



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, NOVEMBER 27, 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. **COMMUNICATION FROM THE CHAIR**

The Deputy Speaker conveyed the following Communications from the Chair –

(a) On the deferral of Questions and the appearance of Cabinet Secretaries to respond to Questions in the Senate.

“Honourable Senators,

As you are all aware, Standing Order 51A, 51B, 51C and 51D gives the framework for asking of Questions to Cabinet Secretaries by Honourable Senators. Ordinarily, the Questions are scheduled in the Order Paper for Wednesday (Morning Sitting). However, as Honourable Senators are also aware, the Third Session is almost ending after which the Senate will proceed on the long December – January recess.

As such, the pending business before the Senate necessitates that we take drastic measures if we are to conclude on the same before the recess.

Honourable Senators,

At its meeting held on Tuesday, 26th November, 2024, the Senate Business Committee considered the Programme of Senate Business and observed the need to prioritize consideration of urgent business. To facilitate this, the Committee resolved that Questions will not be scheduled for reply on Wednesday, 4th December, 2024 (Morning Sitting). Further, the Committee also resolved that the Questions which were scheduled for reply today, Wednesday, 27th November, 2024 (Morning Sitting) be deferred.

This decision was informed by the need to prioritize pressing business before the Senate, including but not limited to:

- a) Debate on the President's Address to Parliament, delivered at a Special Sitting held on Thursday, 21st November, 2024;
- b) Consideration of Mediation Committee Reports on inter-alia -
 - i.) the Division of Revenue (Amendment) Bill (National Assembly Bills No. 38 of 2024);
 - ii.) the Equalization Fund Appropriation (No. 2) Bill (Senate Bills No. 30 of 2023); and
 - iii.) the County Governments Additional Allocations Bill (Senate Bills No. 19 of 2024);
- c) Consideration of His Excellency the President's Memorandum on the County Allocation of Revenue Bill (Senate Bills No.25 of 2024); and
- d) Consideration of -
 - i.) The County Governments (Equitable Share) and the County Governments (Additional Allocations) Cash Disbursement Schedules;
 - ii.) Motions by various Select Committees, more specifically, the County Public Accounts and County Public Investments and Special Funds Committees; and
 - iii.) various Bills at the Second Reading and at the Committee of the Whole stages.

Honourable Senators,

Consequently, I urge Honourable Senators to prioritize their presence in the Chamber in the coming days to ensure progress is made on the business highlighted above. I also urge the respective Movers of the business scheduled in the Order Papers for the sittings to be present in the Chamber to prosecute them. The Senate Majority and the Minority Whips are encouraged to mobilize the requisite number of County Delegations for the divisions to be undertaken.

I thank you.”

(b) Visiting delegation from the County Assembly of Kisumu

“Honorable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this morning, of a delegation from the County Assembly of Kisumu comprising Members of the Committee on Procedure and Rules and its Secretariat. The delegation is undertaking benchmarking visit in the Senate.

Honorable Senators,

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

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|-------------------------|--------------------------|
| 1. Hon. Gard Olima | - Vice Chairperson |
| 2. Hon. Kennedy Ajwang | - Member |
| 3. Ms. Annebelle Wabuge | - Senior Clerk Assistant |
| 4. Mr. Rodgers Wagude | - Clerk Assistant |
| 5. Mr. Fanuel Okode | - Hansard Reporter |
| 6. Mr. William Ogada | - Serjeant-At-Arms |

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.”

5. **MOTION - DEBATE ON THE PRESIDENT’S ADDRESS TO PARLIAMENT – (2ND DAY)**

Order read;

Motion made and Question proposed;

THAT, pursuant to Standing Order 27 (6), the Senate -

- a) records its thanks for the exposition of public policy contained in the Address of His Excellency the President, delivered on Thursday, 21st November, 2024 and laid on the Table of the Senate on Tuesday, 26th November, 2024; and
- b) notes the following Reports submitted by His Excellency the President in fulfilment of Articles 132 (1) (c) (1) and 240 (7) of the Constitution, laid on the Table of the Senate on Tuesday, 26th November, 2024 –

- i.) The Eleventh (11th) Annual Report (2023/2024), on the Measures Taken and Progress Achieved in the Realization of National Values and Principles of Governance; and
- ii.) The Annual Report on the State of National Security for the period 1st September, 2023 – 31st August, 2024.

(The Senate Majority Leader – 26.11.2024)

Debate interrupted on Tuesday, 26th November, 2024 resumed for the putting of the Question;

Before the Question was put, and pursuant to Standing Order No. 84 (2), the Speaker informed the House that the Motion did not affect counties;

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, pursuant to Standing Order 27 (6), the Senate -

- a) records its thanks for the exposition of public policy contained in the Address of His Excellency the President, delivered on Thursday, 21st November, 2024 and laid on the Table of the Senate on Tuesday, 26th November, 2024; and
- b) notes the following Reports submitted by His Excellency the President in fulfilment of Articles 132 (1) (c) (1) and 240 (7) of the Constitution, laid on the Table of the Senate on Tuesday, 26th November, 2024 –
 - i.) The Eleventh (11th) Annual Report (2023/2024), on the Measures Taken and Progress Achieved in the Realization of National Values and Principles of Governance; and
 - ii.) The Annual Report on the State of National Security for the period 1st September, 2023 – 31st August, 2024.

6. **MOTION - REPORT OF THE MEDIATION COMMITTEE ON THE DIVISION OF REVENUE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 38 OF 2024)**

Order read;

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Mediation Committee on the Division of Revenue (Amendment) Bill (National Assembly Bills No. 38 of 2024), laid on the table of the Senate on Tuesday, 26th November, 2024 and further that pursuant to Article 113 (2) of the Constitution and Standing Order 167 (3) of the Senate, approves the mediated version of the Bill.

*(Sen. Danson Mungatana, MGH, MP on behalf of the Vice-Chairperson,
Mediation Committee)*

Debate arising;

And the time being One O'clock, the Temporary Speaker (Sen. Abdul Haji, MP) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

7. SENATE ROSE – at One O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, November 27, 2024 at 2.30 p.m.*

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