



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (THIRD SESSION)**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, NOVEMBER 13, 2024 (MORNING SITTING)**

1. The Senate assembled at thirty Minutes past Nine 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 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 no Quorum at the expiry of the ten minutes, the Deputy Speaker directed that the Bell be rung for a further ten minutes;

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

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

4. **QUESTIONS AND STATEMENTS**

**QUESTIONS**

- i) **Question No. 089** by Sen. Julius Murgor, CBS, MP to the Cabinet Secretary for Tourism and Wildlife on contribution of the Nasolot Game Reserve to the development of West Pokot County was deferred in the absence of the Cabinet Secretary.
- ii) **Question No. 049** by Sen. George Mbugua, MP to the Cabinet Secretary for Health on agreement between Kenya and Cuba concerning the exchange programme for doctors was deferred in the absence of the Cabinet Secretary.
- iii) **Question No. 075** by Sen. Sen. Peris Tobiko, CBS, MP to the Cabinet Secretary for Health on status of Linda Mama initiative, the EduAfya insurance scheme and

services available to NHIF members was deferred in the absence of the Cabinet Secretary.

- iv) **Question No. 076** by Sen. Jackson Mandago, EGH, MP to the Cabinet Secretary for Health on shortage of childhood vaccines in the country was deferred in the absence of the Cabinet Secretary.
  - v) **Question No. 086** by Sen. Agnes Kavindu, MP to the Cabinet Secretary for Health on roll-out of a medical programme for subsidized treatment to 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.
  - vi) **Question No. 087** by Sen. Joyce Korir, MP to the Cabinet Secretary for Health on Early diagnosis and proper treatment of endometriosis in Kenya was deferred in the absence of the Cabinet Secretary.
  - vii) **Question No. 105** by Sen. Hamida Kibwana, MP to the Cabinet Secretary for Health welfare of medical interns was deferred in the absence of the Cabinet Secretary.
  - viii) **Question No. 116** by Sen. Catherine Mumma, MP to the Cabinet Secretary for Health on availability and affordability of life-supporting prescription drugs for Persons with Disabilities (PWDs) and persons living with seizure-related ailments was deferred in the absence of the Cabinet Secretary.
  - ix) **Question No. 117** by Sen. (Prof.) Tom Ojienda, MP to the Cabinet Secretary for Health on terms of engagement between personnel from the Ministry of Interior and National Administration and the Ministry of Health in the registration of Kenyans to the Social Health Authority (SHA) was deferred in the absence of the Cabinet Secretary.
  - x) **Question No. 121** by Sen. (Prof.) Tom Ojienda, MP to the Cabinet Secretary for Health on comparative analysis of the financial implications and benefits of the Social Health Authority (SHA) and the defunct National Health Insurance Fund (NHIF) was deferred in the absence of the Cabinet Secretary.
5. **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 14th 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 deferred.

6. **MOTION - REPORTS OF THE 63<sup>RD</sup> AND 64<sup>TH</sup> SESSIONS OF THE OACPS PARLIAMENTARY ASSEMBLY AND THE 43<sup>RD</sup> AND 1<sup>ST</sup> SESSIONS OF THE ACP-EU JOINT PARLIAMENTARY ASSEMBLY MEETINGS HELD IN BRUSSELS, BELGIUM AND LUANDA, ANGOLA RESPECTIVELY**

(Sen. Kathuri Murungi, MP)

THAT, the Senate notes the Reports of the-

- (i) 63<sup>rd</sup> Session of the Organization of African, Caribbean and Pacific States (OACPS) Parliamentary Assembly and the 43<sup>rd</sup> Session of the African, Caribbean and Pacific -European Union (ACP-EU) Joint Parliamentary Assembly meetings in held Brussels, Belgium from 19<sup>th</sup> to 28<sup>th</sup> June, 2023; and
- (ii) 64<sup>th</sup> Session of the Organization of African, Caribbean and Pacific States (OACPS) Parliamentary Assembly and the 1<sup>st</sup> Session of the African, Caribbean and Pacific -European Union (ACP-EU) Joint Parliamentary Assembly meetings in held in Luanda, Angola from 17<sup>th</sup> to 21<sup>st</sup> February, 2024, laid on the table of Senate on Wednesday, 6<sup>th</sup> December, 2023 and Wednesday, 2<sup>nd</sup> October, 2024 respectively.

Order deferred.

7. **MOTION - ESTABLISHMENT OF A MONTHLY CAR FREE DAY AND COUNTY CAR FREE ZONES**

(Sen. Crystal Asige, MP)

THAT, AWARE THAT Kenyans have a right to a clean and healthy environment pursuant to Article 42 of the Constitution;

NOTING THAT the National Climate Change Action Plan identifies transportation as the fourth largest contributor to greenhouse gas emissions, which if uncontrolled, will result to negative impact of climate change with adverse effect to millions of Kenyans;

CONCERNED THAT the number of private vehicles has significantly grown, leading to increased road accidents, carbon emission and vehicle congestion, costs of which are in excess of Kshs. 100 billion in GDP per year;

NOW THEREFORE the Senate urges the Ministry of Roads and Transport, Ministry of Environment, Climate Change and Forestry, in collaboration with the Council of Governors and the National Climate Change Council to –

- i.) identify, publicize and execute suitable monthly car-free days and County car-free zones in urban areas across the country;

- ii.) Identify and develop County car-free zones, also known as “pedestrians’ precincts”, in urbanized areas, where its infrastructure and activities are restricted to pedestrians alone;
- iii.) provide affordable, safe and universally designed public transport access to and around these car-free zones, including, but not limited to, development of Bus Rapid Transport (BRT) in the urban areas;
- iv.) Design inclusive mobility infrastructure that supports non – motorized transport facilities, such as pedestrian spaces, bicycle lanes and green spaces, within the Central Business District of every County; and
- v.) ensure inter-modal connectivity among the various transport modes.

Order deferred.

8. **MOTION - STOPPAGE OF FUNDS TO ISIOLO COUNTY DUE TO THE 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 deferred.

And there being no other business on the Order Paper, the Deputy Speaker adjourned the Senate at forty-nine Minutes past ten O'clock without Question put, pursuant to the Standing Orders.

9. **SENATE ROSE** – at forty-nine Minutes past ten o O'clock.

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

*The Speaker will take the Chair on  
Wednesday, November 13, 2024 at 2.30 p.m.*

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