



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – (SIXTH SESSION)**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, MARCH, 09 2022 AT 10.00 A.M.**

1. The Senate assembled at Ten O'clock.
2. The proceedings were opened with Prayer said by the Speaker.
3. **PAPERS**

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

- i) Report of the Auditor General on the financial statement of Kericho County Enterprise Fund for the year ended 30<sup>th</sup> June 2015.
- ii) Report of the Auditor General on the financial statement of Kericho County Bursary Fund for the year ended 30<sup>th</sup> June 2015.
- iii) Report of the Auditor General on the financial statement of Kericho County Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June 2015.
- iv) Report of the Auditor General on the financial statement of Kericho County Bursary Fund for the year ended 30<sup>th</sup> June 2016.
- v) Report of the Auditor General on the financial statement of Kericho County Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June 2016.
- vi) Report of the Auditor General on the financial statement of Kericho County Executive Staff Mortgage Scheme Fund for the year ended 30<sup>th</sup> June 2016.
- vii) Report of the Auditor General on the financial statement of Kericho County Enterprise Fund for the year ended 30<sup>th</sup> June 2016.
- viii) Report of the Auditor General on the financial statement of Kericho County Executive Staff Mortgage Scheme Fund for the year ended 30<sup>th</sup> June 2017.

- ix) Report of the Auditor General on the financial statement of Kericho County Bursary Fund for the year ended 30<sup>th</sup> June 2017.
- x) Report of the Auditor General on the financial statement of Kericho County Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June 2017.
- xi) Report of the Auditor General on the financial statement of Kericho County Enterprise Fund for the year ended 30<sup>th</sup> June 2017.
- xii) Report of the Auditor General on the financial statement of Kericho County Executive Staff Mortgage Scheme Fund for the year ended 30<sup>th</sup> June 2018.
- xiii) Report of the Auditor General on the financial statement of Kericho County Bursary Fund for the year ended 30<sup>th</sup> June 2018.
- xiv) Report of the Auditor General on the financial statement of Kericho County Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June 2018.
- xv) Report of the Auditor General on the financial statement of Kericho County Enterprise Fund for the year ended 30<sup>th</sup> June 2018.
- xvi) Report of the Auditor General on the financial statement of Kericho County Bursary Fund for the year ended 30<sup>th</sup> June 2019.
- xvii) Report of the Auditor General on the financial statement of Kericho County Enterprise Fund for the year ended 30<sup>th</sup> June 2019.
- xviii) Report of the Auditor General on the financial statement of Kericho County Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June 2019.
- xix) Report of the Auditor General on the financial statement of County Assembly of Nyeri Car Loan and Mortgage (Members') Scheme Fund for the year ended 30<sup>th</sup> June 2020.
- xx) Report of the Auditor General on the financial statement of Nyeri County Executive Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June 2020.
- xxi) Report of the Auditor General on the financial statement of Nyeri Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June 2020.
- xxii) Report of the Auditor General on the financial statement of Kiambu County Assembly Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June 2020.

- xxiii) Report of the Auditor General on the financial statement of Kiambu County Education Bursary Fund for the year ended 30<sup>th</sup> June 2020.
- xxiv) Report of the Auditor General on the financial statement of Uasin Gishu County Assembly Mortgage and Car Loan Scheme Fund for the year ended 30<sup>th</sup> June 2020.
- xxv) Report of the Auditor General on the financial statement of Uasin Gishu County Executive Mortgage and Car Loans Scheme Fund for the year ended 30<sup>th</sup> June 2020.
- xxvi) Report of the Auditor General on the financial statement of Kisumu County Assembly Car and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June 2018.
- xxvii) Report of the Auditor General on the financial statement of Kisumu County Assembly Car and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June 2019.
- xxviii) Report of the Auditor General on the financial statement of Olekejuado Water and Sewerage Company Limited for the year ended 30<sup>th</sup> June 2020.
- xxix) Report of the Auditor General on the financial statement of Laikipia County Assembly Members' Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June 2020.

