



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FOURTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, APRIL 03, 2025 AT 2.30 PM

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with 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. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair –

a) Visiting delegation from the Parliament of Ghana

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, a visiting delegation from the Department of Administration of the Parliament of Ghana. The delegation comprises seven (7) staff who are on a benchmarking visit at the Parliament of Kenya, to equip them with best practices and operations on the administrative function.

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

1. Ms. Patience Cibil Osei Assistant Clerk II
2. Ms. Sheila Janet Noye Chief Administrative Officer
3. Mr. Edwin Anyetei Ayeng Principal Executive Officer

- | | |
|-----------------------------|--------------------------|
| 4. Mr. Arry Nuseli Armah | Senior Executive Officer |
| 5. Mr. Hayford Bekoe | Senior Executive Officer |
| 6. Mr. Dodoo Frederick | Higher Executive Officer |
| 7. Ms. Maud Esenam Ameyibor | Executive Officer |

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

I thank you.”

b) Visiting delegation of teachers and students from Maranda Boys High School – Siaya County.

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, visiting students and teachers from Maranda Boys High School in Siaya County. The delegation comprises, fifty-eight (58) students and four (4) teachers who are undertaking an academic exposition.

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

I thank you.”

c) Visiting delegation of teachers and students from Githukimundu Comprehensive School – Nyeri County.

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, visiting students and teachers from Githukimundu Comprehensive School in Nyeri County. The delegation comprises, forty-five (45) students and five (5) teachers who are undertaking an academic exposition.

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

I thank you.”

5. PETITION

Pursuant to Standing Order 236 (2)(b), the Speaker reported to the Senate a Petition by Hon. Oscar Wanje a Member of the County Assembly of Kilifi,

concerning threats, intimidation, harassment and eviction of residents of Ganda Ward by agents of private developers.

Pursuant to Standing Order 238 (1), the Speaker committed the Petition to the Standing Committee on Land, Environment and Natural Resources for consideration.

6. **PAPERS LAID**

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

- i. Report of the Auditor General on Kitui County Climate Change Fund for fifteen (15) months period ended 30th June, 2024.

(The Senate Majority Whip)

- ii. Report of the Standing Committee on Devolution and Intergovernmental Relations and the Standing Committee on Justice, Legal Affairs and Human Rights on a Petition to the Senate by Mr. Laban Omusundi concerning restraining county governments from hiring law firms to represent them in court cases.

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

- iii. Statement on the business of the Senate for the week commencing Tuesday, 11th March, 2025.

(The Senate Majority Whip)

7. **QUESTIONS AND STATEMENTS**

a) Requests for Statements pursuant to Standing Order 53 (1)

- i) Nominated Senator (Sen. Hezena Lemaletian, MP) on behalf of the Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the violent clashes in Sondu Town which resulted in three fatalities.
- ii) Nominated Senator (Sen. Hezena Lemaletian, MP) on behalf of the Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) sought Statement from the Standing Committee on Roads, Transportation and Housing regarding professionalism in the public service transport sector.
- iii) Nominated Senator (Sen. Hezena Lemaletian, MP) on behalf of the Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) sought a Statement from the Standing Committee on Land,

Environment and Natural Resources regarding the establishment and conservation of wildlife corridors in Kisumu County.

- iv) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the Scheme of Service for National Government Administrative Officers, specifically Chiefs and Assistant Chiefs.

b) Statement pursuant to Standing Order 57(1)

The Senate Majority Whip issued a Statement on the business of the Senate for the week commencing Tuesday, 8th April, 2025.

8. NOTICE OF MOTION - EXTENSION OF TIME OF THE SELECTION PANEL FOR THE RECRUITMENT OF NOMINEES FOR APPOINTMENT AS THE CHAIRPERSON AND MEMBERS OF THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (IEBC)

(The Senate Majority Whip)

AWARE THAT, vide Gazette Notices Nos. 1901 & 2643 dated 14th February, 2023 and 1st March, 2023, respectively, His Excellency the President declared one (1) vacancy for the position of the Chairperson of the Independent Electoral and Boundaries Commission (IEBC), and six (6) vacancies for the position of Member of the IEBC;

FURTHER AWARE, that vide Gazette Notice No. 715 of 27th January, 2025, His Excellency the President appointed members of the Selection Panel for the Recruitment of Nominees for Appointment as the Chairperson and Members of the Independent Electoral and Boundaries Commission;

