator wishing to contribute;

Mover replied;

Pursuant to Standing Order 66(3), the Mover requested the Temporary Speaker (Sen. Abdul Haji, MP) to defer the putting of the Question to a later date;

And the Temporary Speaker (Sen. Abdul Haji, MP), acceding to the request, nominated Thursday, 3<sup>rd</sup> October, 2024 as the day when the Question shall be put.

7. **MOTION – REPORT OF THE 9<sup>TH</sup> INTER-PARLIAMENTARY UNION (IPU) GLOBAL CONFERENCE OF YOUNG PARLIAMENTARIANS HELD IN HANOI, VIETNAM FROM 15<sup>TH</sup> TO 17<sup>TH</sup> SEPTEMBER, 2023**

(Sen. John Methu, MP)

THAT, the Senate notes the Report of the 9<sup>th</sup> Inter-Parliamentary Union (IPU) Global Conference of Young Parliamentarians held in Hanoi, Vietnam from 15<sup>th</sup> to 17<sup>th</sup> September, 2023 laid on the table of Senate on Tuesday, 5<sup>th</sup> March, 2024.

Order read;

Order deferred.

8. **MOTION – REPORT OF THE 147<sup>TH</sup> ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN LUANDA, ANGOLA ON 23<sup>RD</sup> TO 27<sup>TH</sup> OCTOBER, 2023**

(Sen. Catherine Mumma, MP)

THAT, the Senate notes the Report of 147<sup>th</sup> Assembly of the Inter-Parliamentary Union (IPU) and related meetings held in Luanda, Angola on 23<sup>rd</sup> to 27<sup>th</sup> October, 2023 laid on the Table of the Senate on Thursday 29<sup>th</sup> February, 2024.

Order read;

Order deferred.

9. **MOTION – REPORT OF THE KENYA DELEGATION TO THE EXTRAORDINARY SESSION OF THE SIXTH PARLIAMENT OF THE PAN-AFRICAN PARLIAMENT (PAP) HELD AT THE GALLAGHER CONVENTION CENTRE, MIDRAND, SOUTH AFRICA, FROM 20<sup>TH</sup> TO 27<sup>TH</sup> MARCH, 2024**

(Sen. Danson Mungatana, MP)

THAT, the Senate notes the Report of the Kenya Delegation to the Extraordinary Session of the Sixth Parliament of the Pan-African Parliament (PAP) held at the Gallagher Convention Centre, Midrand, South Africa, from 20<sup>th</sup> to 27<sup>th</sup> March, 2024, laid on the Table of the Senate on Wednesday, 24<sup>th</sup> April, 2024.

Order read;

Order deferred.

10. **MOTION – REPORT OF THE KENYA DELEGATION TO THE 148<sup>TH</sup> ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN GENEVA, SWITZERLAND FROM 23<sup>RD</sup> TO 27<sup>TH</sup> MARCH, 2024**

(Sen. Catherine Mumma, MP)

THAT, the Senate notes the Report of the Kenya Delegation to the 148<sup>th</sup> Assembly of the Inter-Parliamentary Union (IPU) and Related Meetings Held in Geneva, Switzerland from 23<sup>rd</sup> to 27<sup>th</sup> March, 2024 laid on the Table of the Senate on Thursday, 30<sup>th</sup> May, 2024.

Order read;

Order deferred.

11. **MOTION – REPORT OF THE 14<sup>TH</sup> ORDINARY SESSION OF THE PLENARY ASSEMBLY AND RELATED MEETINGS OF THE FORUM OF PARLIAMENTS OF THE INTERNATIONAL CONFERENCE OF THE GREAT LAKES REGION, HELD IN LIVINGSTONE, ZAMBIA, FROM 15<sup>TH</sup> TO 19<sup>TH</sup> APRIL, 2024**

(Sen. Ali Ibrahim Roba, MP)

THAT, the Senate notes the report of the 14<sup>th</sup> Ordinary Session of the Plenary Assembly and Related Meetings of the Forum of Parliaments of the International Conference of the Great Lakes region, held in Livingstone, Zambia, from 15<sup>th</sup> to 19<sup>th</sup> April, 2024 laid on the Table of the Senate on Thursday, 30<sup>th</sup> May, 2024.

Order read;

Order deferred.

