



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, JUNE 15, 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 HOUSE**

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 a Quorum at the expiry of the ten minutes;

The Speaker invited the Clerk to call the Orders of the day.

4. **COMMUNICATION FROM THE CHAIR- STATUS OF THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL, (SENATE BILLS NO. 12 OF 2022)**

The Temporary Speaker (Sen. Wakili Hillary Sigei, MP) conveyed the following Communication from the Chair: -

“Honourable Senators,

As you may recall, at the sitting of the Senate held on Wednesday, 14th June, 2023, during the Second Reading of the Agricultural and Livestock Extension Services Bill, (Senate Bills No. 12 of 2022), an issue arose on some reference to Mung bean, while the Bill under consideration was the Agricultural and Livestock Extension Services Bill (Senate Bills No. 12 of 2022). Senator Enoch Wambua, while contributing to the debate, observed that there were references to the mung bean crop, whereas there is a substantive Bill addressing concerns around the Mung bean crop i.e. the Mung Beans Bill (Senate Bills No. 13 of 2022). Further, Senator Osotsi made similar observations and requested the Speaker to direct that the two Bills be reviewed with a view to addressing the inconsistencies.

Honourable Senators,

By way of background, the Agricultural and Livestock Extension Services Bill, (Senate Bills No. 12 of 2022) is sponsored by Senator Tabitha Mutinda. The Bill underwent pre-publication scrutiny by the Standing Committee on Agriculture, Livestock and Fisheries and was subsequently approved for publication and published on 30th December, 2022. The reference to mung bean in clause 4 of the Agricultural and Livestock Extension Services Bill (Senate Bills No. 12 of 2022) was a printing error that was noted after the Bill had been published. The matter has since been taken up by the Standing Committee of Agriculture, Livestock and Fisheries and will be addressed through amendments at the Committee-of-the whole stage. The Committee has already tabled its report and recommended amendments to correct the errors identified.

I thank you.”

5. **MESSAGE – APPROVAL BY THE COUNTY ASSEMBLY OF SIAYA OF A MOTION ON THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF THE HON. WILLIAM ODUOL, THE DEPUTY GOVERNOR OF SIAYA COUNTY**

The Speaker conveyed the following Message from the County Assembly of Siaya: -

“Honourable Senators,

I wish to report to the Senate that, pursuant to Standing Order 48, I received the following Message from the Speaker of the County Assembly of Siaya, regarding the passage, by the County Assembly, of a Motion, pursuant to Article 181 of the Constitution and Section 33 of the County Governments Act, on the removal from office, by way of impeachment, of Hon. William Oduol, the Deputy Governor of Siaya County. The Message was transmitted to the Senate via a letter signed by the Speaker of the County Assembly of Siaya, Ref. No. CASADM/33/04, dated 9th June, 2023 and received in my Office on Saturday, 10th June, 2023.

Pursuant to Standing Order 48(4) of the Senate, I shall now report the Message to the Senate –

“This is to inform you that on Thursday, the 08th day of June, 2023, during the Afternoon Sitting of the County Assembly of Siaya, vide a resolution of the Assembly, and pursuant to the provisions of Article 181 of the Constitution of Kenya, 2010, Section 33 of the County Governments Act, 2012 as read together with the provisions of Standing Order No. 71 and 72 of the County Assembly of Siaya Standing Orders, approved the motion to remove from office the Deputy Governor of Siaya County, Mr. William Oduol, by way of impeachment.

The purpose of this letter is therefore to inform you of the aforementioned resolution, and to forward the same to your esteemed office in line with the provisions of Section 33(2)(a) of the County Governments Act, 2012 and Standing Order No. 71(11) of the County Assembly of Siaya Standing Orders for your further action.

Attached herewith, please find a schedule of bundles of documents/records containing evidence adduced, notes, and records of proceedings before the County Assembly for your reference and records.”

Honourable Senators,

As stated in the letter from the Speaker of the County Assembly of Siaya, the following documents were forwarded to the Senate, being the record of proceedings of the County Assembly and the evidence adduced in support of the impeachment Motion :-

