



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, FEBRUARY 13, 2024 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 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 Quorum, invited the Clerk to call out the Orders of the day.

4. **COMMUNICATION FROM THE CHAIR ON THE COMMENCEMENT OF THE THIRD SESSION OF THE FOURTH SENATE OF THE REPUBLIC OF KENYA**

The Speaker conveyed the following communication from the Chair: -

“Honourable Senators,

It is my pleasure and privilege to welcome you to the Third Session of the Senate. I take this opportunity to also wish Honourable Senators a Happy and Prosperous 2024.

I trust that during the recess you had the opportunity to re-connect with your constituents, listened to their concerns and challenges and assessed opportunities available in our counties. From these interactions, I have no doubt that you will endeavor to develop legislative interventions for addressing emerging issues. In this respect, my office and indeed that of the Clerk of the Senate, is available to Honourable Senators to assist them effectively discharge their Constitutional mandate.

I also trust that during the recess, Honourable Senators took time off to rest, rejuvenate and spend time with families and friends over the Christmas and New Year festivities.

Honourable Senators,

During the Second Session, the Senate participated in two critical events that play an immense role in protecting and upholding the devolved governance structure in Kenya. These were the First Biennial Devolution Conference that took place from 15th to 19th August, 2023, in Eldoret, Uasin Gishu County, and the Senate Mashinani held from 25th to 29th September, 2023, in Lodwar, Turkana County.

The lessons learnt from these two events continue to shape the discourse on how the Senate undertakes its mandate. The Senate must therefore undertake an introspection in relation to the lessons learnt and devise strategies including legislative interventions to address pertinent issues that arose from the two events. I, therefore, urge Standing Committees to critically interrogate the communique from the Devolution Conference and the experiences from the Senate Mashinani in Turkana County and play a proactive role in the opportunities available and finding solutions to the challenges observed.

Honourable Senators,

As we begin the Third Session, it is important to reflect on the Business transacted in the Second Session. Eleven (11) Bills were considered and enacted into law. Out of these, five (5) were Senate Bills and six (6) were National Assembly Bills. By the end of the Second Session, twenty-two (22) Petitions were concluded by the respective Standing Committees, sixty-one (61) Substantive Motions on diverse matters were adopted, two hundred and fifty-four (254) statements pursuant to Standing Order 53 (1) were concluded by the respective Committees while fifty-two (52) Questions were responded to by the relevant Cabinet Secretaries.

From the foregoing, my attention is drawn to the length of time in which Bills are considered in the Senate. There are currently forty-four (44) Bills pending conclusion in the Senate, out of which nine (9) are National Assembly Bills and thirty-five (35) are Senate Bills. On the other hand, there are eight (8) Senate Bills pending conclusion in the National Assembly. This illustrates the work cut out for the Senate in this Session.

For this reason, we must, therefore change our strategy to ensure that legislative business is expedited in the Third Session. I call upon, the Senate Leadership to lead us in this respect. With the same breath, I also urge Chairpersons of Committees to hasten consideration of pending business in their respective Committees and table the reports thereon, pursuant to the Standing Orders.

I wish to inform Senators that as per standard parliamentary practice, Motions that were not concluded by the end of Second Session are deemed to have lapsed. In view of this, Senators wishing to pursue the Motions will have to file them afresh. Similar to Motions, Questions that had not been responded to by

the end of the Second Session, also lapsed and Senators wishing to pursue them will be required to file the Questions afresh.

Honourable Senators,

As has been the tradition at the commencement of every new Session, the Senate will this week receive the Budget Policy Statement, the draft Division of Revenue Bill, the draft County Allocation of Revenue Bill and the draft County Governments Additional Allocations Bill. As we consider these financial instruments, our cardinal duty must be to safeguard the interests of Counties and their Governments as enshrined in Article 96 of the Constitution.

Honourable Senators,

I wish to state that this is an important Session which will offer Honourable Senators an opportunity to demonstrate your commitment to fulfilling the responsibilities bestowed upon you by the Constitution. This will call for Honourable Senators to prioritize attendance and active participation in the Chamber. I am confident that the deliberations of this session will be marked by a spirit of collaboration, mutual respect, and a steadfast commitment to fulfilling our constitutional mandate.

