



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FOURTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS

AFTERNOON SITTING

WEDNESDAY, APRIL, 02, 2025 AT 2.30 PM

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 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 a Quorum before the expiry of the ten minutes;

The Speaker invited the Clerk to call the Orders of the day.

4. **COMMUNICATION FROM THE CHAIR - VISITING DELEGATION FROM THE COUNTY ASSEMBLY OF MAKUENI**

The Speaker conveyed the following Communication from the Chair:

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, a visiting delegation from the County Assembly of Makueni. The delegation comprises Members of the County Assembly and staff who are serving in the Powers and Privileges Committee. The delegation is undertaking a capacity building and benchmarking program in the Senate.

I request each Member of the delegation to stand when called out so that you may be acknowledged in the Senate tradition –

- | | | | |
|----|--------------------------------|---|-------------------------|
| 1. | Hon. Reuben Musau Kavai | - | Vice Chairperson |
| 2. | Hon. Eng. Joseph Muthini Muema | - | Member, Speaker’s Panel |
| 3. | Hon. Jackson Ndolo Kimunyi | - | Member, County Assembly |
| 4. | Hon. Mercy Ndinda Mutuku | - | Member, County Assembly |
| 5. | Hon. Joseph Mbindyo Matheka | - | Member, County Assembly |
| 6. | Hon. Jackline Muthini Kamula | - | Member, County Assembly |

7. Hon. Steve Nzivo Kilonzo - Member, County Assembly
8. Hon. Magdalene Mulwa - Member, County Assembly
9. Hon. Muthiani Mwangangi - Member, County Assembly
10. Mr. Thomas Ndambuki - Deputy Director, Directorate of Legislative and Procedural Services
11. Mr. Joseph Kimanthi - Commissionaire
12. Ms. Jane Mathias - Aide
13. Mr. Christiano Mutua - Intern

On behalf of the Senate and on my own behalf, I extend a warm welcome to the Senate and wish you a fruitful visit.

I thank you.”

5. **PAPERS LAID**

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

- i) Legal Notice No. 62 Sustainable Waste Management (extended Producer Responsibility) (Amendment) (No. 2) Regulations, 2025; and
- ii) Legal Notice No. 63 Environmental Management and coordination (Water quality) (Amendment) (No. 2) Regulations, 2025.

(Sen. Gloria Orwoba, MP on behalf of the Senate Majority Leader)

6. **QUESTIONS AND STATEMENTS**

Requests for Statements pursuant to Standing Order 53 (1)

- i) Nominated Senator (Sen. Gloria Orwoba, MP) sought a Statement from the Standing Committee on Labour and Social Welfare regarding the fate of the candidates shortlisted for diaspora jobs programme under the Ministry of Labour and Social Protection.
- ii) The Senator for Marsabit County (Sen. Mohammed Chute, MP) sought a Statement from the Standing Committee on Roads, Transportation and Housing regarding the status of construction of the Marsabit to Segel and Segel to Maikona road.
- iii) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) sought a Statement from the Standing Committee on Land, Environment and Natural Resources regarding access to clean and safe water in Kisumu County.
- iv) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) sought a Statement from the Standing Committee on Devolution and Intergovernmental Relations regarding ethnic exclusion and

marginalization of Persons with Disabilities (PWDs) within county assemblies.

- v) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a Statement from the Standing Committee on Health concerning the death of Dr. Daniel Ndege Chacha who was a doctor at the Kenyatta National Hospital offering free consultative and treatment services to patients.
- vi) Request for a statement by the Senator for Kisii County (Sen. Richard Onyonka, MP) from the Standing Committee on National Security, Defence and Foreign Relations regarding a fatal shooting incident that occurred in Sombogo, Kitutu Chache North, Kisii County was dropped in the absence of the Senator.

7. **THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (SENATE BILLS NO. 10 OF 2024)**

(The Senate Majority Leader and The Senate Minority Leader)

*Resumption of debate interrupted on Tuesday, 1st April, 2025)
(Division)*

Order for Second Reading read;

Order deferred.

8. **MOTION - CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE PERSONS WITH DISABILITIES BILL (SENATE BILLS NO. 7 OF 2023)**

Order read;

Motion made and Question proposed;

THAT, the National Assembly amendments to the Persons with Disabilities Bill (Senate Bills No. 7 of 2023) be now considered.

(The Chairperson, Standing Committee on Labour and Social Welfare)

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 Thursday, 3rd April, 2025, as the day when the Question shall be put.

9. **COMMITTEE OF THE WHOLE**

Order for the Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Veronica Maina, MP) – in the Chair)

The Energy (Amendment) Bill (Senate Bills No. 42 of 2023)

Clause 2, the Title and Clause 1

Motion made and Question proposed;

THAT, Clause 2, the Title and Clause 1 be part of the Bill.

(Sen. Edwin Sifuna, MP)

Clause 2, the Title and Clause 1 - Vote deferred

Progress Report

Motion made –

THAT, the Committee of the Whole House do report to the Senate its consideration of the Energy (Amendment) Bill (Senate Bills No. 42 of 2023) and seek leave to sit again tomorrow;

(Sen. Edwin Sifuna, MP)

Before the Question was put and pursuant to Standing Order 84 (1), the Acting Chairperson (Sen. Veronica Maina, MP) ruled that the Question did not affect counties;

And the Speaker having ascertained that there was Quorum, pursuant to Standing Order 42 (1);

Question put and agreed to.

