



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FIRST SESSION

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, OCTOBER 04, 2022 AT 2.30 P.M.

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with a prayer said by the Speaker.
3. **ADMINISTRATION OF OATH**

Pursuant to Article 74 of the Constitution and Standing Order 3(6), the Speaker Administered Oath of office to **Senator Crystal Kegehi Asige**.

4. **COMMUNICATIONS FROM THE CHAIR ON THE REGULAR SITTINGS OF THE SENATE AND NOTIFICATION ON THE SENATE POLITICAL PARTY LEADERSHIP**

The Speaker conveyed the following communications from the Chair-

“Honourable Senators, it is my pleasure and privilege to welcome you to this first regular sitting of the Senate following the opening of the 13th Parliament on Thursday, 29th September, 2022.

Shortly, the Senate Business Committee will deliberate on and submit to the House a Calendar, which will definitively set out the dates for regular sittings and recesses, to aid in planning and scheduling of business of the Senate.

Honourable Senators, before we proceed with the core business of today's sitting as listed in the Order Paper, I take this opportunity to inform the Senate that vide letter dated 29th September, 2022, the Majority Party submitted the names of Senators to serve in the Majority Party Leadership. The Senators are -

- (i) Sen. Aaron Cheruiyot, MP - Senate Majority Leader;
- (ii) Sen. Tabitha Keroche Karanja, MP - Deputy Senate Majority Leader;

- (iii) Sen. (Dr.) Boni Khalwale, CBS, MP - Senate Majority Whip; and
- (iv) Sen. (Dr.) Lelegwe Ltumbesi, MP - Deputy Senate Majority Whip.

Likewise, vide letter referenced AZIMIO/ADM./2022, dated 26th September, 2022; the Minority Party submitted the names of Senators to serve in the Minority Party Leadership. The Senators are -

- (i) Sen. Justice (Rtd.) Stewart Madzayo, CBS, MP – Senate Minority Leader;
- (ii) Sen. Enoch Wambua, MP – Deputy Senate Minority Leader;
- (iii) Sen. Fatuma Dullo, CBS, MP – Senate Minority Whip; and
- (iv) Sen. Ledama Olekina, MP – Deputy Senate Minority Whip.

Honourable Senators, I take this opportunity to congratulate the Honourable Senators for appointment to these high offices and assure them of the cooperation and support from the Office of Speaker. I am confident that you will steer your respective parties and in turn the Senate in advancing a robust legislative agenda that will strengthen our devolved system of government.

Honourable Senators, as regards the business before the House this afternoon, the Senate will consider the names of Senators to serve in the Senate Business Committee. The Committee is charged with the responsibility of -

- (a) Preparing and if necessary, adjust the Senate Calendar with the approval of the Senate;
- (b) Monitoring and overseeing the implementation of Senate business and programmes, including the legislative programmes;
- (c) Implementation of the Standing Orders respecting the scheduling or programming of the business of the Senate and the functioning of its Committees;
- (d) Taking decisions and issuing directives and guidelines to prioritise or postpone any business of the Senate in consultation with the Speaker; and
- (e) Considering such matters as may from time to time arise in connection with the business of the Senate and shall have and perform such powers and functions as are conferred on and ascribed to it by the Standing Orders or by the Senate.

Standing Order 199 (2) on the approval of nomination of Senators to serve in Select Committees provides that *“whenever a Motion for approval of a list under paragraph (1) is Moved in the Senate, no objection against the proposed membership of a Senator in a Select Committee shall be permitted and*

objections, if any, shall be formulated against the proposed membership as a whole." The import of this Standing Order is that amendments to the Motion appearing at Order No. 8 in today's Order Paper, to omit the name of a Senator or replace the name of a Senator with another, are not permitted.

I thank you."

5. **NOTICE OF MOTION** – (The Senate Majority Whip)

THAT, pursuant to Standing Orders 190 and 199(3), the Senate approves the following Senators nominated to serve in the Senate Business Committee, in addition to the Speaker of the Senate, who pursuant to Standing Order 190(1), shall be the Chairperson of the Committee, the Senate Majority Leader, the Senate Minority Leader, the Senate Majority Whip and the Senate Minority Whip: -

- | | |
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| 1. Sen. Roba Ali Ibrahim, MP | - Member |
| 2. Sen. Veronica Waheti Nduati, MP | - Member |
| 3. Sen. Wakili Hillary Kiprotich Sigei, MP | - Member |
| 4. Sen. Maureen Tabitha Mutinda, MP | - Member |
| 5. Sen. (Prof.) Margaret Kamar, EGH, MP | - Member |
| 6. Sen. Mwinyihaji Faki, MP | - Member |
| 7. Sen. Ledama Olekina, MP | - Member |

6. **MOTION – APPROVAL OF SENATORS TO SERVE IN THE SENATE BUSINESS COMMITTEE**

Motion made and question proposed;

THAT, pursuant to Standing Orders 190 and 199(3), the Senate approves the following Senators nominated to serve in the Senate Business Committee, in addition to the Speaker of the Senate, who pursuant to Standing Order 190(1), shall be the Chairperson of the Committee, the Senate Majority Leader, the Senate Minority Leader, the Senate Majority Whip and the Senate Minority Whip: -