- i) Notice of proposed motion on impeachment of Deputy Governor William Oduol;
- ii) Motion on Removal from office of the Deputy Governor;
- iii) List of Members in support of the Motion;
- iv) Votes and Proceedings for Afternoon Sitting of the House on 8th June 2023;
- v) Communications from the Chair dated 8th June 2023;
- vi) Order Paper and Supplementary Order Paper dated 8th June 2023;
- vii) Newspaper Notice on request for submission of comments and memoranda dated 30th May 2023;
- viii) Hansard for Special Sitting of the House on 29th May 2023;
- ix) Votes and Proceedings for the House's Special Sitting on 29th May 2023;
- x) Order Paper for the Special Sitting of the House on 29th May 2023;
- xi) Gazette Notice No. 6963 on the Special sitting of the House;
- xii) Hansard Report on Special Sitting of the House on 22nd May 2023;
- xiii) Votes and Proceeding for the Special Sitting of the House on 22nd May 2023;
- xiv) Order Paper for Special Sitting of the House on 22nd May 2023;
- xv) Gazette Notice No. 6748 on Special Sitting of the House;
- xvi) File on Hansard Report for Special Committee Hearing on 6th June 2023;
- xvii) Report from Sergeant at Arms on Breach of Assembly Privileges by Deputy Governor Mr William Oduol;
- xviii) County Assembly Standing Orders;
- xix) Submissions by Deputy Governor and other witnesses and Supporting Documents; and
- xx) Tabled Files: -
 - a) Allegation 1 - Interference with Procurement Process;
 - b) Allegation 2-Renovations and Furniture;
 - c) Allegation 3-Bullying;

- d) Allegation 4- Misuse of Public Resources;
- e) Allegation 5-Misleading Public by Spreading false Information;
- f) Report of the Special Committee; and
- g) Letters between the County Assembly and the Deputy Governor.

Honourable Senators,

In terms of Article 181 of the Constitution, Section 33(3)(a) of the County Governments Act and Standing Order 80(1)(a) of the Senate Standing Orders, the Speaker of the Senate is required “*within seven days after receiving notice of a resolution from the speaker of a county assembly to convene a meeting of the Senate to hear charges against the Governor.*”

Pursuant to Section 33(3)(b) of the County Governments Act and Standing Order 80(1)(a) of the Senate Standing Orders, I hereby proceed to read the charges against the Deputy Governor of Siaya County, as contained in the Motion of Impeachment by the County Assembly of Siaya –

Charge 1: Gross violation of the Constitution and other laws

The particulars of this allegation include –

- i) Interference with the procurement process through bid-rigging;
- ii) Coercing the Head of the County Procurement Unit to provide raw evaluation reports and unsigned professional opinions;
- iii) Unjustifiably changing specifications in tender documents for road constructions; and
- iv) Acting ultra vires to the provisions of procurement laws.

Charge 2: Abuse of Office and Gross Misconduct:

The particulars of this allegation include –

- i) Bulldozing officers to renovate the Deputy Governor's office outside approved budgetary provisions; and
- ii) Misusing public resources by facilitating officers to attend an irrelevant function.

iii) Bullying by –

- a) Threatening and promising a harsh working environment to the County Director of Supply Chain Management;
- b) Demanding constant briefings from the Director of Supply Chain Management on matters procurement, despite the role not being directly answerable to the Deputy Governor; and
- c) Demanding constant briefings from the Ag. Chief Officer for Finance and Economic Planning, despite the role not being directly answerable to the Deputy Governor.

- iv) Misleading the public by giving false information by-
- a) Misleading the County Assembly and members of the public regarding the allocation of funds towards the completion of Siaya Stadium;
 - b) Misleading the County Assembly and members of the public regarding discriminatory budgetary allocation in development funding for the residents of Alego Usonga Constituency;
 - c) Misleading the County Assembly and members of the public about the resignation of the County Secretary;
 - d) Falsely claiming corruption in the county bursary allocation and exclusion of school head teachers during vetting processes; and
 - e) Misleading the County Assembly about the appointment and disciplinary action against a county officer.

Honourable Senators,

In terms of the way forward following the reading of the charges against the Deputy Governor, Standing Order 80(1)(b) of the Senate Standing Orders, as read together with Section 33 (3)(b) of the County Governments Act, gives the Senate two options on how to proceed with the matter. The Senate may –

- (a) by Resolution, appoint a Special Committee comprising eleven of its members to investigate the matter; or*
- (b) investigate the matter in plenary.*

The Senate Business Committee deliberated on this matter and has scheduled a Notice of Motion for the establishment of a Special Committee. If this Motion is carried, the Special Committee will be required, under Section 33(4) of the County Governments Act and Standing Order 80(2) of the Senate, to investigate the matter and to report to the Senate within ten (10) days, on whether it finds the particulars of the allegations against the Deputy Governor to have been substantiated.

