



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, JUNE 22, 2023 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 IN THE SENATE**

The Speaker, having counted the Honourable Senators present at the commencement of the Sitting and confirming that there was no Quorum, caused the Bell to be rung for ten minutes, pursuant to Standing Order 40;

And there being no Quorum at the expiry of ten minutes, the Speaker ordered the Bell to be rung for a further ten minutes;

And there being a Quorum at 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: -

- (i) **On processing of amendments to the Natural Resources (Benefit Sharing) Bill (Senate Bills No. 6 of 2022)**

“Honourable Senators,

The Natural Resources (Benefit Sharing) Bill (Senate Bills No. 6 of 2022) was published on 8th November, 2022. The Bill was read a First time on 1st December, 2022 and committed to the Standing Committee on Land, Environment and Natural Resources. The Committee tabled a Report on the Bill on 21st March, 2023 pursuant to Standing Order 148.

Second Reading debate on the Bill commenced on 1st March, 2023. Following a Division on 13th April, 2023, the Bill was passed by the Senate and subsequently committed the Committee of the Whole.

Honourable Senators,

During the sitting of the Senate held on 7th June, 2023, the Bill was considered at the Committee of the Whole, whereupon amendments filed by the Standing Committee on Land, Environment and Natural Resources were canvassed. The Bill could not proceed to Division owing to lack of sufficient number of county delegations.

However, there were a number of concerns raised by Senators when making their contributions on the amendments by the Standing Committee during the Committee of the Whole, to which the Chairperson of the Standing Committee on Land, Environment and Natural Resources committed to have them addressed at the next sitting of the Committee of the Whole, and the necessary amendments to already filed amendments made. The Bill has since generated some from other Senators who have expressed wish to file amendments to address particular concerns in the Bill.

At the sitting of the Senate held on Tuesday, 20th June, 2023, the Bill was scheduled to proceed to the Committee of the Whole, where the Chairperson of the Standing Committee on Land Environment and Natural Resources was to be given an opportunity to make clarifications on the interventions made by Senators at the sitting held on 7th June, 2023, and thereafter the Committee of the Whole was to undertake a Division.

However, a number of Senators approached the Chairperson of the Committee of the Whole and requested that the Bill be stood down to allow them to file amendments. The Chairperson of the Committee of the Whole acceded to the request and the Bill was subsequently deferred to a later date.

Honourable Senators,

To avert a situation where the Bill may stall at the Committee of the Whole stage, I direct that all Honourable Senators who wish to make amendments to the Natural Resources (Benefit Sharing) Bill (Senate Bills No. 6 of 2022) Bill to file them with the Office of the Clerk. The amendments must be filed by close of business, Tuesday, 27th June, 2023. This will allow time for scrutiny and harmonization of the amendments before the next Committee of the Whole. Amendments filed after this deadline will not be processed.

The House is accordingly guided.”

(ii) On visiting teachers and students from Garden Estate Secondary School

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, visiting teachers and students from Garden Estate Secondary School in Roysambu Constituency. The group comprises three (3) teachers and a hundred (100) students who are in the Senate for a one- day academic exposition.

Honourable 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.”

(iii) On visiting teachers and students from Kariobangi North Girls High School

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, visiting teachers and students from Kariobangi North Girls High School in Embakasi Constituency. The group comprises three (3) teachers and ninety -five (95) students who are in the Senate for a one- day academic exposition.

Honourable 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.”

5. MESSAGES

The Speaker conveyed the following Messages from the National Assembly: -

(i) Approval of the County Allocation of Revenue Bill (Senate Bills No. 16 of 2023)

“Honourable Senators,

I wish to report to the Senate that, pursuant to Standing Order 46 (4) of the Senate, I have received the following Message from the Speaker of the

National Assembly regarding the passage of the County Allocation of Revenue Bill (Senate Bills No. 16 of 2023).

Pursuant to the said Standing Order, I now report the Message-

“PURSUANT to the provisions of Standing Order 41(1) and 144 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

AND WHEREAS, the County Allocation of Revenue Bill (Senate Bill No. 16 of 2023) was published vide Kenya Gazette Supplement No. 52 of 27th April, 2023 to provide for the equitable allocation of revenue raised nationally among the county governments for the 2023/2024 as well as defining corresponding responsibilities of national and county governments in connection to the said allocations;

WHEREAS, the Senate passed the said Bill on 6th June 2023 and referred it to the National Assembly for consideration;

AND WHEREAS, the National Assembly considered and passed the said Bill on Thursday, 22nd June 2023 without amendment and in the form passed by the Senate;

NOW THEREFORE, in accordance with the provisions of Article 110 of the Constitution and Standing Orders 41(1) and 144 of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate”.