- | | |
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| 1. Sen. Roba Ali Ibrahim, MP | - Member |
| 2. Sen. Veronica Waheti Nduati, MP | - Member |
| 3. Sen. Wakili Hillary Kiprotich Sigei, MP | - Member |
| 4. Sen. Maureen Tabitha Mutinda, MP | - Member |
| 5. Sen. (Prof.) Margaret Kamar, EGH, MP | - Member |
| 6. Sen. Mwinyihaji Faki, MP | - Member |
| 7. Sen. Ledama Olekina, MP | - Member |

(Senate Majority Whip)

Debate arising;

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84, the Speaker ruled that the question did not affect counties;

Question put;

Division Claimed

Rising on a point of order pursuant to Standing Order 87(b) Sen. Okong'o Omogeni, MP claimed a Division;

And there being more than fifteen (15) Senators in support;

And the Speaker acceding to the request directed that the House proceeds to a Division on the Motion;

The Speaker directed that a roll call division be taken pursuant to Standing Order 84 (3), and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Samson K. Cherarkey, MP - AYES
2. Sen. Beth Kalunda Syengo, MP – NOES

The results of the Division were as follows: -

AYES: 29

NOES: 23

ABSTENTIONS: 0

AYES

1. Sen. Abass, Sheikh Mohamed
2. Sen. Cherarkey, Samson Kiprotich
3. Sen. Cheruiyot, Aaron Kipkirui
4. Sen. Chesang, Allan Kiprotich
5. Sen. Chute, Mohamed Said
6. Sen. Ekomwa, James Lomenen
7. Sen. Kathuri, Murungi
8. Sen. Keroche, Tabitha Karanja
9. Sen. Khalwale, Boni
10. Sen. Kipkiror, William Cheptumo
11. Sen. Korir, Joyce Chepkoech
12. Sen. Mandago, Jackson Kiplagat
13. Sen. Mbugua, George Mungai

14. Sen. Methu, John Muhia
15. Sen. Mundigi, Alexander Munyi
16. Sen. Murango, James Kamau
17. Sen. Murkomen, Onesimus Kipchumba
18. Sen. Mutinda, Maureen Tabitha
19. Sen. Mwenda, Julius Gataya
20. Sen. Mwinzagu, Raphael Chimera
21. Sen. Nduati, Veronica Waheti
22. Sen. Ngugi, Joe Joseph Nyutu
23. Sen. Nyamu, Njeri Karen
24. Sen. Omar, Mariam Sheikh
25. Sen. Orwoba, Gloria Magoma
26. Sen. Recha, Julius Murgor
27. Sen. Roba, Ali Ibrahim
28. Sen. Thangwa, Paul Karungo
29. Sen. Wakili, Hillary Kiprotich Sigei

NOES

1. Sen. Adan, Dullo Fatuma
2. Sen. Asige, Crystal Kagehi
3. Sen. Kajwang', Moses Otieno
4. Sen. Kamar, Margaret Jepkoech
5. Sen. Kamau, Joseph Githuku
6. Sen. Kibwana, Hamida Ali
7. Sen. Lemaletian, Hezena M
8. Sen. Maanzo, Daniel Kitonga
9. Sen. Madzayo, Stewart Mwachiru
10. Sen. Mogeni, Erick Okong'o
11. Sen. Mohamed, Shakila Abdalla
12. Sen. Montet, Betty Batuli
13. Sen. Mumma, Catherine Muyeka
14. Sen. Muthama, Agnes Kavindu
15. Sen. Mwinyihaji, Mohamed Faki
16. Sen. Odhiambo, Ojienda Tom
17. Sen. Oginga, Oburu
18. Sen. Olekina, Ledama
19. Sen. Osotsi, Godfrey Atieno
20. Sen. Oyomo, Beatrice Akinyi
21. Sen. Sifuna, Edwine Watanya
22. Sen. Syengo, Beth Kalunda
23. Sen. Wambua, Enoch Kiio

Question - **agreed to.**

RESOLVED ACCORDINGLY

THAT, pursuant to Standing Orders 190 and 199(3), the Senate approves the following Senators nominated to serve in the Senate Business Committee, in addition to the Speaker of the Senate, who pursuant to Standing Order 190(1), shall be the Chairperson of the Committee, the Senate Majority Leader, the Senate Minority Leader, the Senate Majority Whip and the Senate Minority Whip: -

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| 1. Sen. Roba Ali Ibrahim, MP | - Member |
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| 3. Sen. Wakili Hillary Kiprotich Sigei, MP | - Member |
| 4. Sen. Maureen Tabitha Mutinda, MP | - Member |
| 5. Sen. (Prof.) Margaret Kamar, EGH, MP | - Member |
| 6. Sen. Mwinyihaji Faki, MP | - Member |
| 7. Sen. Ledama Olekina, MP | - Member |

7. **COMMUNICATION FROM THE CHAIR ON THE FIRST MEETING OF THE SENATE BUSINESS COMMITTEE**

The Speaker conveyed the following communication from the Chair –

“Honourable Senators, having approved the Senators to serve in the Senate Business Committee, and therefore, dispensing with the scheduled business of the House for the day, this is to inform the Members of the said Committee of a meeting immediately after the rise of the Senate.

The meeting will take place in Committee Room No. 4, first floor, Main Parliament Buildings.

I thank you.”

Pursuant to Standing Order 34(6), the Speaker adjourned the Senate at Seven O'clock, without Question put.

8. **SENATE ROSE** - at Seven O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, October 05, 2022 at 2.30 p.m.*

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