Honourable Senators,

It is noteworthy, and I wish to emphasize, that when we come to the debate on the Motion for establishment of the Special Committee, debate on the Motion shall be limited to the substance of the Motion, principally, ***whether or not to establish the Special Committee***. It will not be a debate on the substance of the impeachment or its merits, propriety, prudence or even the constitutionality or the legality of the processes that have preceded the submission of this matter to the Senate. It is, therefore, not permissible to deviate to any matters other than the Motion before the Senate.

In the event that the Motion for the establishment of a Special Committee does not pass, the fall-back position is that the Senate shall proceed to investigate and consider the matter in Plenary. In this event, I will appoint

the dates on which the Senate will sit in Plenary to hear and determine the charges against the Deputy Governor.

Honourable Senators,

This is the second impeachment hearing in the 13th Parliament. Such a hearing is one of the most crucial oversight tools and singular roles of the Senate. In undertaking this mandate, the Senate will be sitting as a quasi-judicial body and will conduct investigations into the alleged infractions of the Constitution and the law, and thereafter make its determination on the matter.

I wish to ask Honourable Senators to desist from publicly commenting on the merits or demerits of the impeachment process before the Senate. Doing so would amount to the anticipation of debate, which is an infringement of Standing Order 99. Therefore, it shall be out of order, within the meaning of Standing Order 122, for any Senator to make comments, whether written or spoken, in relation to the conduct of the Deputy Governor or the impeachment process, which is outside the confines of the impeachment proceedings, as such comments may prejudice the just outcome of the process.

Finally, Senators, Standing Order 219, provides that a Senator may attend a meeting of any Select Committee of which he or she is not a Member, provided that such a Senator may speak **only** when invited to do so by the Chairperson and shall **not** have a vote on any matter before the Committee.

However, Hon. Senators, this is a Special Committee with a specific mandate as provided in Standing Order 80 (1) (b) and therefore, any canvassing, interference of the proceedings, speaking and interrogating parties to the matter shall not be entertained and shall amount to gross disorderly conduct.

Honourable Senators,

I conclude by urging **all** Senators to exercise the highest level of responsibility on this matter.

I thank you!"

6. **PAPERS LAID**

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

- i.) Report of the Office of the Controller of Budget (CoB) on the National Government Budget Implementation Review Report for the first nine months, May 2023.

- ii.) Report of the Office of the Controller of Budget (CoB) on the County Government Budget Implementation Review Report for the first nine months, May 2023.
- iii.) Annual Report of the Office of the Registrar of Political Parties (ORPP) for financial year 2021/2022.
- iv.) Report of the Auditor-General on the financial statements of the Bungoma County Assembly Members' Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2022.
- v.) Report of the Auditor-General on the financial statements of the West Pokot County Car Loan & Mortgage Scheme Fund for the year ended 30th June, 2022.
- vi.) Report of the Auditor-General on the financial statements of the County Assembly of Embu Car Loan & Mortgage (Members) Scheme Fund for the year ended 30th June, 2022.
- vii.) Report of the Auditor-General on the financial statements of Imetha Water and Sanitation Company Ltd for the year ended 30th June, 2022.
- viii.) Report of the Auditor-General on the financial statements of the Kakamega County Dairy Development Corporation for the year ended 30th June, 2022.
- ix.) Report of the Auditor-General on the financial statements of the Kakamega Municipality for the twenty-two (22) months period for the year ended 30th June, 2022.

(Sen. (Dr.) Boni Khalwale, CBS, MP, on behalf of the Senate Majority Leader)

- x.) Statement of the Senate Majority Leader on the business of the Senate for the week commencing Tuesday, 20th June, 2023.

(The Senate Majority Leader)

- xi.) Ruling by the Speaker of the National Assembly Rt. Hon. Justin Muturi, EGH on the 9th June, 2020 on the Discharge of a Member from Select Committees by Parliamentary Parties, while contributing to a point-of-order raised by Sen. Fatuma Dullo, CBS, MP.

(Sen. Samson Cherarkey, MP)

7. **NOTICE OF MOTION - ESTABLISHMENT OF A SPECIAL COMMITTEE TO INVESTIGATE AND REPORT ON THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HONOURABLE WILLIAM ODUOL, THE DEPUTY GOVERNOR OF SIAYA COUNTY**

(The Senate Majority Leader)

THAT, WHEREAS, pursuant to Article 181 of the Constitution and Section 33 of the County Governments Act, on 8th June, 2023, the County Assembly of Siaya approved a Motion to remove from office, by impeachment, Honourable William Oduol, the Deputy Governor of Siaya County;

