



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SIXTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, FEBRUARY 23, 2022 AT 10.00 A.M.

1. The Senate assembled at Ten O'clock.
2. The proceedings were opened with Prayer said by the Temporary Speaker (Sen. Rose Nyamunga, MP).

3. PAPERS

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

- i.) Report of the Auditor General on the financial statement of Nyeri County Elimu Fund for the year ended 30th June, 2020.
- ii.) Report of the Auditor General on the financial statement of Gatanga Community Water Scheme for the year ended 30th June, 2020.
- iii.) Report of the Auditor General on the financial statement of Taita Taveta County Emergency Fund for the year ended 30th June, 2020.
- iv.) Report of the Auditor General on the financial statement of County Assembly of Taita Taveta Car Loan Scheme for the year ended 30th June, 2020.
- v.) Report of the Auditor General on the financial statement of Taita Taveta County Datu Sawazisha Fund for the year ended 30th June, 2020.
- vi.) Report of the Auditor General on the financial statement of Mathira Water and Sanitation Company Limited for the year ended 30th June, 2020.
- vii.) Report of the Auditor General on the financial statement of County Assembly of Turkana Car and Mortgage Fund for the year ended 30th June, 2020.

- viii.) Report of the Auditor General on the financial statement of Turkana County Biashara Fund for the year ended 30th June, 2020.
- ix.) Report of the Auditor General on the financial statement of Turkana County Education and Skills Development Fund for the year ended 30th June, 2020.
- x.) Report of the Auditor General on the financial statement of Turkana County Emergency Fund for the year ended 30th June, 2020.
- xi.) Report of the Auditor General on the financial statement of Gatundu Water and Sanitation Company Limited for the year ended 30th June, 2020.
- xii.) Report of the Auditor General on the financial statement of Othaya Mukurwe-ini Water Services Company Limited for the year ended 30th June, 2020.
- xiii.) Report of the Auditor General on the financial statement of Kiambu County Alcoholic Drinks Control Fund for the year ended 30th June, 2020.
- xiv.) Report of the Auditor General on the financial statement of Laikipia County Emergency Fund for the year ended 30th June, 2020.
- xv.) Report of the Auditor General on the financial statement of Limuru Water and Sewerage Company Limited for the year ended 30th June, 2020.
- xvi.) Report of the Auditor General on the financial statement of Murangá (Fort Beverage Industries Company Limited) for the year ended 30th June, 2020.
- xvii.) Report of the Auditor General on the financial statement of Gatamathi Water and Sanitation Company Limited for the year ended 30th June, 2020.
- xviii.) Report of the Auditor General on the financial statement of Kisumu Water and Sanitation Company Limited for the year ended 30th June, 2020.
- xix.) Report of the Auditor General on the financial statement of Kirinyaga Water and Sanitation Company Limited for the year ended 30th June, 2020.
- xx.) Report of the Auditor General on the financial statement of Migori County Ward Development Fund for the year ended 30th June, 2020.

- xxi.) Report of the Auditor General on the financial statement of Migori County Assembly Car Loan and Mortgage Fund for the year ended 30th June, 2020.
- xxii.) Report of the Auditor General on the financial statement of Kericho County Bursary Fund for the year ended 30th June, 2020.
- xxiii.) Report of the Auditor General on the financial statement of Embu County Education Support Fund for the year ended 30th June, 2020.
- xxiv.) Report of the Auditor General on the financial statement of Baringo County Youth and Women Fund for the year ended 30th June, 2016.
- xxv.) Report of the Auditor General on the financial statement of Baringo County Youth and Women Fund for the year ended 30th June, 2017.
- xxvi.) Report of the Auditor General on the financial statement of Baringo County Youth and Women Fund for the year ended 30th June, 2018.
- xxvii.) Report of the Auditor General on the financial statement of Baringo County Youth and Women Fund for the year ended 30th June, 2019.
- xxviii.) Report of the Auditor General on the financial statement of Baringo County Emergency Fund for the year ended 30th June, 2020.
- xxix.) Report of the Auditor General on the financial statement of Kakamega County Dairy Development Corporation for the year ended 30th June, 2019.
- xxx.) Report of the Auditor General on the financial statement of Kakamega County Agricultural Inputs Fund for the year ended 30th June, 2020.
- xxxi.) Report of the Auditor General on the financial statement of Kilifi County Ward Scholarship Fund for the year ended 30th June, 2019.

(The Senate Majority Leader)

4. **COMMITTEE OF THE WHOLE**

THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 22 OF 2021)

(Sen. (Dr.) Alice Milgo, MP)

(Resumption of debate interrupted on Tuesday, 25th January, 2022)

(Division)

Order deferred.