NOTING that, upon its appointment, the Selection Panel commenced the recruitment process and longlisted all applicants and subsequently shortlisted qualified applicants for the positions of Chairperson and Member of the Independent Electoral and Boundaries Commission;

FURTHER NOTING that, paragraph 6(1) of the First Schedule to the Independent Electoral and Boundaries Commission Act, CAP 7C, provides that the Selection Panel shall finalise the recruitment exercise within ninety days of its appointment and forward the names of the nominees to the President;

CONSCIOUS that, the Selection Panel is currently undertaking the interviews of the shortlisted candidates for the positions of Chairperson and Members of the Independent Electoral and Boundaries Commission, and that, given the interview schedule of all shortlisted applicants, the Selection Panel has inadequate time to conclude the recruitment process;

FURTHER CONSCIOUS of the need for the Selection Panel to ensure the recruitment process complies with the constitutional principles of regional balance, representation of the youth and overall inclusivity, while ensuring that the interviews are conducted as far as is practicable, within official working days and hours;

NOW, THEREFORE, pursuant to the provisions of paragraph 6(2) of the First Schedule to the Independent Electoral and Boundaries Commission Act, CAP 7C, the Houses of Parliament RESOLVE to extend the tenure of the Selection Panel for the Recruitment of Persons for appointment as Chairperson and Members of the Independent Electoral and Boundaries Commission by a period of fourteen (14) days from 28th April, 2025.

9. **NOTICE OF MOTION - REPORT OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS AND THE STANDING COMMITTEE ON JUSTICE, LEGAL AFFAIRS AND HUMAN RIGHTS ON A PETITION TO THE SENATE BY MR. LABAN OMUSUNDI CONCERNING RESTRAINING COUNTY GOVERNMENTS FROM HIRING LAW FIRMS TO REPRESENT THEM IN COURT CASES**

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

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations and the Standing Committee on Justice, Legal Affairs and Human Rights on a Petition to the Senate by Mr. Laban Omusundi concerning restraining county governments from hiring law firms to represent them in court cases, laid on the Table of the Senate on Thursday, 3rd April, 2025.

10. **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 -
02.04. 2025- Afternoon Sitting)*

Debate interrupted on Wednesday, 2nd April, 2025 (Afternoon Sitting) resumed for the Question to be put;

Before the Question was put, and pursuant to Standing Order No. 84 (1), the Speaker ruled that the Motion does not affect Counties.

Question put and **agreed to**.

RESOLVED ACCORDINGLY

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

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

(The Senate Majority Leader and The Senate Minority Leader)

Order for Second Reading Read;

Order deferred.

12. **MOTION - REPORT OF THE MEDIATION COMMITTEE ON THE CONFLICT OF INTEREST BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2023)**

(Vice- Chairperson, Mediation Committee)

Order Read;

THAT, the Senate adopts the Report of the Mediation Committee on the Conflict of Interest Bill (National Assembly Bills No. 12 of 2023), laid on the table of the Senate on Thursday, 5th December, 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.

***(Resumption of debate interrupted on Thursday, 27th February, 2025)
(Division)***

Order deferred.

13. **COMMITTEE OF THE WHOLE**
THE ENERGY (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2023)

(Sen. Edwin Sifuna, MP)

Order deferred.

14. **COMMITTEE OF THE WHOLE**
CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE PERSONS WITH DISABILITIES BILL (SENATE BILLS NO. 7 OF 2023)

(Sen. Crystal Asige, MP)

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. **MOTION - EXTENSION OF TIME OF THE SELECTION PANEL FOR THE RECRUITMENT OF NOMINEES FOR APPOINTMENT AS THE CHAIRPERSON AND MEMBERS OF THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (IEBC)**

Order read;

Motion made and Question proposed;

AWARE THAT, vide Gazette Notices Nos. 1901 & 2643 dated 14th February, 2023 and 1st March, 2023, respectively, His Excellency the President declared one (1) vacancy for the position of the Chairperson of the Independent Electoral and Boundaries Commission (IEBC), and six (6) vacancies for the position of Member of the IEBC;

FURTHER AWARE, that vide Gazette Notice No. 715 of 27th January, 2025, His Excellency the President appointed members of the Selection Panel for the Recruitment of Nominees for Appointment as the Chairperson and Members of the Independent Electoral and Boundaries Commission;

