



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, OCTOBER 09, 2024 (AFTERNOON SITTING)

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with a 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. **PETITION**

Pursuant to Standing Order 236(2) (b), the Speaker reported a Petition to the Senate by Mr. Laban Omusundi regarding the matter of branding public projects with images of Governors and Members of the County Assemblies (MCAs).

Pursuant to Standing Order 238 (1), the Speaker committed the Petition to Standing Committee on Justice, Legal Affairs and Human Rights.

5. **PAPERS LAID**

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

- i) Bi-Annual Report of the Commission on Administrative Justice (CAJ) for the period July – December, 2023.

(No. 103) WEDNESDAY, OCTOBER 09, 2024 (AFTERNOON SITTING) (2003)

- ii) Report of the Auditor General on financial Statements of Karuri Level 4 Hospital – County Government of Kiambu for the year ended 30th June, 2023.
- iii) Report of the Auditor General on financial Statements of Kihara Level 4 Hospital – County Government of Kiambu for the year ended 30th June, 2023.

(The Senate Majority Leader)

6. **NOTICE OF MOTION- STRENGTHENING SUPPORT FOR PASTORALIST COMMUNITIES TO COMBAT CATTLE RUSTLING AND MINIMIZE LIVESTOCK LOSSES**

(Sen. James Lomenen, MP)

THAT, AWARE THAT, the livestock sector plays a crucial role in the economic well-being and cultural identity of many communities, particularly in arid and semi-arid regions of Kenya;

FURTHER AWARE THAT, cattle rustling has become a major hindrance to economic development, severely affecting pastoralist communities that heavily rely on livestock for their livelihood, leading to loss of life, destruction of property, and displacement of families;

APPRECIATING THAT, over the years, various interventions have been introduced by both the National and County Governments, including security operations, disarmament initiatives, and community peace-building efforts to curb the menace of cattle rustling and provision of livestock insurance to protect farmers in case of loss;

CONCERNED THAT, despite Government efforts, cattle rustling continues to thrive, driven by organized crime syndicates, political interference, and cultural practices, which severely undermines the economic stability and social cohesion of affected communities, thereby contravening the right of pastoralists to acquire and own property as stated in Article 40(1) of the Constitution;

FURTHER CONCERNED THAT the lack of adequate legal frameworks, affordable and comprehensive insurance schemes for livestock, and financial security for pastoralist communities has left many families vulnerable to poverty due to the theft of their livestock and the impacts of climate change, particularly drought, which aggravates these challenges;

NOW THEREFORE, the Senate urges the Ministry of Agriculture and Livestock Development to:

1. increase the budget allocation to the agricultural sector to at least 10% of the national budget, in line with the Maputo

Declaration of 2000 (reaffirmed by the Malabo Declaration of 2015),

2. to create an enabling environment for providing affordable livestock insurance to pastoralists;
3. provide incentives to the private sector to deliver comprehensive and affordable livestock insurance; and
4. implement measures to promote public awareness and encourage the uptake of livestock insurance.

7. QUESTIONS AND STATEMENTS

a) Statement pursuant to Standing Order 52(1)

The Senator for Nandi County (Sen. Samson Cherarkey, MP) made a Statement concerning the shutdown of medical services in Nandi County due to the on ongoing strike by health workers.

Thereupon, the Senator informed the House that Nandi County has been facing a health crisis occasioned by the health workers' strike in the county.

The Senator also pointed out that the County Government of Nandi had failed to address the issues affecting Doctors, Nurses, Clinical officers and other Health workers in the County.

The Senator called upon the County Assembly of Nandi to address the matter with a view to ensuring that normal medical services resume in the County.

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

- i) The Senator for Kisii County (Sen. Richard Onyonka, MP) sought a Statement from the Standing Committee on Health regarding the operationalization of the Social Health Authority healthcare infrastructure on a unified platform.
- ii) The Senator for Garissa County (Sen. Haji Abdul Mohammed, MP) sought a Statement from the Standing Committee on Finance and Budget regarding the financial operations of County Public Service Boards (CPSBs).
- iii) The Senator for Bomet County (Sen. Wakili Hillary Sigei, MP) sought a Statement from the Standing Committee on Labour and Social Welfare regarding the arbitrary withdrawal of Health Service Allowance for health sector staff in Bomet County.