Honourable Senators,

I am, consequently, in the process of transmitting the Bill to His Excellency the President for assent.

I thank you.”

(ii) Approval of the Equalization Fund Appropriation Bill (Senate Bills No. 3 of 2023)

“Honourable Senators,

I wish to report to the Senate that, pursuant to Standing Order 46 (4) of the Senate, I have received the following Message from the Speaker of the National Assembly regarding the passage of the Equalization Fund Appropriation Bill (Senate Bill No. 3 of 2023)

Pursuant to the said Standing Order, I now report the Message-

“PURSUANT to the provisions of Standing Order 41(1) and 144 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

WHEREAS, the Equalization Fund Appropriation Bill (Senate Bill No. 3 of 2023) was published vide Kenya Gazette Supplement No. 7 of 31st January, 2023 to authorize the issue of a sum of money out of the Equalization Fund and its application towards the service of the year ending 30th June 2023 and to appropriate the said sums for certain public basic services in marginalized regions;

WHEREAS, the Senate passed the said Bill on 6th June 2023 and referred it to the National Assembly for consideration;

AND WHEREAS, the National Assembly considered and passed the said Bill on Thursday, 22nd June, 2023 without amendment and in the form passed by the Senate;

NOW THEREFORE, in accordance with the provisions of Article 110 of the Constitution and Standing Orders 41(1) and 144 of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate”.

Honourable Senators,

I am, consequently, in the process of transmitting the Bill to His Excellency the President for assent.

I thank you.”

6. **PETITION**

Pursuant to Standing Order 236 (2) (a), the Senator for Nyandarua County (Sen. John Methu Muhia, MP) presented a Petition by Nyandarua Integrated Internally Displaced Persons (IDPs) concerning delayed compensation and occupation of parcels of land bought for their settlement between 2010 and 2013.

Pursuant to Standing Order 237, the Speaker invited Senators to comment on the Petition and, subsequently, pursuant to Standing Order 238 (1), committed the Petition to the Standing Committee on Land, Environment and Natural Resources for consideration.

7. **PAPER LAID**

The following Paper was laid on the Table of the Senate: -

Statement of the Senate Majority Leader on the business of the Senate for the week commencing Tuesday, 27th June, 2023.

(The Senate Majority Leader)

8. QUESTIONS AND STATEMENTS

STATEMENTS

a) Pursuant to Standing Order 53(1)

- (i) The Senator for Vihiga County (Sen. Godfrey Osotsi, MP) sought a statement from the Standing Committee on Land, Environment and Natural Resources concerning the state of licenses for gold mining companies in Vihiga County.
- (ii) The Senator for Kitui County (Sen. Enoch Wambua, MP) sought a statement from the Standing Committee on Education regarding the delayed payment of salaries to staff and pending bills at Kitui Teachers Training College.
- (iii) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) sought a statement from the Standing Committee on Land, Environment and Natural Resources regarding the ownership and registration of land on the irrigation schemes in Kisumu County.
- (iv) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the state of insecurity in Katito township in Kisumu County.
- (v) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the rampant incidences of police brutality in Kisumu County.

b) Pursuant to Standing Order 57 (1)

The Senate Majority Leader issued a statement on the Business of the Senate for the week commencing Tuesday, 27th June, 2023.

9. THE MUNG BEANS BILL (SENATE BILLS NO. 13 OF 2022)

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Mung Beans Bill (Senate Bills No. 13 of 2022) be now read a Second Time.

(Sen. Enoch Wambua, MP – 21.06.2023)

Debate interrupted on Wednesday, 21st June, 2023 (Afternoon Sitting) resumed;

10. **QUORUM OF THE SENATE**

Raising a point of order pursuant to Standing Order 41(1), the Nominated Senator (Sen. Esther Okenyuri, MP) drew the attention of the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) to the fact that there was no quorum in the House;

And the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) having counted the Senators present and confirmed that there was no quorum, caused the Division Bell to be rung for ten minutes;

And there being no quorum after the expiry of ten minutes;

And the time being thirteen minutes past Six O'clock, the Temporary Speaker (Sen. Wakili Hillary Sigei, MP), adjourned the Senate without Question put, pursuant to the Standing Orders.

11. **SENATE ROSE** – at thirteen minutes past Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Tuesday, June 27, 2023 at 2:30 p.m.*

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