



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (FIRST SESSION)**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**THURSDAY, JANUARY 19, 2022 AT 10:00 AM**

1. The Senate assembled at thirty minutes past Ten O'clock.
2. The proceedings were opened with Prayer said by the Speaker.

3. **QUORUM IN THE HOUSE**

The Speaker, having counted the Honourable Senators present at the commencement of the Sitting and confirming that there was Quorum, pursuant to Standing Order 40, invited the Clerk to call the Orders of the day.

4. **ADMINISTRATION OF OATH**

Pursuant to Article 74 of the Constitution and Standing Order 3(5), the Speaker Administered Oath of office for **Sen. Kisang William Kipkemoi – Senator-elect, Elgeyo Marakwet County.**

5. **COMMUNICATIONS FROM THE CHAIR**

**a) Convening of a Special Sitting of the Senate**

The Speaker conveyed the following Communication from the Chair-

“Honourable Senators,

I welcome you to this Special Sitting of the Senate. As this may be the first time in 2023 that we are meeting, allow me to take this opportunity to wish you a Happy and Prosperous New Year!

On the request of the Senate Majority Leader vide letter Ref. No. SEN/MLS/01/CORR, dated 16<sup>th</sup> January, 2023, and with the support of the requisite number of Senators, I appointed today, Thursday, 19<sup>th</sup>

January, 2023 as a day for a Special Sitting of the Senate, vide Gazette Notice No.455 dated 17<sup>th</sup> January, 2023.

In the *Gazette Notice*, I indicated that the business to be transacted at this Special Sitting shall be –

- (i) the swearing-in of Hon. William Kipkemoi Kisang, the Senator-Elect for Elgeyo Marakwet County; and
- (ii) the consideration of the Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bills No. 49 of 2022).

Honourable Senators,

In accordance with Standing Order 33 (5), the business specified in the *Gazette Notice* referred to above and as outlined in the Order Paper, shall be the only business before the Senate during the Special Sitting, following which the Senate shall stand adjourned until Tuesday, 14<sup>th</sup> February, 2023, at 2:30 p.m., in accordance with the Senate Calendar.

I thank you”.

**b) Visiting delegation to the Senate**

“Honourable Senators,

I would like to acknowledge the presence of the following persons in the Speakers gallery-

- (i) Hon. Sudi David, former Member of Parliament for Marakwet East and party leader of the new democrats; and
- (ii) Captain Rtd. Jimmies Wanyonyi Wafubwa.

...who are in the Senate for a visit.

Honourable Senators,

On behalf of the Senate and on my own behalf, I welcome the said dignitaries to the Senate and wish them well for the remainder of the visit.

I thank you”.

**c) Convening of hybrid Sittings**

“Honourable Senators,

At its meeting held on Wednesday, 18<sup>th</sup> January 2023 the Senate Business Committee considered the Order Papers for the morning and afternoon Sittings of today's Special Sittings. The Committee noted that the business before the Senate is critical and of utmost urgency noting that the vacancies in the Independent Electoral and Boundaries Commission.

Honourable Senators,

During the deliberations the Senate Business Committee noted that some Members of four Standing Committees namely the Standing Committee on Health, the Standing Committee on Agriculture Livestock and Fisheries, the Standing Committee on Devolution and Intergovernmental Relations and the Standing Committee on National Security Defense and Foreign Relations, are out of the country on official business. The number of Senators in these Committee engagements are substantial and may affect the threshold required to vote on the Bill under consideration.

Honorable Senators,

Considering these circumstances, and pursuant to Standing Order 258(1)(a) I designated today's Special Sittings to be hybrid to enable Honourable Senators who are out on official Senate business to participate. Therefore, pursuant to Standing Order 259(1), I issued a notice in today's Order Papers to the effect that today's Sittings will be hybrid and I indicated the online platform to be used.

Further, pursuant to Standing Order 258(4), I issued guidelines to the effect that only those Senators in the cited Committee delegations will be allowed to participate virtually.

Part XXXII of the Senate Standing Orders on Virtual Sittings, will apply during the hybrid Special Sittings. The Senate stands guided”.

## 6. **PAPER LAID**

The following paper was laid on the Table of the Senate –

The report of the Standing Committee on Justice, Legal Affairs and Human Rights on its consideration of the Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bills No. 49 of 2022).

*(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)*

7. **THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 49 OF 2022)**

Order for Second Reading read;

Motion made and Question proposed-

**THAT**, the Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bills No. 49 of 2022) be now read a Second Time.

*(The Senate Majority Leader)*

Debate arising;

And there being no other Senator wishing to contribute;

The House proceeded to a Division;

The Speaker, directed that roll call division be taken pursuant to Standing Order 88(1), and that the Divison bell be rung for two minutes;

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

The names of the Tellers were annouced as follows;

1. Sen. (Dr.) Lelegwe Ltumbesi, MP- AYES
2. Sen. Shakila Abdalla, MP - NOES

The Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES - 29**

**NOES - 0**

**ABSTENTIONS - 0**

**AYES**

1. Sen. Adan, Dullo Fatuma
2. Sen. Cheruiyot, Aaron Kipkirui
3. Sen. Chesang, Allan Kiprotich
4. Sen. Ekomwa, James Lomenen
5. Sen. Haji, Abdul Mohammed
6. Sen. Kajwang', Moses Otieno
7. Sen. Kamau, Joseph Githuku
8. Sen. Kathuri, Murungi
9. Sen. Khalwale, Boni

10. Sen. Kisang, William Kipkemoi
11. Sen. Lelegwe, Steve Ltumbesi
12. Sen. Madzayo, Stewart Mwachiru
13. Sen. Mandago, Jackson Kiplagat
14. Sen. Methu, John Muhia
15. Sen. Mogeni, Erick Okongó
16. Sen. Mundigi, Alexander Munyi
17. Sen. Danson Mungatana
18. Sen. Muthama, Agnes Kavindu
19. Sen. Mwenda, Gataya Mo Fire
20. Sen. Nderitu, John Kinyua
21. Sen. Ojienda, Odhiambo Tom
22. Sen. Osotsi, Godfrey Atieno
23. Sen. Recha, Julius Murgor
24. Sen. Roba, Ali Ibrahim
25. Sen. Seki, Lenku Ole Kanar
26. Sen. Sifuna, Edwine Watanya
27. Sen. Thangwa, Paul Karungo
28. Sen. Wafula, David Wakoli
29. Sen. Wakili, Hillary Kiprotich Sigei

Question, agreed to.

Bill read a Second Time and committed to the Committee of the Whole tomorrow.

And there being no other business, the Speaker adjourned the Senate at thirty two minutes past Twelve O'clock, without Question put, pursuant to the Standing Orders.

8. **SENATE ROSE** - at thirty two minutes past Twelve O'clock.

**MEMORANDUM**

*The Speaker will take the Chair on  
Thursday, January 19, 2023 at 2.30 p.m.*

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