AND FURTHER, WHEREAS by a letter, Ref: CASADM/33/04, dated Friday, 9th June, 2023 and received in the Office of the Speaker of the Senate on Saturday, 10th June, 2023, the Speaker of the County Assembly of Siaya conveyed the resolution of the County Assembly, removing from office by impeachment of Hon. William Oduol, the Deputy Governor of Siaya County and further forwarded to the Speaker of the Senate, documents in evidence of the proceedings of the Assembly;

AND WHEREAS, pursuant to section 33(3) (b) of the County Governments Act, and Standing Order 80(1) (b) of the Senate, the Senate by resolution, may appoint a special committee comprising eleven of its Members to investigate the matter;

NOW THEREFORE, pursuant to section 33(3) (b) of the County Governments Act, and Standing Order 80(1) (b), the Senate resolves to establish a special committee comprising of the following Senators: -

1. Sen. William Kipkemoi Kisang', MP
2. Sen. Abass Sheikh Mohamed, MP
3. Sen. Mwenda Gataya Mo Fire, MP
4. Sen. Tabitha Mutinda, MP
5. Sen. Raphael Chimera Mwinzagu, MP
6. Sen. Miraj Abdullahi Abdulrahman, MP
7. Sen. Erick Okong'o Omogeni, SC, MP
8. Sen. Catherine Mumma, MP
9. Sen. Daniel Maanzo, MP
10. Sen. Betty Batuli Montet, MP
11. Sen. Richard Momoima Onyonka, MP

to investigate the proposed removal from office by impeachment of Hon. William Oduol, the Deputy Governor of Siaya County and pursuant to standing order 80 (2) (b), to report to the Senate, within ten (10) days of its appointment, on whether it finds the particulars of the allegations against the Deputy Governor to have been substantiated.

8. **QUESTIONS AND STATEMENTS****STATEMENTS****a) Pursuant to Standing Order 53(1)**

- (i) The Senator for Marsabit County (Sen. Mohamed Chute, MP) sought a statement from the Standing Committee on Roads, Transportation and Housing concerning the status of construction of the Bonkole Resort in Marsabit County.
- (ii) Nominated Senator (Sen. Shakila Abdalla, MP) sought a statement from the Standing Committee on Land, Environment and Natural Resources concerning the validity of title deeds for certain parcels of land within Enganani Ranch in Lamu County.
- (iii) The Senator for Bungoma County (Sen. David Wakoli, MP) sought a statement from the Standing Committee on Trade, Industrialization and Tourism concerning the management of Metropolitan National Sacco Ltd.
- (iv) The Senator for Kiambu County (Sen. Karungo Thangwa, MP) sought a statement from the Standing Committee on Labour and Social Welfare regarding public institutions, stadia, roads and parks bearing names of former presidents and other leaders.
- (v) The Senator for Kiambu County (Sen. Karungo Thangwa, MP) sought a statement from the Standing Committee on Trade, Industrialization and Tourism regarding on the proliferation of dairy products from Uganda.

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, 20th June, 2023.

9. MOTION-ESTABLISHMENT OF A SPECIAL COMMITTEE TO INVESTIGATE AND REPORT ON THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HONOURABLE WILLIAM ODUOL, THE DEPUTY GOVERNOR OF SIAYA COUNTY

Order read;

Motion made and Question proposed;

THAT, WHEREAS, pursuant to Article 181 of the Constitution and Section 33 of the County Governments Act, on 8th June, 2023, the County Assembly of Siaya approved a Motion to remove from office, by impeachment, Honourable William Oduol, the Deputy Governor of Siaya County;

AND FURTHER, WHEREAS by a letter, Ref: CASADM/33/04, dated Friday, 9th June, 2023 and received in the Office of the Speaker of the Senate on Saturday, 10th June, 2023, the Speaker of the County Assembly of Siaya conveyed the resolution of the County Assembly, removing from office by impeachment of Hon. William Oduol, the Deputy Governor of Siaya County and further forwarded to the Speaker of the Senate, documents in evidence of the proceedings of the Assembly;

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5. Sen. Raphael Chimera Mwinzagu, MP
6. Sen. Miraj Abdullahi Abdulrahman, MP
7. Sen. Erick Okong'o Omogeni, SC, MP
8. Sen. Catherine Mumma, MP
9. Sen. Daniel Maanzo, MP
10. Sen. Betty Batuli Montet, MP
11. Sen. Richard Momoima Onyonka, MP

to investigate the proposed removal from office by impeachment of Hon. William Oduol, the Deputy Governor of Siaya County and pursuant to standing order 80 (2) (b), to report to the Senate, within ten (10) days of its appointment, on whether it finds the particulars of the allegations against the Deputy Governor to have been substantiated.