NOTING that, upon its appointment, the Selection Panel commenced the recruitment process and longlisted all applicants and subsequently shortlisted qualified applicants for the positions of Chairperson and Member of the Independent Electoral and Boundaries Commission;

FURTHER NOTING that, paragraph 6(1) of the First Schedule to the Independent Electoral and Boundaries Commission Act, CAP 7C, provides that the Selection Panel shall finalise the recruitment exercise within ninety days of its appointment and forward the names of the nominees to the President;

CONSCIOUS that, the Selection Panel is currently undertaking the interviews of the shortlisted candidates for the positions of Chairperson and Members of the Independent Electoral and Boundaries Commission, and that, given the interview schedule of all shortlisted applicants, the Selection Panel has inadequate time to conclude the recruitment process;

FURTHER CONSCIOUS of the need for the Selection Panel to ensure the recruitment process complies with the constitutional principles of regional balance, representation of the youth and overall inclusivity, while ensuring that the interviews are conducted as far as is practicable, within official working days and hours;

NOW, THEREFORE, pursuant to the provisions of paragraph 6(2) of the First Schedule to the Independent Electoral and Boundaries Commission Act, CAP 7C, the Houses of Parliament RESOLVE to extend the tenure of the Selection Panel for the Recruitment of Persons for appointment as Chairperson and Members of the Independent Electoral and Boundaries Commission by a period of fourteen (14) days from 28th April, 2025.

(The Senate Majority Whip)

Debate arising;

And there being no more Senators wishing to contribute;

Mover replied;

Before the Question was put, and pursuant to Standing Order No. 84 (2), the Temporary Speaker (Sen. Catherine Mumma, MP) ruled that the Motion does not affect counties;

And the Temporary Speaker (Sen. Catherine Mumma, MP) having ascertained that there was Quorum, pursuant to Standing Order 42 (1);

Question put and agreed to.

RESOLVED ACCORDINGLY

AWARE THAT, vide Gazette Notices Nos. 1901 & 2643 dated 14th February, 2023 and 1st March, 2023, respectively, His Excellency the President declared one (1) vacancy for the position of the Chairperson of the Independent Electoral & Boundaries Commission (IEBC), and six (6) vacancies for the position of Member of the IEBC;

FURTHER AWARE, that vide Gazette Notice No. 715 of 27th January, 2025, His Excellency the President appointed members of the Selection Panel for the Recruitment of Nominees for Appointment as the Chairperson and Members of the Independent Electoral and Boundaries Commission;

NOTING that, upon its appointment, the Selection Panel commenced the recruitment process and longlisted all applicants and subsequently shortlisted qualified applicants for the positions of Chairperson and Member of the Independent Electoral and Boundaries Commission;

FURTHER NOTING that, paragraph 6(1) of the First Schedule to the Independent Electoral and Boundaries Commission Act, CAP 7C, provides that the Selection Panel shall finalise the recruitment exercise within ninety days of its appointment and forward the names of the nominees to the President;

CONSCIOUS that, the Selection Panel is currently undertaking the interviews of the shortlisted candidates for the positions of Chairperson and Members of the Independent Electoral and Boundaries Commission, and that, given the interview schedule of all shortlisted applicants, the Selection Panel has inadequate time to conclude the recruitment process;

FURTHER CONSCIOUS of the need for the Selection Panel to ensure the recruitment process complies with the constitutional principles of regional balance, representation of the youth and overall inclusivity, while ensuring that the interviews are conducted as far as is practicable, within official working days and hours;

NOW, THEREFORE, pursuant to the provisions of paragraph 6(2) of the First Schedule to the Independent Electoral and Boundaries Commission Act, CAP 7C, the Houses of Parliament RESOLVE to extend the tenure of the Selection Panel for the Recruitment of Persons for appointment as Chairperson and Members of the Independent Electoral and Boundaries Commission by a period of fourteen (14) days from 28th April, 2025.

19. **MOTION - REPORT OF THE STANDING COMMITTEE ON ENERGY ON ITS INQUIRY INTO THE LIQUEFIED PETROLEUM GAS (LPG) EXPLOSION IN MRADI AREA, EMBAKASI, NAIROBI CITY COUNTY**

Order read;

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Standing Committee on Energy on its inquiry into the Liquefied Petroleum Gas (LPG) explosion in Mradi Area, Embakasi, Nairobi City County, laid on the Table of the Senate on Thursday, 8th August, 2024.

