



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SIXTH SESSION)

VOTES AND PROCEEDINGS

WEDNESDAY, MAY 18, 2022 AT 2.30 P.M.

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with prayer said by the Temporary Speaker (Sen. John Kinyua Nderitu, MP).
3. **COMMUNICATIONS FROM THE CHAIR**

The Temporary Speaker (Sen. John Nderitu Kinyua, MP) conveyed the following Communications from the chair:-

i.) Visiting delegation of students from Edmund A. Walsh School of Foreign Service at Georgetown University in Washington DC, United States Of America (USA)

“Honorable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, of a delegation of students from Edmund A. Walsch School of Foreign Service at the Georgetown University in Washington DC, United States of America (USA).

The delegation is at the Senate to understand the workings of the Parliament of Kenya and the intricacies of legislating during a transition period. They are led by Prof. Scott Taylor, Vice Dean, School of Foreign Service and Professor of African Studies and Ms. Marta Manzano, Assistant Director, African Studies Program.

Honorable Senators,

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to the delegation and, on behalf of the Senate and on my own behalf, wish them a fruitful visit.

I thank you”.

ii.) Visiting delegation from the County Assemblies.

“Honorable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, of a delegation comprising thirty-one (31) Librarians from twenty-seven (27) County Assemblies, who are on a five (5) day attachment programme in the Senate. The County Assemblies represented are; Samburu, Taita Taveta, Laikipia, Vihiga, Siaya, Busia, Nyamira, Tharaka Nithi, Tana River, Nyandarua, Wajir, Embu, Kisumu, Nakuru, Kajiado, Nairobi, Kirinyaga, Kiambu, Nyeri, Kisii, Mandera, Migori, Homabay, Garissa, Kericho, Bomet and Kakamega.

The objective of the attachment programme is to equip the officers with specialized knowledge and the sharing of experiences between officers at Parliament and County Assemblies and further, to facilitate upscaling of the operations of the county assembly libraries as critical legislative bodies in preserving legislative records as a vital resource for legislators.

Honorable Senators,

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to the delegation and, on behalf of the Senate and on my own behalf, wish them a fruitful visit.

I thank you”.

4. PAPER LAID

The following paper was laid on the table of the Senate -

Report of the Standing Committee on Agriculture, Livestock and Fisheries on its consideration of the National Assembly amendments to the Coffee Bill (Senate Bills No. 22 of 2020);

(The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

5. STATEMENTS**a.) Pursuant to Standing Order 47(1)**

Nominated Senator, (Sen. (Dr.) Gertrude Musuruve, MP) made a Statement on the significance of the World Hypertension Day.

Thereupon, the Senator informed the house that the World Hypertension Day is celebrated on May 17th every year, and that its objective is highlight hypertension (high blood pressure) as a serious medical condition and to provide information on its prevention, detection and treatment. The Senator further informed the Senate that millions of people around the globe had died

as a result of high blood pressure. The Senator pointed out that in most cases; the death was caused by the disease, without showing any symptoms.

The Senator stated that high blood pressure related diseases contribute to other cardiovascular ailments for people below the hypertensive threshold of 140/90mm hg., and that uncontrolled high blood pressure can lead to disability and poor quality of life for the affected persons.

In conclusion, the Senator called upon the national government in conjunction with county governments to take up the responsibility of creating awareness on the causes of high blood pressure, availing free blood pressure check-ups in all county hospitals and free medical awareness on how to prevent the disease in order to ensure that every Kenyan has the highest attainable standards of health.

b.) Pursuant to Standing Order 48(1)

The Senator for Nandi County, (Sen. Samson Cherarkey, MP) sought a statement from the Standing Committee on Roads and Transport concerning the status of rehabilitation and improvement of Mombasa Road, following construction of the Nairobi Expressway.

6. MOTION - CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE COFFEE BILL (SENATE BILLS NO. 22 OF 2020)

Order read;

Motion made and Question proposed;

THAT, pursuant to Standing Order 159, the amendments of the National Assembly to the Coffee Bill (Senate Bills No. 22 of 2020) be now considered.

(The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

Debate arising;

And there being no other Senator wishing to contribute;

The Mover replied;

Before the Question was put, and pursuant to Standing Order 79 (1), the Temporary Speaker (Sen. John Kinyua Nderitu, MP) ruled that the Motion did not affect counties.

Question put and negatived.

7. **THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 1 OF 2022)**

(The Chairperson, Standing Committee on Finance and Budget)

(Second Reading)

(Resumption of debate interrupted on Wednesday, 11th May, 2022)

(Division)

Order deferred.

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

(The Senate Majority Leader)

(Second Reading)

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

(Division)

Order deferred.

9. **THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE BILLS NO. 29 OF 2020)**

(Sen. Aaron Cheruiyot, MP and Sen. (Dr) Isaac Mwaura, MP)

(Second Reading)

(Resumption of debate interrupted on Thursday, 10th March, 2022)

(Division)

Order deferred.

10. **THE ELECTION CAMPAIGN FINANCING (AMENDMENT) BILL (SENATE BILLS NO. 51 OF 2021)**

(Sen. Ledama Olekina, MP)

(Second Reading)

(Resumption of debate interrupted on Wednesday, 23rd March, 2022)

(Division)

Order deferred.

11. **THE EMPLOYMENT (AMENDMENT) BILL (SENATE BILLS NO. 54 OF 2021)**
(Sen. Samson Cherarkey, MP)

(Second Reading)

(Resumption of debate interrupted on Wednesday, 30th March, 2022)
(Division)

Order deferred.