(The Senate Majority Leader)

Debate arising;

And there being no other Senator wishing to contribute;

Mover replied;

Before the Question was put, and pursuant to Standing Order No. 84 (2), the Speaker informed the House that the Motion did not affect Counties.

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, WHEREAS, pursuant to Article 181 of the Constitution and Section 33 of the County Governments Act, on 8th June, 2023, the County Assembly of Siaya approved a Motion to remove from office, by impeachment, Honourable William Oduol, the Deputy Governor of Siaya County;

AND FURTHER, WHEREAS by a letter, Ref: CASADM/33/04, dated Friday, 9th June, 2023 and received in the Office of the Speaker of the Senate on Saturday, 10th June, 2023, the Speaker of the County Assembly of Siaya conveyed the resolution of the County Assembly, removing from office by impeachment of Hon. William Oduol, the Deputy Governor of Siaya County and further forwarded to the Speaker of the Senate, documents in evidence of the proceedings of the Assembly;

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5. Sen. Raphael Chimera Mwinzagu, MP
6. Sen. Miraj Abdullahi Abdulrahman, MP
7. Sen. Erick Okong'o Omogeni, SC, MP
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to investigate the proposed removal from office by impeachment of Hon. William Oduol, the Deputy Governor of Siaya County and pursuant to standing order 80 (2) (b), to report to the Senate, within ten (10) days of its appointment, on whether it finds the particulars of the allegations against the Deputy Governor to have been substantiated.

10. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Wakili Hillary Sigei, MP) – in the Chair)

The County Allocation of Revenue Bill (Senate Bills No. 16 of 2023)

Clauses 3, 4, 5, 6, 7, 8, 9 and 10

Motion made and Question proposed;

THAT, Clauses 3, 4, 5, 6, 7, 8, 9 and 10 be part of the Bill

*(The Chairperson, Standing Committee on Finance and Budget –
14.06.2023)*

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for one minute;

Upon the expiry of one minute, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed two (2) Senators to record their vote verbally.

Thereupon, the following Senators recorded their vote as “**Yes**”: -

1. Sen. Nyutu Joe, MP
2. Sen. Sigei Wakili Hillary Kiprotich, MP

The results of the Division were as follows: -

AYES – 29

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abbas Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Cherarkey Samson Kiprotich, MP
4. Sen. Cheruiyot Aaron Kipkirui, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Kajwang’ Moses Otieno, MP
8. Sen. Karungo Thangwa Paul, MP
9. Sen. Khalwale Boni, MP
10. Sen. Lelegwe Steve Ltumbesi, MP
11. Sen. Maanzo Daniel Kitonga, MP

12. Sen. John Methu Muhia, MP
13. Sen. Mo Fire Gataya Mwenda, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwaruma Johnes Mwashushe, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ngugi Joe Joseph Nyutu, MP - voted verbally
19. Sen. Oketch Eddy Gicheru, MP
20. Sen. Olekina Ledama, MP
21. Sen. Osotsi Godfrey Atieno, MP
22. Sen. Recha Julius Murgor, MP
23. Sen. Roba Ali Ibrahim, MP
24. Sen. Seki Lenku Ole Kanar, MP
25. Sen. Sifuna Edwine Watanya, MP
26. Sen. Sigei Wakili Hillary Kiprotich, MP – voted verbally
27. Sen. Wamatinga Wahome, MP
28. Sen. Wambua Enoch Kii, MP
29. Sen. William Kipkemoi Kisang, MP

Clauses 3, 4, 5, 6, 7, 8, 9 and 10

- agreed to

The First Schedule

Motion made and Question proposed;

THAT, The First Schedule be part of the Bill

(The Chairperson, Standing Committee on Finance and Budget – 14.06.2023)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division; The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for one minute;

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The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the **“Yes”, “No” or “Abstain”** button;

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AYES – 29

NOES - 0

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AYES

1. Sen. Abbas Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Cherarkey Samson Kiprotich, MP
4. Sen. Cheruiyot Aaron Kipkirui, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Kajwang' Moses Otieno, MP
8. Sen. Karungo Thangwa Paul, MP
9. Sen. Khalwale Boni, MP
10. Sen. Lelegwe Steve Ltumbesi, MP
11. Sen. Maanzo Daniel Kitonga, MP
12. Sen. John Methu Muhia, MP
13. Sen. Mo Fire Gataya Mwenda, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwaruma Johnes Mwashushe, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ngugi Joe Joseph Nyutu, MP - voted verbally
19. Sen. Oketch Eddy Gicheru, MP
20. Sen. Olekina Ledama, MP
21. Sen. Osotsi Godfrey Atieno, MP
22. Sen. Recha Julius Murgor, MP
23. Sen. Roba Ali Ibrahim, MP
24. Sen. Seki Lenku Ole Kanar, MP
25. Sen. Sifuna Edwine Watanya, MP
26. Sen. Sigei Wakili Hillary Kiprotich, MP – voted verbally
27. Sen. Wamatinga Wahome, MP
28. Sen. Wambua Enoch Kii, MP
29. Sen. William Kipkemoi Kisang, MP