In conclusion, and in established Parliamentary practice pursuant to Standing Order 190, the Senate Majority Leader will shortly give Notice of a Motion for approval of Senators to serve in the Senate Business Committee for the Third Session. This will be the only business on the Order Paper, after which upon dispensing with the Motion, the Senate will adjourn until tomorrow, Wednesday, 14th February, 2024 at 9.30 am.

I thank you and wish all Honourable Senators a fruitful Session.”

5. **NOTICE OF MOTION - APPROVAL OF SENATORS TO SERVE IN THE SENATE BUSINESS COMMITTEE**
(The Senate Majority Leader)

THAT, pursuant to Standing Orders 190 and 199(3), the Senate approves the following Senators nominated to serve in the Senate Business Committee for the Third Session, in addition to the Speaker of the Senate, who pursuant to Standing Order 190(1) (a), shall be the Chairperson of the Committee, the Senate Majority Leader, the Senate Minority Leader, the Senate Majority Whip and the Senate Minority Whip: -

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| 1. Sen. Roba Ali Ibrahim, EGH, MP | - Member |
| 2. Sen. Edwin Sifuna, MP | - Member |
| 3. Sen. Veronica Maina, MP | - Member |
| 4. Sen. Wakili Hillary Kiprotich Sigei, MP | - Member |
| 5. Sen. Maureen Tabitha Mutinda, MP | - Member |
| 6. Sen. Agnes Kavindu Muthama, MP | - Member |
| 7. Sen. Mwinyihaji Faki, CBS, MP | - Member |

6. **MOTION - APPROVAL OF SENATORS TO SERVE IN THE SENATE BUSINESS COMMITTEE**

Order read;

Motion made and Question proposed;

THAT, pursuant to Standing Orders 190 and 199(3), the Senate approves the following Senators nominated to serve in the Senate Business Committee for the Third Session, in addition to the Speaker of the Senate, who pursuant to Standing Order 190(1) (a), shall be the Chairperson of the Committee, the Senate Majority Leader, the Senate Minority Leader, the Senate Majority Whip and the Senate Minority Whip: -

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|----|---|----------|
| 1. | Sen. Roba Ali Ibrahim, EGH, MP | - Member |
| 2. | Sen. Edwin Sifuna, MP | - Member |
| 3. | Sen. Veronica Maina, MP | - Member |
| 4. | Sen. Wakili Hillary Kiprotich Sigei, MP | - Member |
| 5. | Sen. Maureen Tabitha Mutinda, MP | - Member |
| 6. | Sen. Agnes Kavindu Muthama, MP | - Member |
| 7. | Sen. Mwinyihaji Faki, CBS, MP | - Member |

(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 84 (2), the Speaker ruled that the matter did not affect Counties;

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, pursuant to Standing Orders 190 and 199(3), the Senate approves the following Senators nominated to serve in the Senate Business Committee for the Third Session, in addition to the Speaker of the Senate, who pursuant to Standing Order 190(1) (a), shall be the Chairperson of the Committee, the Senate Majority Leader, the Senate Minority Leader, the Senate Majority Whip and the Senate Minority Whip: -

- | | | |
|----|---|----------|
| 1. | Sen. Roba Ali Ibrahim, EGH, MP | - Member |
| 2. | Sen. Edwin Sifuna, MP | - Member |
| 3. | Sen. Veronica Maina, MP | - Member |
| 4. | Sen. Wakili Hillary Kiprotich Sigei, MP | - Member |
| 5. | Sen. Maureen Tabitha Mutinda, MP | - Member |

6. Sen. Agnes Kavindu Muthama, MP - Member
7. Sen. Mwinyihaji Faki, CBS, MP - Member

And there being no other business on the Order Paper, the Speaker adjourned the Senate at twenty-three minutes past Four O'clock without Question put, pursuant to the Standing Orders.

7. **SENATE ROSE** - at twenty-three minutes past Four O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, February 14, 2024, at 9:30 a.m.*

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