5. **COMMITTEE OF THE WHOLE**

THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL (SENATE BILLS NO. 17 OF 2021)

(Sen. Ledama Olekina, MP)

(Resumption of debate interrupted on Wednesday, 22nd December, 2021 – Morning Sitting)

(Division)

Order deferred.

6. **COMMITTEE OF THE WHOLE**
THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILLS NO. 38 OF 2021)

(Sen. Moses Kajwang', MP)

(Resumption of debate interrupted on Wednesday, 22nd December, 2021 – Morning Sitting)

(Division)

Order deferred.

7. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Chairperson of Committees – in the Chair)

The Elections (Amendment) Bill (Senate Bills No. 42 of 2021)

Clause 2 – Amendment proposed

THAT the Bill be amended by deleting clause 2 and substituting therefor the following new clause –

Amendment **2.** Section 22 of the Elections Act is amended by of section deleting subsection (1) and substituting therefor the 22 of No. 24 following new subsection – of 2011.

(1) A person is eligible for nomination as a candidate for an election under this Act if that person

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(a) is qualified to be elected to that office under the Constitution and this Act; and

(b) holds a certificate, diploma or other post-secondary school qualification acquired after undergoing a period of at least three months of study in a recognised institution and in such manner as may be prescribed by the Commission; or

(c) has served as a member of Parliament or a member of a county assembly under the

Constitution of Kenya or as a councillor
under the repealed Local Government Act.

(Sen. Kipchumba Murkomen, MP)

Clause 2 – Vote deferred

The Title and Clause 1

Motion Made and Question proposed;

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

(Sen. Kipchumba Murkomen, MP)

The Title and Clause 1 – Vote deferred

Motion made: -

THAT, the Committee of the Whole House do report to the House its consideration of the Elections (Amendment) Bill (Senate Bills No. 42 of 2021) and seek leave to sit again tomorrow;

(Sen. Kipchumba Murkomen, MP)

Before the Question was put and pursuant to Standing Order 79(1), the Acting Chairperson (Sen. Rose Nyamunga, MP) ruled that the Question did not affect counties;

Question put and agreed to.

8. **HOUSE RESUMED** – Temporary Speaker, Sen. Rose Nyamunga, MP - in the Chair

9. **THE ELECTIONS (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2021)**

Progress reported;

Motion made and Question proposed;

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

(Sen. Samuel Poghio, MP on behalf of the Acting Chairperson)

And there being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79, the Temporary Speaker (Sen. Rose Nyamunga, MP) ruled that the Question did not affect counties;

Question put and agreed to.

10. **COMMITTEE OF THE WHOLE**
THE KENYA MEDICAL SUPPLIES AUTHORITY (AMENDMENT) BILL
(SENATE BILLS NO. 53 OF 2021)
(Sen. Naomi Shiyonga, MP)

Order deferred.

11. **COMMITTEE OF THE WHOLE**
THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL
(SENATE BILLS NO. 7 OF 2021)
(The Chairperson, Standing Committee on Tourism, Trade and Industrialization)

Order deferred.

12. **COMMITTEE OF THE WHOLE**
THE LIFESTYLE AUDIT BILL, (SENATE BILLS NO. 36 OF 2021)
(Sen. (CPA) Farhiya Haji, MP)

Order deferred.

13. **THE COUNTY E-HEALTH BILL (SENATE BILLS NO. 39 OF 2021)**
(Sen. Judith Pareno, MP)

(Second Reading)

Order dropped in the absence of the Mover pursuant to Standing Order 59 (3).

14. **THE LANDLORD AND TENANT BILL (NATIONAL ASSEMBLY BILLS NO. 3 OF 2021)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Landlord and Tenant Bill (National Assembly Bills No. 3 of 2021) be now read a Second Time.

(The Senate Majority Leader)

Debate arising;

And there being no other Senators wishing to contribute;

Mover replied;

Pursuant to Standing Order 61 (3) the Mover, requested that putting of the Question be deferred to a later date.

And the Temporary Speaker (Sen. Rose Nyamunga, MP) acceding to the request deferred putting of the Question to the next sitting.

And there being no other business on the Order Paper, the Temporary Speaker (Sen. Rose Nyamunga, MP) adjourned the Senate at eight minutes past twelve O'clock without Question put, pursuant to the Standing Orders.

15. **SENATE ROSE** – at eight minutes past Twelve O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, February 23, 2022 at 2:30 p.m.*

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