12. **MOTION – REPORT OF THE PARLIAMENTARY DELEGATION TO THE 2024 JOINT UNITED NATIONS – INTER-PARLIAMENTARY UNION PARLIAMENTARY HEARING HELD AT THE UNITED NATIONS HEADQUARTERS IN NEW YORK, UNITED STATES OF AMERICA FROM 8<sup>TH</sup> TO 9<sup>TH</sup> FEBRUARY, 2024**  
(Sen. Veronica Maina, MP)

THAT, the Senate notes the Report of the Parliamentary Delegation to the 2024 Joint United Nations – Inter-Parliamentary Union Parliamentary Hearing held at the United Nations headquarters in New York, United States of America from 8<sup>th</sup> to 9<sup>th</sup> February, 2024 laid on the Table of the Senate on Tuesday, 17<sup>th</sup> September, 2024.

Order read;

Order deferred.

13. **MOTION – STOPPAGE OF FUNDS TO ISIOLO COUNTY DUE TO FAILURE BY THE GOVERNOR TO HONOUR SENATE SUMMONSES**  
(Sen. Fatuma Dullo, MP)

THAT, AWARE THAT pursuant to Article 96 of the Constitution, the Senate represents the counties and serves to protect the interests of the counties and their governments, and that the Senate exercises oversight over national revenue allocated to the county governments;

FURTHER AWARE THAT Article 124 of the Constitution establishes Committees to carry out specific mandates and that Article 125 of the Constitution gives any Committee the power to summon any person to appear before it for the purpose of giving evidence or providing information;

WHEREAS, the Senate Standing Committee on Health invited and later summoned the Governor of Isiolo County, Hon. Abdi Ibrahim Hassan, to respond to questions relating to, among others, the ongoing crisis at Isiolo Morgue, NHIF deductions and remittance status and total amount of pending bills owed to the county hospital, which invitation he failed to honour on 21<sup>st</sup> May, 2024 and similarly failed to honour the summonses on 28<sup>th</sup> May, 2024 and 10<sup>th</sup> June, 2024;

AND WHEREAS, the Governor of Isiolo County failed to honour an invitation by the County Public Investments and Special Funds Committee to respond to issues



raised in the Auditor-General's Reports on Isiolo County Bursary Fund, the Isiolo County Emergency Fund and the Isiolo County Youth, Women and People with Disability Fund for the Financial Years 2019/2020, 2020/2021 and 2021/2022 on 28<sup>th</sup> May, 2024;

AND FURTHER WHEREAS, the Governor of Isiolo County failed to honour five (5) invitations on diverse dates between 28<sup>th</sup> March, 2023 and 8<sup>th</sup> March, 2024 by the County Public Accounts Committee to respond to queries raised by the Auditor General in the Financial Statement of the County Executive of Isiolo for the Financial Years 2019/2020 and 2020/2021;

CONCERNED THAT following the numerous incidents of failure and or refusal by the Governor of Isiolo County to honour invitations and summonses, the County Public Accounts Committee scheduled for a meeting at Isiolo County offices on 8<sup>th</sup> March, 2024 which the Governor failed to attend;

FURTHER CONCERNED THAT the committees of the Senate, pursuant to Article 179 (4) of the Constitution, invited Governor Abdi Ibrahim Hassan in his capacity as the Chief Executive Officer of the County, and he failed and/ or refused to appear before the committees to answer the respective audit queries raised by the Auditor-General with respect to whether or not public monies have been applied lawfully and in an effective manner by the county government;

NOW, THEREFORE, THE SENATE RESOLVES THAT –

- 1) pursuant to Article 228 (4) and (5) of the Constitution, the Controller of Budget should not authorize any withdrawal of public funds by the County Government of Isiolo until the Governor has responded to the issues raised in the summonses to the satisfaction of the Senate; and
- 2) the National Treasury, pursuant to Article 225 of the Constitution and Section 96 of the Public Finance Management Act, stops forthwith the transfer of funds to the County Government of Isiolo.

Order read;

Order deferred.

And there being no other business in the Order Paper, the Temporary Speaker (Sen. Abdul Haji, MP) adjourned the Senate at forty-six minutes past Twelve O'clock without Question put, pursuant to the Standing Orders.

14. **SENATE ROSE** – at forty-six minutes past Twelve O'clock.

**M E M O R A N D U M**

*The Speaker will take the Chair on  
Wednesday, October 02, 2024 at 2.30 p.m.*