



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, JULY 20, 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 OF 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 a Quorum before the expiry of ten minutes;

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

4. **PETITIONS**

- i.) Pursuant to Standing Order 236 (2) (b), the Speaker reported to the Senate a Petition by Mr. Elijah Mathungii on behalf of the Supply Chain Management Assistants concerning the discrimination against other health workers in the Ministry of Health.

Pursuant to Standing Order 237, the Speaker invited Senators to make comments, observations or seek clarification in relation to the Petition and, subsequently, committed it to the Standing Committee on Labour and Social Welfare, pursuant to Standing Order 238 (1).

- ii.) Pursuant to Standing Order 238 (2), the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights tabled before the Senate the Report of the Standing Committee on a Petition to the Senate by Mr. Nayan Savla concerning the delay in developing and launching a Victims Rights Charter as provided for under the Victim Protection Act (No. 17 of 2014).

Pursuant to Standing Order 238 (2), the Speaker invited Senators to comment on the Petition.

- iii.) Pursuant to Standing Order 238 (2), the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights tabled before the Senate the Report of the Standing Committee on a Petition to the Senate by Mr. Paulo Mosbei and 19 others concerning historical injustices suffered by the Torobeek Community.

Pursuant to Standing Order 238 (2), the Speaker invited Senators to comment on the Petition.

5. PAPERS LAID

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

- i.) Report of the Auditor-General on the financial statement of the Nyeri Water and Sanitation Company Limited for the year ended 30th June, 2022.
- ii.) Report of the Auditor-General on the financial statement of the Mumias Municipality for twenty-two (22) months period ending 30th June, 2022.
- iii.) Report of the Auditor-General on the financial statement of the Thika Municipality for the year ended 30th June, 2022.

(The Deputy Senate Majority Whip)

- iv.) Report of the Standing Committee on Justice, Legal Affairs and Human Rights on a Petition to the Senate by Mr. Nayan Savla concerning the delay in developing and launching a Victims Rights Charter as provided for under the Victim Protection Act (No. 17 of 2014).
- v.) Report of the Standing Committee on Justice, Legal Affairs and Human Rights on a Petition to the Senate by Mr. Paulo Mosbei and 19 others concerning historical injustices suffered by the Torobeek Community.

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

- vi.) Statement on the Business of the Senate for the week commencing Tuesday, 25th July, 2023.

(The Deputy Senate Majority Whip)

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

- i.) Nominated Senator (Sen. Esther Okenyuri, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations concerning boundary delimitation between Kenya and Uganda in Lake Victoria.
- ii.) Nominated Senator (Sen. Karen Nyamu, MP) sought a statement from the Standing Committee on Finance and Budget regarding the status of Access to Government Procurement Opportunities (AGPO) programme.
- iii.) Statement by Nominated Senator (Sen. Hamida Kibwana, MP) to the Standing Committee on Health regarding alleged medical negligence at Kiambu County Referral Hospital was **dropped** in the absence of the Senator.
- iv.) Statement by Nominated Senator (Sen. Hamida Kibwana, MP) to the Standing Committee on Health regarding the status of medical care at Mathari Mental Hospital was **dropped** in the absence of the Senator.

b) Pursuant to Standing Order 57 (1)

The Deputy Senate Majority Whip on behalf of the Senate Majority Leader issued a statement on the Business of the Senate for the week commencing Tuesday, 25th July, 2023.

7. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 16 OF 2023)

(The Senate Majority Leader)

Order for First Reading read;

Bill read a First Time and committed to the Standing Committee on Finance and Budget.

8. THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL (NATIONAL ASSEMBLY BILLS NO. 23 OF 2023)

(The Senate Majority Leader)

Order for First Reading read;

Bill read a First Time and committed to the Standing Committee on Finance and Budget.

9. **THE PERSONS WITH DISABILITIES BILL (SENATE BILLS NO. 7 OF 2023)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Persons with Disabilities Bill (Senate Bills No. 7 of 2023) be now read a Second Time.

(Sen. Crystal Asige, MP - 18.07.2023)

Debate interrupted on Tuesday, 18th July, 2023 resumed;

And there being no other Senator wishing to contribute;

Mover replied;

Pursuant to Standing Order 66 (3), the Mover requested the Temporary Speaker (Sen. Veronica Maina, MP) to defer the putting of the Question to a later date.