(Sen. Edwin Sifuna, MP on behalf of the Chairperson, Standing Committee on Energy)

Debate arising;

And there being no more Senators wishing to contribute;

Sen. Mohamed Abass, MP replied on behalf of the Mover;

Pursuant to Standing Order 66 (3), Sen. Mohamed Abass, MP 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, deferred the putting of the Question to a later date.

20. **MOTION - REPORT OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON ITS INQUIRY INTO PERSONAL SECURITY CONCERNS RAISED BY HON. PHILOMENA KAPKORY, DEPUTY GOVERNOR, TRANS NZOIA COUNTY**

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

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on its inquiry into the allegations on personal security concerns raised by Hon. Philomena Kapkory, Deputy Governor, Trans Nzoia County laid on the Table of the Senate on Tuesday, 1st October, 2024.

Order deferred.

21. **MOTION - REPORTS OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON ITS INQUIRY INTO THE STATE OF MARKETS IN VIHIGA AND BUNGOMA COUNTIES ARISING FROM A STATEMENT SOUGHT BY SEN. GODFREY OSOTSI, MP AND SEN. DAVID WAKOLI, MP**

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

THAT, the Senate adopts Reports of the Standing Committee on Devolution and Intergovernmental Relations on its inquiry into the state of markets in Vihiga and Bungoma counties arising from statements sought by Sen. Godfrey Osotsi, MP, and Sen. David Wafula Wakoli, MP laid on the Table of the Senate on Tuesday, 1st October, 2024.

Order deferred.

22. **MOTION - PROGRESS REPORT OF THE STANDING COMMITTEE ON NATIONAL COHESION, EQUAL OPPORTUNITY AND REGIONAL INTEGRATION INTO AN INQUIRY ON THE DIVERSITY AND INCLUSIVITY IN THE STAFF COMPOSITION OF STATE AGENCIES IN KENYA**

(The Chairperson, Standing Committee on National Cohesion, Equal Opportunity and Regional Integration)

THAT, the Senate adopts Progress Report of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration into an

inquiry on the diversity and inclusivity in the staff composition of state agencies in Kenya, laid on the Table of the Senate on Thursday, 3rd October, 2024.

Order deferred.

23. **MOTION - REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE COUNTY OVERSIGHT AND NETWORKING ENGAGEMENTS TO TAITA TAVETA, MOMBASA AND KWALE COUNTIES**

(The Chairperson, Standing Committee on Health)

THAT, the Senate adopts the Report of the Standing Committee on Health on the County Oversight and Networking Engagements to Taita Taveta, Mombasa and Kwale Counties, laid on the Table of the Senate on Thursday, 5th December, 2024.

Order deferred.

24. **MOTION - REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE INSPECTION TOUR OF HEALTH FACILITIES IN WEST POKOT, TRANS NZOIA AND TURKANA COUNTIES**

(The Chairperson, Standing Committee on Health)

THAT, the Senate adopts the Report of the Standing Committee on Health on the inspection tour of health facilities in West Pokot, Trans Nzoia and Turkana Counties, laid on the Table of the Senate on Thursday, 5th December, 2024.

Order deferred.

25. **THE PROVISION OF SANITARY TOWELS BILL (SENATE BILLS NO. 7 OF 2024)**

(Sen. Gloria Orwoba, MP)

(Second Reading)

Order deferred.

26. **THE SPORTS (AMENDMENT) (NO.2) BILL (SENATE BILLS NO. 45 OF 2024)**

(Sen. (Prof.) Tom Ojienda, MP and Sen. Raphael Chimera, MP)

(Second Reading)

Order deferred.

27. **THE OFFICE OF THE COUNTY ATTORNEY (AMENDMENT) BILL (SENATE BILLS NO. 47 OF 2024)**

(Sen. David Wafula Wakoli, MP)

(Second Reading)

Order deferred.

And there being no other business on the Order Paper, the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) adjourned the Sitting at eleven minutes past Six O'clock without Question put, pursuant to the Standing Orders.

28. **SENATE ROSE** – at eleven minutes past Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Tuesday, April 8th, 2025 at 2:30 pm*

--X--