(No. 103) WEDNESDAY, OCTOBER 09, 2024 (AFTERNOON SITTING) (2005)

- iv) The Senator for Machakos County (Sen. Agnes Kavindu Muthama, MP) sought a Statement from the Standing Committee Land, Environment and Natural Resources regarding the loss of documents used in printing of title deeds by the Government Printer.
- v) Nominated Senator (Sen. Raphael Chimera, MP) sought a Statement from the Standing Committee on Land, Environment and Natural Resources concerning reported cases of lions roaming along Mackinon road in Kwale County.
- vi) The Senator for Turkana County (Sen. James Lomenen, MP) sought a Statement from the Standing Committee on Energy on the persistent power blackouts and rationing in Lodwar and other towns in Turkana County.
- vii) The Senator for Turkana County (Sen. James Lomenen, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the failure by both county and national governments to manage the flood control in river Kawalase in Turkana County.
- viii) The Senator for Turkana County (Sen. James Lomenen, MP) sought a Statement from the Standing Committee on Land, Environment and Natural Resources concerning health and environmental impacts of the exploratory oil and natural gas well drilling in Turkana County.
- ix) The Senator for Kisumu City County (Sen. (Prof.) Tom Ojienda, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding increased cases of insecurity in Kisumu City County.
- x) The Senator for Kisumu City County (Sen. (Prof.) Tom Ojienda, MP) sought a Statement from the Standing Committee on Finance and Budget regarding the utilization of emergency funds by the Kisumu County Government.
- xi) The Senator for Kisumu City County (Sen. (Prof.) Tom Ojienda, MP) sought a Statement from the Standing Committee on Finance and Budget regarding the accumulation of pending bills in Kisumu City County.
- xii) The Senator for Kisumu City County (Sen. (Prof.) Tom Ojienda, MP) sought a Statement from the Standing Committee on Labour and Social Welfare concerning chronic delays in payment of salaries, non-remittance of statutory deductions and poor working conditions of staff by the County Government of Kisumu.

c) Statement pursuant to Standing Order 57(1)

The Senate Majority Leader issued a Statement on the business of the Senate for the week commencing Monday, 14th October, 2024.

8. **PROCEDURAL MOTION - ALTERATION OF THE HOURS OF MEETING FOR WEDNESDAY, 16TH OCTOBER, 2024 AND THURSDAY, 17TH OCTOBER 2024**

Order read;

Motion made and Question proposed;

THAT, notwithstanding the Resolutions of the Senate made pursuant to Standing Order 32 on 15th February, 2024; 26th June, 2024; 19th August, 2024; and 17th September, 2024; on the approval of the Senate Calendar (Regular Sessions) for the Third Session, 2024, the Senate resolves –

- i) pursuant to Standing Order 34 (4) (b) and notwithstanding the provisions of Standing Order 34 (1) to commence its sittings for Wednesday, 16th October, 2024, (morning sitting), at 9.00 am;
- ii) pursuant to Standing Order 34 (4) (b) to hold a sitting on Thursday, 17th October 2024 starting at 9.00 am to 1.00 pm; and
- iii) pursuant to Standing Order 34 (4) (a) to extend its sitting time for Wednesday, 16th October, 2024 and Thursday, 17th October 2024 (afternoon Sittings) until conclusion of Business listed in the Order Papers of the day in order to investigate the proposed removal from office, by impeachment, of the His Excellency Rigathi Gachagua, EGH, the Deputy President of the Republic of Kenya.

(Sen. Tabitha Karanja, MP, on behalf of the Senate Majority Leader)

And there being no Senator wishing to contribute;

Before the Question was put, and pursuant to Standing Order No. 84 (1), the Speaker informed the House that the Motion did not affect Counties.

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, notwithstanding the Resolutions of the Senate made pursuant to Standing Order 32 on 15th February, 2024; 26th June, 2024; 19th August, 2024; and 17th September, 2024; on the approval of the Senate Calendar (Regular Sessions) for the Third Session, 2024, the Senate resolves –

(No. 103) WEDNESDAY, OCTOBER 09, 2024 (AFTERNOON SITTING) (2007)

- i) pursuant to Standing Order 34 (4) (b) and notwithstanding the provisions of Standing Order 34 (1) to commence its sittings for Wednesday, 16th October, 2024, (morning sitting), at 9.00 am;
- ii) pursuant to Standing Order 34 (4) (b) to hold a sitting on Thursday, 17th October 2024 starting at 9.00 am to 1.00 pm; and
- iii) pursuant to Standing Order 34 (4) (a) to extend its sitting time for Wednesday, 16th October, 2024 and Thursday, 17th October 2024 (afternoon Sittings) until conclusion of Business listed in the Order Papers of the day in order to investigate the proposed removal from office, by impeachment, of the His Excellency Rigathi Gachagua, EGH, the Deputy President of the Republic of Kenya.

9. **THE ELECTION OFFENCES (AMENDMENT) (NO. 2) BILL (SENATE BILLS NO. 28 OF 2024)**

Order for Second Reading read;

Motion made and Question proposed -

THAT, the Election Offences (Amendment) (No.2) (Senate Bills No. 28 of 2024) be now read a Second Time.

(The 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 for the deferment of the putting of the Question to a later date;

And the Temporary Speaker (Sen. Wakili Hillary Sigei, MP), acceding to the request, nominated Tuesday, 22nd October, 2024 as the day when the Question shall be put.

And the time being thirty Minutes past Six O'clock, the Temporary Speaker (Sen. Wakili Hillary Sigei, 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
Monday, October 14, 2024 at 2:30 p.m.*

--x--