And the Temporary Speaker (Sen. Veronica Maina, MP), acceding to the request, deferred putting of the Question to Tuesday, 25th July, 2023, at 2:30 pm.

10. **THE KONZA TECHNOPOLIS BILL (SENATE BILLS NO. 2 OF 2023)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, The Konza Technopolis Bill (Senate Bills No. 2 of 2023) be now read a Second Time.

(Sen. Gloria Orwoba, MP)

Debate arising;

And there being no other Senator wishing to contribute;

Mover replied;

Pursuant to Standing Order 66 (3), the Mover requested the Temporary Speaker (Sen. Veronica Maina, MP) to defer the putting of the Question to a later date.

And the Temporary Speaker (Sen. Veronica Maina, MP), acceding to the request, deferred putting of the Question to Tuesday, 25th July, 2023, at 2:30 pm.

11. **THE AGRICULTURE AND FOOD AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 13 OF 2023)**

(Sen. James Murango, MP)

(Second Reading)

Order for Second Reading read;

Order deferred.

12. **THE EQUALIZATION FUND (ADMINISTRATION) BILL (SENATE BILLS NO. 14 OF 2023)**

(The Chairperson, Standing Committee on Finance and Budget)

(Second Reading)

Order for Second Reading read;

Order deferred.

13. **THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILLS NO. 9 OF 2022)**

(Sen. Mariam Sheikh Omar, MP)

(Second Reading)

Order for Second Reading read;

Order deferred.

14. **THE TEA (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2023)**

(Sen. Wakili Hillary Sigei, MP)

(Second Reading)

Order for Second Reading read;

Order deferred.

15. **THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2023)**

(Sen. Moses Kajwang' MP)

(Second Reading)

Order for Second Reading read;

Order deferred.

16. **MOTION - INCORPORATION OF INTELLIGENT WATER MANAGEMENT SYSTEMS IN BUILDING PLANS FOR SUSTAINABLE LIVING**

Order read;

Motion made and Question proposed-

THAT, AWARE THAT water is an essential yet scarce resource whose demand is increasing rapidly due to population growth, urbanization, and industrialization, and whose wastage has become an issue that needs to be addressed urgently owing to Kenya's vulnerability to climate change;

NOTING THAT there is a growth in the number of buildings coming up to accommodate the rapidly growing population thereby posing a challenge to water management;

APPRECIATING THAT the incorporation of water management systems in building plans include a variety of techniques and technologies such as rainwater harvesting, waste water recycling, low-flow plumbing, and sensor systems that detect leaks and (de)activate water flow when necessary thereby optimizing the use of water by eliminating water overexploitation, waste water management, and pollution;

NOW THEREFORE the Senate urges the Ministry of Lands, Public Works, Housing and Urban Development in coordination with the Council of Governors and the National Environment Management Authority to:

- i. incorporate into the building code and standards a requirement for intelligent water management systems in all building plans; and
- ii. undertake a systematic nation-wide renovation to government-owned buildings to incorporate water management systems.

(Sen. Wahome Wamatinga, MP - 21.03.2023)

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

And there being no Senator wishing to contribute;

The Temporary Speaker (Sen. Veronica Maina, MP) directed that the Mover be called upon to reply during the sitting of Tuesday, 25th July, 2023.

17. **MOTION - REPORT OF THE SENATE DELEGATION TO THE 67TH SESSION OF THE COMMISSION ON THE STATUS OF WOMEN (CSW 67) HELD IN NEW YORK, FROM 6TH TO 17TH MARCH 2023.**

(Sen. Fatuma Dullo, MP)

Order read;

THAT, the Senate notes the Report of the Senate Delegation to the 67th Session of the Commission on the Status of Women (CSW) held in New York, from 6th to 17th March, 2023, laid on the Table of the Senate on Thursday, 29th June, 2023.

Order deferred.

And there being no other business on the Order Paper, the Temporary Speaker (Sen. Veronica Maina, MP) adjourned the Senate at fifty-three Minutes past five O'clock without Question put, pursuant to the Standing Orders.

18. **SENATE ROSE** - at fifty-three Minutes past five O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Tuesday, July 25, 2023 at 2:30 p.m.*