*(Sen. George Khaniri, MP on behalf of the Senate Majority Leader)*

4. **STATEMENTS**

**a) Pursuant to Standing Order 47(1)**

Nominated Senator (Sen. Falhada Dekow Iman, MP) to make a Statement regarding the rampant but underreported cases of minors suffering in the hands of domestic workers/ house helps.

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

**b) Pursuant to Standing Order 48 (1)**

- (i) The Senator for Nandi County (Sen. Cherarkey Samson Kiprotich, MP) to seek a Statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding the proposed introduction of automated tea plucking machines to farmers in Kenya.

Statement dropped in the absence of the Senator pursuant to Standing Order 59(3)

- (ii) Nominated Senator (Sen. (Dr.) Isaac M. Mwaura, MP) to seek a Statement from the Standing Committee on Energy regarding the circumstances surrounding the death of Mr. Felix Odhiambo, a resident of Githurai Estate, who died from electrocution.

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

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

(The Senate Majority Leader)

*(Second Reading)*

***(Resumption of debate interrupted on Wednesday, 23<sup>rd</sup> February, 2022- Morning Sitting)***

***(Division)***

Order read;

Order deferred.

6. **COMMITTEE OF THE WHOLE  
THE INTERGOVERNMENTAL RELATIONS (AMENDMENT) BILL (SENATE BILLS NO. 37 OF 2021)**

(The Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

***(Resumption of debate interrupted on Wednesday, 22<sup>nd</sup> December, 2021 – Morning Sitting)***

***(Division)***

Order deferred.

7. **COMMITTEE OF THE WHOLE  
THE LAW OF SUCCESSION (AMENDMENT) BILL, (SENATE BILLS NO. 15 OF 2021)**

(Sen. Abshiro Halake, MP)

***(Resumption of debate interrupted on Wednesday, 2<sup>nd</sup> March, 2022 – Morning Sitting)***

***(Division)***

Order deferred.

8. **COMMITTEE OF THE WHOLE  
THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILLS NO. 21 OF 2021)**

(Sen. Abshiro Halake, MP)

***(Resumption of debate interrupted on Wednesday, 2<sup>nd</sup> March, 2022 – Morning Sitting)***

*(Division)*

Order deferred.

9. **MOTION - ADOPTION OF REPORTS OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON CONSIDERATION OF THE REPORTS BY THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF VARIOUS COUNTY EXECUTIVES FOR FINANCIAL YEARS 2018/2019**

(Chairperson, Sessional Committee on County Public Accounts and Investments)

**THAT**, the Senate adopts the Report of the Sessional Committee on County Public Accounts and Investments on consideration of the Reports by the Auditor General on the Financial Statements of the following County Executives for the Financial Year 2018/2019- Embu; Homa-Bay; Kericho; Kilifi; Kirinyaga; Kisii; Kwale; Machakos; Mombasa; Nandi; Baringo; Bomet; Garissa; Kajiado; and West Pokot as contained in Volume 1 of the Report and the following County Executives- Isiolo; Kakamega; Kisumu; Laikipia; Mandera; Marsabit; Nakuru; Narok; Nyandarua; Samburu; Taita Taveta; Trans-Nzoia; Uasin- Gishu; Vihiga; and Wajir, as contained in Volume 2 of the Report , Laid on the Table of the Senate on Thursday 2<sup>nd</sup> December, 2021.

***(Resumption of debate interrupted on Tuesday, 8<sup>th</sup> March, 2022)***

***(Division)***

Order deferred.

10. **COMMITTEE OF THE WHOLE THE ELECTIONS (AMENDMENT) (NO. 3) BILL (SENATE BILLS NO. 48 OF 2021)**

(Sen. (Eng.) Ephraim Maina, MP)

Order deferred.