10. **HOUSE RESUMED** – (Temporary Speaker, Sen. Wakili Hillary Sigei, MP)

11. **THE ENERGY (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2023)**

Progress reported;

THAT, the Senate do agree with the Committee of the Whole in the said Report.

(Sen. Edwin Sifuna, MP)

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84 (1), the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) ruled that the Motion does not affect counties.

And the Speaker having ascertained that there was Quorum, pursuant to Standing Order 42 (1);

Question put and agreed to.

12. **COMMITTEE OF THE WHOLE - THE EARLY CHILDHOOD EDUCATION (AMENDMENT) BILL (SENATE BILLS NO. 54 OF 2023)**

(Sen. Eddy Oketch, MP)

Order deferred.

13. **COMMITTEE OF THE WHOLE - THE COUNTY ASSEMBLY SERVICES (AMENDMENT) BILL (SENATE BILLS NO. 34 OF 2023)**

(Sen. Mohamed Chute, MP)

Order deferred.

14. **COMMITTEE OF THE WHOLE - THE LOCAL CONTENT BILL (SENATE BILLS NO. 50 OF 2023)**

(The Chairperson, Standing Committee on Energy)

Order deferred.

15. **COMMITTEE OF THE WHOLE -THE COUNTY ASSEMBLIES PENSIONS SCHEME BILL (SENATE BILLS NO. 14 OF 2024)**

(The Senate Majority Leader)

Order deferred.

16. **COMMITTEE OF THE WHOLE - THE NATIONAL DISASTER RISK MANAGEMENT BILL (NATIONAL ASSEMBLY BILLS NO. 24 OF 2023)**

(The Senate Majority Leader)

Order deferred.

17. **COMMITTEE OF THE WHOLE - THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 40 OF 2022)**

(The Senate Majority Leader)

Order deferred.

18. **THE CREATIVE ECONOMY SUPPORT BILL (SENATE BILLS NO. 30 OF 2024)**

(Sen. Eddy Oketch, MP)

(Second Reading)

Order for Second Reading read;

Order deferred.

19. **THE LIVESTOCK PROTECTION AND SUSTAINABILITY BILL (SENATE BILLS NO. 32 OF 2024)**

(Sen. (Dr.) Lelegwe Ltumbesi, MP)

(Second Reading)

Order for Second Reading read;

Order deferred.

20. **THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2024)**

(Sen. George Mbugua, MP)

(Second Reading)

Order for Second Reading read;

Order deferred.

21. **THE LABOUR MIGRATION AND MANAGEMENT (NO. 2) BILL (SENATE BILLS NO. 42 OF 2024)**

(Sen. Tabitha Mutinda, MP)

(Second Reading)

Order for Second Reading read;

Order deferred.

22. **THE STREET NAMING AND PROPERTY ADDRESSING SYSTEM BILL (SENATE BILLS NO. 43 OF 2024)**

(Sen. Fatuma Dullo, MP)

(Second Reading)

Order for Second Reading read;

Order deferred.

23. **MOTION - CONSOLIDATION OF BURSARY FUNDS FOR EQUITABLE ACCESS TO EDUCATION IN KENYA**

(Sen. Karungo Thangwa, MP)

Order read;

THAT AWARE THAT, Pursuant to Article 53 of the Constitution, every child in Kenya is entitled to free and compulsory basic education, and the Basic Education Act provides that, basic education should be guided by principles such as equitable access to all youth and equal access to education or institutions;

FURTHER AWARE THAT, many students in secondary schools and higher education institutions come from financially disadvantaged backgrounds, making it difficult for them to afford school fees and access education opportunities;

NOTING THAT, over the years, various interventions have been made, including the issuance of bursaries through the National Government Constituency Development Fund (NCDF), National Government Affirmative Action Fund (NGAAF), the Ministry of Education and county governments through various county bursary funds;

CONCERNED THAT, despite these efforts, schools fees remain unaffordable for many parents and the allocation of bursaries has been plagued by nepotism, favoritism, and political manipulation, lack of transparency and accountability;

FURTHER CONCERNED THAT public learning institutions are primarily funded by the Government through the Ministry of Education, and in the financial year 2024/25, approximately Kshs. 656 billion was allocated to the education sector, making it difficult to ascertain the specific funds granted to each student and that the lack of transparency in the disbursement of bursaries from various agencies makes it difficult to determine the total amount allocated in a financial year, thus hindering efforts to ensure equitable access to education for financially disadvantaged students;

NOW THEREFORE, the Senate urges the Ministry of Education, to:

- 1) audit the funds allocated to bursaries by both the National Government and county governments;
- 2) consolidate the funds distributed by various government entities and agencies, with the aim of directing these funds directly to schools as supplementary capitation to facilitate the achievement of free secondary education; and
- 3) calculate the cost of education per learner and make this information public for primary, secondary, and tertiary institutions, including a detailed breakdown of the annual financial requirements for each student across the country.

Order deferred.

And there being no other business on the Order Paper, the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) adjourned the Senate at forty-two

minutes past Five O'clock without Question put, pursuant to the Standing Orders.

24. SENATE ROSE – at forty-two minutes past Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Thursday, April 03, 2025 at 9.30 a.m.*

--x--