The First Schedule

- agreed to

The Second Schedule

- amendment proposed

THAT the Bill be amended by deleting the Second Schedule and substituting therefor the following new schedule-

SECOND SCHEDULE

(s.5)

County Government Budget Ceilings on Recurrent Expenditure in Financial Year 2023/2024 (Figures in Kenya Shillings)					
No.	County	County Assembly Ceilings		County Executive Ceilings	
		2022/2023	2023/2024	2022/2023	2023/2024
1	Baringo	712,229,059	828,250,102	607,049,529	628,507,168

County Government Budget Ceilings on Recurrent Expenditure in Financial Year 2023/2024 (Figures in Kenya Shillings)					
		County Assembly Ceilings		County Executive Ceilings	
No.	County	2022/2023	2023/2024	2022/2023	2023/2024
2	Bomet	621,143,848	826,903,256	588,023,141	525,981,274
3	Bungoma	873,284,854	1,030,966,304	664,128,690	593,145,551
4	Busia	765,019,229	890,557,352	626,075,916	565,353,297
5	Elgeyo/Marakwet	592,408,337	688,567,522	568,996,754	540,143,817
6	Embu	594,786,279	655,164,072	568,996,754	470,665,205
7	Garissa	815,801,264	928,822,377	607,049,529	517,163,240
8	Homa Bay	872,842,726	951,617,005	645,102,303	612,652,603
9	Isiolo	451,013,358	539,314,722	492,255,576	384,717,582
10	Kajiado	699,076,887	836,365,718	562,230,871	543,625,285
11	Kakamega	1,097,653,117	1,400,821,103	721,207,850	702,976,417
12	Kericho	708,995,621	828,466,755	607,049,529	574,171,331
13	Kiambu	1,114,698,533	1,352,347,776	721,207,850	689,615,145
14	Kilifi	779,167,171	942,241,093	626,075,916	552,882,777
15	Kirinyaga	582,922,761	673,319,674	556,100,619	463,453,685
16	Kisii	940,958,856	1,112,890,743	664,128,690	635,010,868
17	Kisumu	718,886,210	827,121,358	626,075,916	548,429,020
18	Kitui	862,047,458	1,042,409,957	645,102,303	787,239,883
19	Kwale	617,790,583	667,712,409	568,996,754	436,816,651
20	Laikipia	467,754,457	545,809,049	524,178,098	429,430,142
21	Lamu	419,261,939	493,148,394	492,255,576	349,978,277
22	Machakos	865,126,181	1,021,331,660	645,102,303	618,887,863
23	Makueni	729,754,316	882,052,960	607,049,529	597,330,868
24	Mandera	864,090,152	983,911,204	616,986,522	537,192,934
25	Marsabit	678,317,733	714,092,325	568,996,754	477,791,217
26	Meru	938,478,295	1,105,946,626	664,128,690	802,472,137
27	Migori	857,185,385	1,003,508,709	645,102,303	609,089,597
28	Mombasa	674,783,021	837,169,783	607,049,529	414,726,825
29	Murang'a	753,378,653	830,709,033	626,075,916	633,050,405
30	Nairobi City	1,446,962,393	1,924,120,608	816,339,786	640,180,465
31	Nakuru	1,006,312,104	1,160,413,432	702,181,463	703,777,688
32	Nandi	666,771,490	796,999,461	607,049,529	647,212,948
33	Narok	734,655,062	911,202,495	607,049,529	545,667,285
34	Nyamira	610,515,511	746,578,493	568,996,754	458,194,685
35	Nyandarua	651,697,338	770,438,804	588,023,141	533,107,285
36	Nyeri	692,693,761	776,126,610	607,049,529	605,347,631
37	Samburu	517,964,444	593,254,286	533,708,983	482,789,720

