



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FIRST SESSION)

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, OCTOBER 27, 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 Deputy Speaker.
3. **COMMUNICATIONS FROM THE CHAIR**

The Deputy Speaker issued the following Communications from the Chair –

i.) **Visiting teachers and pupils from Oldonyokie Primary School in Kajiado County**

“Honorable Senators,

In the public gallery, we have one hundred and two (102) pupils, accompanied by five (5) teachers and two (2) parents from Oldonyokie Primary School in Kajiado County who are in the Senate on an education tour.

Honorable Senators,

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

I thank you.”

ii.) **On visiting teachers and students from Naivasha High School in Nakuru county**

“Honorable Senators,

In the public gallery, we have sixty (60) students, accompanied by two (2) teachers from Naivasha High School in Nakuru County who are in the Senate on an education tour.

Honorable Senators,

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

I thank you”.

4. **PAPERS**

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

- i.) Report of the Auditor General on the Financial Statement of Lamu County Executive Staff Housing Fund for the year ended 30th June, 2021.
- ii.) Report of the Auditor General on the Financial Statement of Lamu County Youth Development Fund for the year ended 30th June, 2021.
- iii.) Report of the Auditor General on the Financial Statement of Lamu County Gender & Social Development Fund for the year ended 30th June, 2021.
- iv.) Report of the Auditor General on the Financial Statement of Lamu Municipality Board for the year ended 30th June, 2021.
- v.) Report of the Auditor General on the Financial Statement of Lamu County Disability Development Fund for the year ended 30th June, 2021.
- vi.) Report of the Auditor General on the Financial Statement of Meru County Assembly Members Car Loan & Housing Fund for the year ended 30th June, 2021.
- vii.) Report of the Auditor General on the Financial Statement of Meru County Revenue Board for the year ended 30th June, 2021.
- viii.) Report of the Auditor General on the Financial Statement of Meru County Micro Finance Corporation for the year ended 30th June, 2021.
- ix.) Report of the Auditor General on the financial statement of Meru County Investment & Development Corporation for the year ended 30th June, 2021.
- x.) Report of the Auditor General on the Financial Statement of Meru Water & Sewerage Services Registered Trustees for the year ended 30th June, 2021.
- xi.) Report of the Auditor General on the Financial Statement of Imetha Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xii.) Report of the Auditor General on the Financial Statement of Uasin Gishu County Assembly for the year ended 30th June, 2021.

- xiii.) Report of the Auditor General on the Financial Statement of Uasin Gishu County Cooperative Enterprise Development Fund for the year ended 30th June, 2021.
- xiv.) Report of the Auditor General on the Financial Statement of Uasin Gishu County Staff Mortgage & Car Loan Scheme Fund for the year ended 30th June, 2021.
- xv.) Report of the Auditor General on the Financial Statement of Uasin Gishu County Inua Biashara Fund for the year ended 30th June, 2021.
- xvi.) Report of the Auditor General on the Financial Statement of Uasin Gishu County Education Revolving Fund for the year ended 30th June, 2021.
- xvii.) Report of the Auditor General on the Financial Statement of Uasin Gishu County Bursary & Skills Development Support Fund for the year ended 30th June, 2021.
- xviii.) Report of the Auditor General on the Financial Statement of Uasin Gishu County Emergency Fund for the year ended 30th June, 2021.
- xix.) Report of the Auditor General on the Financial Statement of Eldoret Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xx.) Report of the Auditor General on the Financial Statement of Municipality of Eldoret for the year ended 30th June, 2021.
- xxi.) Report of the Auditor General on the Financial Statement of Turkana County Executive State & Public Officers Car & Mortgage Fund for the year ended 30th June, 2021.
- xxii.) Report of the Auditor General on the Financial Statement of Turkana County Assembly Car & Mortgage Fund (Members) for the year ended 30th June, 2021.
- xxiii.) Report of the Auditor General on the Financial Statement of Turkana County Assembly Car & Mortgage Fund (Staff) for the year ended 30th June, 2021.
- xxiv.) Report of the Auditor General on the Financial Statement of Turkana County Covid-19 Emergency Response Fund for the year ended 30th June, 2021.
- xxv.) Report of the Auditor General on the Financial Statement of Turkana County Cooperative Enterprise Development Fund for the year ended 30th June, 2021
- xxvi.) Report of the Auditor General on the Financial Statement of Turkana County Biashara Fund for the year ended 30th June, 2021.
- xxvii.) Report of the Auditor General on the Financial Statement of Turkana County Education & Skills Development Fund for the year ended 30th June, 2021.

- xxviii.) Report of the Auditor General on the Financial Statement of Turkana County Youth & Women Empowerment Fund for the year ended 30th June, 2021.
- xxix.) Report of the Auditor General on the Financial Statement of Turkana County Emergency Fund for the year ended 30th June, 2021.
- xxx.) Report of the Auditor General on the Financial Statement of Kiambu County Executive Staff Mortgage Scheme Fund for the year ended 30th June, 2021.
- xxxi.) Report of the Auditor General on the Financial Statement of Kiambu County Executive Emergency Fund for the year ended 30th June, 2021.
- xxxii.) Report of the Auditor General on the Financial Statement of Kiambu County Assembly Car Loan & Mortgage Scheme Fund for the year ended 30th June, 2021.
- xxxiii.) Report of the Auditor General on the Financial Statement of Kiambu County Alcoholic Drinks Control Fund for the year ended 30th June, 2021.
- xxxiv.) Report of the Auditor General on the Financial Statement of Kiambu County Education Bursary Fund for the year ended 30th June, 2021.
- xxxv.) Report of the Auditor General on the Financial Statement of Kiambu County Jijenge Fund for the year ended 30th June, 2021.
- xxxvi.) Report of the Auditor General on the Financial Statement of Githunguri Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xxxvii.) Report of the Auditor General on the Financial Statement of Karuri Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xxxviii.) Report of the Auditor General on the Financial Statement of Thika Water & Sewerage Company Ltd for the year ended 30th June, 2021.
- xxxix.) Report of the Auditor General on the Financial Statement of Limuru Water & Sewerage Company Ltd for the year ended 30th June, 2021.
- xl.) Report of the Auditor General on the Financial Statement of Gatundu Water & Sanitation Company Ltd for the year ended 30th June, 2021.
(The Senate Majority Whip)
- xli.) Statement on the business of the Senate for the week commencing Tuesday, 8th November, 2022.