11. **COMMITTEE OF THE WHOLE THE COUNTY RESOURCE DEVELOPMENT BILL (SENATE BILLS NO. 45 OF 2021)**

(Sen. Rose Nyamunga, MP)

Order deferred.

12. **COMMITTEE OF THE WHOLE THE SPECIAL NEEDS EDUCATION BILL (SENATE BILLS NO. 44 OF 2021)**

(Sen. (Dr.) Getrude Musuruve and Sen. (Prof.) Margaret Kamar, MP)

Order deferred.

13. **COMMITTEE OF THE WHOLE**  
**THE IRRIGATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2021)**  
(The Senate Majority Leader)
- Order deferred.
14. **COMMITTEE OF THE WHOLE**  
**THE COMMUNITY GROUPS REGISTRATION BILL (NATIONAL ASSEMBLY BILLS NO. 20 OF 2021)**  
(The Senate Majority Leader)
- Order deferred.
15. **THE ELECTION CAMPAIGN FINANCING (AMENDMENT) BILL (SENATE BILLS NO. 51 OF 2021)**  
(Sen. Ledama Olekina, MP)
- (Second Reading)*
- Order deferred.
16. **THE ELECTIONS (AMENDMENT) (NO.2) BILL (SENATE BILLS NO. 43 OF 2021)**  
(Sen. Ledama Olekina, MP)
- (Second Reading)*
- Order deferred.
17. **MOTION - FAST TRACKING CULTURAL DEVELOPMENTS IN COUNTIES**  
(Sen. (Arch.) Sylvia Kasanga, MP)

**THAT, WHEREAS** Kenya is a multi-ethnic and multi-racial country with rich and diverse cultural resources such as traditional medicine and foods, arts, craft, music, dances, dress among others;

**AWARE THAT**, the Constitution, in its preamble acknowledges the cultural diversity of the Kenyan people who are determined to live in peace and unity as one indivisible sovereign nation whilst, Article 11 of the Kenyan Constitution recognizes culture as the foundation of the nation;

**NOTING** that, while the Department of Culture under the Ministry of Sports, Culture and Heritage has been playing some of the key roles in promotion of cultural integration, formulation of policies and standards that will guide the development of culture, little information has been available to the Kenyan public;

**ACKNOWLEDGING** , that culture performs a significant role in the life of a child, the cultural background in which a child is brought up affects the totality of his or her life's activities;

**CONCERNED**, that our children are losing their sense of identity due to the negative influences due to inadequate cultural identity catalyzed by globalization which has led to catastrophic consequences to the next generation as experienced in our country where a majority of young people are showing symptoms of feeling suicidal, anxious, feeling of hopelessness, anger, violence, feeling isolated, and paranoia;

**NOW THEREFORE**, the Senate urges the Cabinet Secretary, Ministry of Sports, Culture and Heritage to:

- a) Formulate cultural development policies and initiatives to inculcate stronger community values, safeguard Kenya’s heritage, recognize local heroes and promote socio-cultural opportunities in the counties; and
- b) Formulate strategies to create an enabling environment for protection and promotion of diversity of cultural expressions in all counties.

Order deferred.

18. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE SPECIAL AUDIT REPORT ON UTILIZATION OF COVID-19 FUNDS BY TWENTY-EIGHT (28) COUNTY GOVERNMENTS**  
(The Chairperson, Standing Committee on Health)

**THAT** the Senate adopts the Report of the Standing Committee on Health on the special audit report on utilization of COVID-19 funds by twenty-eight (28) county governments, laid on the Table of the Senate on Wednesday, 9th February, 2022.

Order deferred.

And there being no other business on the Order Paper, the Speaker adjourned the Senate at twenty-five minutes past Ten O’clock without Question put, pursuant to the Standing Orders.

19. **SENATE ROSE** - at twenty-five minutes past Ten O’clock.

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

*The Speaker will take the Chair on  
Wednesday, March 09, 2022 at 02:30 p.m.*