County Government Budget Ceilings on Recurrent Expenditure in Financial Year 2023/2024 (Figures in Kenya Shillings)					
No.	County	County Assembly Ceilings		County Executive Ceilings	
		2022/2023	2023/2024	2022/2023	2023/2024
38	Siaya	683,152,880	775,678,151	607,049,529	540,322,777
39	Taita/Taveta	620,545,692	681,840,554	568,996,754	439,488,905
40	Tana River	582,990,790	677,653,973	537,074,233	436,641,663
41	Tharaka -Nithi	434,745,770	517,563,626	524,178,098	445,463,668
42	Trans Nzoia	643,357,859	685,259,476	588,023,141	427,107,865
43	Turkana	818,680,328	966,834,859	607,049,529	526,961,505
44	Uasin Gishu	703,027,730	796,524,510	607,049,529	474,407,171
45	Vihiga	637,128,800	714,071,318	588,023,141	487,678,963
46	Wajir	853,371,986	992,922,326	597,112,535	599,569,960
47	West Pokot	603,044,748	683,634,469	568,996,754	589,135,145
	Total	34,576,474,969	40,612,656,492	28,486,731,667	25,825,556,396

*(The Chairperson, Standing Committee on Finance and Budget –
14.06.2023)*

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for one minute;

Upon the expiry of one minute, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed two (2) Senators to record their vote verbally.

Thereupon, the following Senators recorded their vote as “**Yes**”: -

1. Sen. Nyutu Joe, MP
2. Sen. Sigei Wakili Hillary Kiprotich, MP

The results of the Division were as follows: -

AYES – 31

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abbas Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Cherarkey Samson Kiprotich, MP
4. Sen. Cheruiyot Aaron Kipkirui, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Kajwang' Moses Otieno, MP
8. Sen. Karungo Thangwa Paul, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Khalwale Boni, MP
11. Sen. Lelegwe Steve Ltumbesi, MP
12. Sen. Maanzo Daniel Kitonga, MP
13. Sen. John Methu Muhia, MP
14. Sen. Mo Fire Gataya Mwenda, MP
15. Sen. Mundigi Alexander Munyi, MP
16. Sen. Mungatana Danson Buya, MP
17. Sen. Mwaruma Johnes Mwashushe, MP
18. Sen. Nderitu John Kinyua, MP
19. Sen. Nyutu Joe, MP - voted verbally
20. Sen. Oburu Odinga, MP
21. Sen. Oketch Eddy Gicheru, MP
22. Sen. Olekina Ledama, MP
23. Sen. Osotsi Godfrey Atieno, MP
24. Sen. Recha Julius Murgor, MP
25. Sen. Roba Ali Ibrahim, MP
26. Sen. Seki Lenku Ole Kanar, MP
27. Sen. Sifuna Edwine Watanya, MP
28. Sen. Sigei Wakili Hillary Kiprotich, MP – voted verbally
29. Sen. Wamatinga Wahome, MP
30. Sen. Wambua Enoch Kiio, MP
31. Sen. William Kipkemoi Kisang, MP

The Second Schedule (as amended)

- agreed to

Clause 2, the Title and Clause 1

Motion made and Question proposed;

THAT, Clause 2, the Title and Clause 1 be part of the Bill

(The Chairperson, Standing Committee on Finance and Budget – 14.06.2023)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for one minute;

Upon the expiry of one minute, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the **“Yes”, “No” or “Abstain”** button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed two (2) Senators to record their vote verbally.

Thereupon, the following Senators recorded their vote as **“Yes”**: -

1. Sen. Nyutu Joe, MP
2. Sen. Sigei Wakili Hillary Kiprotich, MP

The results of the Division were as follows: -

AYES – 29

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abbas Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Cherarkey Samson Kiprotich, MP
4. Sen. Cheruiyot Aaron Kipkirui, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Kajwang’ Moses Otieno, MP
8. Sen. Karungo Thangwa Paul, MP
9. Sen. Khalwale Boni, MP
10. Sen. Lelegwe Steve Ltumbesi, MP
11. Sen. Maanzo Daniel Kitonga, MP
12. Sen. John Methu Muhia, MP
13. Sen. Mo Fire Gataya Mwenda, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwaruma Johnes Mwashushe, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Nyutu Joe, MP - voted verbally
19. Sen. Oketch Eddy Gicheru, MP
20. Sen. Olekina Ledama, MP
21. Sen. Osotsi Godfrey Atieno, MP
22. Sen. Recha Julius Murgor, MP
23. Sen. Roba Ali Ibrahim, MP
24. Sen. Seki Lenku Ole Kanar, MP
25. Sen. Sifuna Edwine Watanya, MP
26. Sen. Sigei Wakili Hillary Kiprotich, MP – voted verbally
27. Sen. Wamatinga Wahome, MP
28. Sen. Wambua Enoch Kiio, MP

29. Sen. William Kipkemoi Kisang, MP

Clause 2, The Title and Clause 1

- agreed to

Motion made: -

THAT, the Committee of the Whole do report to the Senate its consideration of the County Allocation of Revenue Bill (Senate Bills No. 16 of 2023) and its approval thereof with amendments.