12. **THE COTTON INDUSTRY DEVELOPMENT BILL (SENATE BILLS NO. 55 OF 2021)**
(The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

(Second Reading)

(Resumption of debate interrupted on Thursday, 31st March, 2022)

(Division)

Order deferred.

13. **THE SUGAR BILL (NATIONAL ASSEMBLY BILLS NO. 68 OF 2019)**
(The Senate Majority Leader)

(Second Reading)

(Resumption of debate interrupted on Thursday, 7th April, 2022)

(Division)

Order deferred.

14. **THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 32 OF 2021)**
(The Senate Majority Leader)

(Second Reading)

(Resumption of debate interrupted on Thursday, 28th April, 2022)

(Division)

Order deferred.

15. **THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 55 OF 2021)**
(The Senate Majority Leader)

(Second Reading)

(Resumption of debate interrupted on Wednesday, 4th May, 2022)
(Division)

Order deferred.

16. **THE SUSTAINABLE WASTE MANAGEMENT BILL (NATIONAL ASSEMBLY BILLS NO. 22 OF 2021)**

(The Senate Majority Leader)

(Second Reading)

(Resumption of debate interrupted on Tuesday, 10th May, 2022)

(Division)

Order deferred

17. **THE NATIONAL COHESION AND PEACE BUILDING BILL (SENATE BILLS NO. 19 OF 2021)**

(Sen. Judith Pareno, MP)

(Second Reading)

(Resumption of debate interrupted on Wednesday, 11th May, 2022)

(Division)

Order deferred.

18. **THE COUNTY E-HEALTH BILL (SENATE BILLS NO. 39 OF 2021)**

(Sen. Judith Pareno, MP)

(Second Reading)

(Resumption of debate interrupted on Wednesday, 11th May, 2022)

(Division)

Order deferred.

19. **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 YEAR 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 2nd December, 2021.

(Resumption of debate interrupted on Tuesday, 8th March, 2022)

(Division)

Order deferred.

20. **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.

(Resumption of debate interrupted on Wednesday, 23rd March, 2022)

(Division)

Order deferred.

21. **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, 22nd December, 2021 – Morning Sitting)

(Division)

Order deferred.

22. **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, 2nd March, 2022 – Morning Sitting)

(Division)

Order deferred.

23. **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, 2nd March, 2022 –
Morning Sitting)*

(Division)

Order deferred.

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

(Resumption of debate interrupted on Tuesday, 1st March, 2022)

(Division)

Order deferred.

25. **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)

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

(Division)

Order deferred.

26. **COMMITTEE OF THE WHOLE**
THE MENTAL HEALTH (AMENDMENT) BILL (SENATE BILLS NO. 28 OF
2020)
(Sen. (Arch.) Sylvia Kasanga, MP)

(Consideration of National Assembly Amendments)

(Resumption of debate interrupted on Thursday, 7th April, 2022)

(Division)

Order deferred.

27. **COMMITTEE OF THE WHOLE**
THE IRRIGATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2021)

(The Senate Majority Leader)

(Resumption of debate interrupted on Wednesday, 4th May, 2022)

(Division)

Order deferred.

28. **COMMITTEE OF THE WHOLE**
THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 1 OF 2022)

(The Chairperson, Standing Committee on Finance and Budget)

Order deferred.

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

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

Order deferred.

30. **COMMITTEE OF THE WHOLE**
THE KENYA MEDICAL SUPPLIES AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 53 OF 2021)

(Sen. Naomi Shiyonga, MP)

Order deferred.

31. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON EDUCATION ON THE INQUIRY INTO THE EARLY CHILDHOOD DEVELOPMENT EDUCATION (ECDE) LANDSCAPE IN THE COUNTRY**

(The Chairperson, Standing Committee on Education)

THAT, the Senate adopts the Report of the Standing Committee on Education on the inquiry into the Early Childhood Development Education (ECDE) landscape in the country, laid on the Table of the Senate on Tuesday, 10th May, 2022.

Order deferred.

32. **MOTION - ADOPTION OF THE REPORT OF THE SESSIONAL COMMITTEE ON DELEGATED LEGISLATION ON ITS CONSIDERATION OF THE CONTROLLER OF BUDGET (COB) REGULATIONS, 2021**

Motion made and Question proposed -

THAT, the Senate adopts the Report of the Sessional Committee on Delegated Legislation on its consideration of the Controller of Budget (COB) Regulations, 2021, laid on the Table of the Senate on Tuesday, 10th May, 2022 and pursuant to Section 18 of the Statutory Instruments Act, 2013 **annuls** the Controller of Budget Regulations, 2021.

(The Chairperson, Sessional Committee on Delegated Legislation)

Debate arising;

33. **QUORUM OF THE SENATE**

Raising a point of order pursuant to Standing Order 36(1), the Senator for Narok County (Sen. Ledama Olekina, MP) drew the attention of the Temporary Speaker (Sen. John Kinyua Nderitu, MP) to the fact that there was no quorum in the House;

And the Temporary Speaker (Sen. John Kinyua Nderitu, MP) having counted the Senators present and confirmed that there was no quorum, caused the Division Bell to be rung for five minutes;

And there being no quorum after the expiry of five minutes;

And the time being fifty-nine minutes past Four O'clock, the Temporary Speaker (Sen. John Kinyua Nderitu, MP), adjourned the Senate without Question put, pursuant to the Standing Orders.

34. **SENATE ROSE** – at fifty nine minutes past Four O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Thursday, May 19, 2022 at 2:30 p.m.*

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