(The Deputy Senate Majority Leader)

5. STATEMENTS**a) Pursuant to Standing Order 52 (1)**

The Senator for Laikipia County (Sen. John Kinyua, MP), made a statement regarding the plight of farmers whose crops were being destroyed through illegal grazing in Laikipia County.

The Senator expressed concern that owing to the debilitating drought situation in the country, pastoralists were illegally grazing their cattle on privately and community owned lands which often brings them into conflict with the landowners.

The Senator urged pastoralists wishing to graze their livestock in private farms and conservancies to adhere to the grazing guidelines issued by the land owners and the charge imposed per animal for grazing. The Senator observed that the government had a responsibility to protect private property and called upon the local administration to put in place measures that ensured that private property was protected.

The Senator concluded by reiterating the need for respect for private property and asked the government to develop a framework for compensation of farmers for the losses incurred as a result of the action of illegal grazers.

Following comments by several Senators, the Deputy Speaker, pursuant to Standing Order 52 (3), committed the statement to the Standing Committee on National Security, Defence and Foreign Relations for consideration.

b) Pursuant to Standing Order 53 (1)

- i.) Nominated Senator (Sen. Beatrice Oyomo, MP) sought a statement from the Standing Committee on Land, Environment and Natural Resources regarding the lack of title deeds due to non-completion of adjudication.
- ii.) The Senator for Kilifi County (Sen. Stewart Madzayo, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations concerning the drought situation in Kilifi County.
- iii.) Nominated Senator, (Sen. Peris Tobiko, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the adverse effects of drought in Kajiado County.
- iv.) The Senator for Mombasa County (Sen. Mwinyihaji Faki, MP) sought a statement from the Sessional Committee on Delegated

Legislation regarding review of remuneration and benefits of state officers by the Salaries and Remuneration Commission (SRC).

- v.) Nominated Senator, (Sen. Miraj Abdirahman, MP) sought a statement from the Standing Committee on Labour and Social Welfare regarding the status of white-card employees laid off in 2009 at the Kenya Ports Authority (KPA).
- vi.) 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 concerning security situation in Kisumu County.
- vii.) The Senator for Embu County (Sen. Alexander Mundigi, MP) sought a statement from the Standing Committee on Roads, Transportation and Housing concerning the adverse effect of the collapse of the Ena River Bridge in Embu County.
- viii.) The Senator for Vihiga County (Sen. Godfrey Osotsi, MP) sought a Statement from the Standing Committee on Labour and Social Welfare on a human resource audit process by the Vihiga County Public Service Board at Vihiga County.
- ix.) The Senator for Laikipia County (Sen. John Kinyua, MP) sought a statement from the Standing Committee on Land, Environment and Natural Resources regarding the incessant human-wildlife conflict in Laikipia County.

c) Pursuant to Standing Order 56 (1) (a)

The Chairperson, Standing Committee on Energy (Sen. Wamatinga Wahome, MP) issued a statement on the high cost of energy in the country.

The Chairperson expressed concern that the cost of energy in the country had significantly increased which in turn, had the resultant effect of increasing the cost of living. He noted that farmers were unable to plough land using tractors and to irrigate their crops because of the high cost of fuel and electricity. The Chairperson observed that energy was a major factor of production, and in order to spur manufacturing and cottage industries in the country, the cost of energy had to be lowered to much more affordable rates.

The Chairperson stated that the Standing Committee on Energy was planning to engage with the stakeholders in the energy sector, to ensure that the matter would be addressed. The Chairperson also averred that the Committee would undertake an investigation of the value chain on energy production, governance and accountability issues at the Kenya Power and Lighting Company (KPLC) and the cost of solar installation and prepare a report for consideration by the Senate.

In conclusion, the Chairperson stated that the Committee would engage the Ministry of Energy and the National Treasury to ensure that laws are enacted, and policies that would reduce or eliminate taxation on renewable energy products were implemented.

d) Pursuant to Standing Order 57 (1)

The Deputy Senate Majority Leader issued a statement on the business of the Senate for the week commencing Tuesday, 8th November, 2022.

6. MOTION – ADJOURNMENT OF THE SENATE

Order read;

Motion made and question proposed;

THAT, pursuant to Standing Orders 31 (3) the Senate do adjourn until Tuesday, 8th November, 2022.

(The Deputy Senate Majority Leader)

Debate arising;

And there being no other Senator wishing to contribute;

The Temporary Speaker (Sen. Wakili Hillary Sigei, MP) adjourned the Senate at twenty-two minutes past six O'clock without Question put, pursuant to the Standing Orders.

7. SENATE ROSE – at twenty-two minutes past six O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Tuesday, November 08, 2022 at 2.30 p.m.*

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