(The Vice Chairperson, Standing Committee on Finance and Budget)

Before the Question was put and pursuant to Standing Order 84, the Acting Chairperson (Sen. Hillary Wakili Sigei, MP) ruled that the Question did not affect counties;

Question put and agreed to.

11. **HOUSE RESUMED** – (The Temporary Speaker, Sen. Wakili Hillary Sigei, MP - in the Chair)

12. **THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 16 OF 2023)**

Bill reported with amendments;

Motion made and Question proposed: -

THAT, the House do agree with the Committee of the Whole in the said Report.

(The Chairperson, Standing Committee on Finance and Budget)

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84, the Temporary Speaker (Sen. Hillary Wakili Sigei, MP) ruled that the question did not affect counties;

Question put and agreed to.

Motion made and Question proposed: -

THAT, the County Allocation of Revenue Bill (Senate Bills No. 16 of 2023) be now read a Third Time.

(The Chairperson, Standing Committee on Finance and Budget)

There being no Senator wishing to contribute;

The House proceeded to a Division on the Third Reading of the Bill;

The Temporary Speaker (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for one minute;

Upon the expiry of one minute, the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Temporary Speaker (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the **“Yes”**, **“No”** or **“Abstain”** button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) allowed two (2) Senators to record their vote verbally.

Thereupon, the following Senators recorded their vote as **“Yes”**: -

1. Sen. Nyutu Joe, MP
2. Sen. Sigei Wakili Hillary Kiprotich, MP

The results of the Division were as follows: -

AYES – 29

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abbas Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Cherarkey Samson Kiprotich, MP
4. Sen. Cheruiyot Aaron Kipkirui, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Kajwang’ Moses Otieno, MP
8. Sen. Karungo Thangwa Paul, MP
9. Sen. Khalwale Boni, MP
10. Sen. Lelegwe Steve Ltumbesi, MP
11. Sen. Maanzo Daniel Kitonga, MP
12. Sen. John Methu Muhia, MP
13. Sen. Mo Fire Gataya Mwenda, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwaruma Johnes Mwashushe, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Nyutu Joe, MP - voted verbally
19. Sen. Oketch Eddy Gicheru, MP
20. Sen. Olekina Ledama, MP
21. Sen. Osotsi Godfrey Atieno, MP
22. Sen. Recha Julius Murgor, MP
23. Sen. Roba Ali Ibrahim, MP
24. Sen. Seki Lenku Ole Kanar, MP

- 25. Sen. Sifuna Edwine Watenya, MP
- 26. Sen. Sigei Wakili Hillary Kiprotich, MP – voted verbally
- 27. Sen. Wamatinga Wahome, MP

- 28. Sen. Wambua Enoch Kii, MP
- 29. Sen. William Kipkemoi Kisang, MP

Question, agreed to.

Bill Read a Third Time and passed.

13. **THE LEARNERS WITH DISABILITIES BILL (SENATE BILLS NO. 4 OF 2023)**

(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)

Order for Second Reading read;

Resumption of debate interrupted on Tuesday, 13th June, 2023 - (Division)

Order deferred.

14. **COMMITTEE OF THE WHOLE**

THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILLS NO. 7 OF 2022)

(Sen. Danson Mungatana, MP)

Order for Committee read;

Resumption of debate interrupted on Wednesday, 14th June, 2023 – Afternoon Sitting - (Division)

Order deferred.

15. **COMMITTEE OF THE WHOLE**

THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILLS NO. 6 OF 2022)

(Sen. Danson Mungatana, MP)

Order for Committee read;

Resumption of debate interrupted on Wednesday, 7th June, 2023 – Afternoon Sitting - (Division)

Order deferred.

16. **THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL (SENATE BILLS NO. 12 OF 2022)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Agricultural and Livestock Extension Services Bill (Senate Bills No. 12 of 2022) be now read a Second Time.

(Sen. Maureen Tabitha Mutinda, MP – 14.06.2023)

Debate interrupted on Wednesday, 14th June, 2023 (Afternoon Sitting) resumed;

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

17. **SENATE ROSE** – at thirty minutes past six O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Tuesday, June 20, 2023 at 2:30 p.m.*

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