



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – SECOND SESSION**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, AUGUST 01, 2018 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 Deputy Speaker.
3. **COMMUNICATIONS FROM THE CHAIR**

The Deputy Speaker conveyed the following Communications from the Chair -

**(i) Visiting delegation from the National Council, Parliament of the Republic of Namibia.**

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, of a visiting delegation from the National Council, Parliament of the Republic of Namibia, Standing Committee on Habitat.

I request each member of the delegation to stand when called out so that they may be acknowledged in the Senate tradition.

They are:

- |                                   |                                     |
|-----------------------------------|-------------------------------------|
| 1. Hon. Sipapela Cletius Sipapela | - Committee Chairperson             |
| 2. Hon. Betty B. Kaula            | - Vice Chairperson                  |
| 3. Hon. Weich Mupya               | - Member                            |
| 4. Hon. Lotto Kushomwa            | - Member                            |
| 5. Ms. Naomi T. Simion            | - Deputy Director , Habitat Namibia |
| 6. Mr. Simataa Silume             | - Chief Parliamentary Clerk         |
| 7. Ms. Priskila Kulula            | - Parliamentary Clerk               |

On behalf of the Senate and on my own behalf, I welcome them to the Senate and I wish them well for the remainder of their stay.

I thank you.”

**(ii) Visiting students and teachers from Kenya Relief Academy Primary School, Migori County.**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Kenya Relief Academy Primary School, Migori County.

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) Visiting students and teachers from Barsorai Primary School, Samburu County**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Parsorai Primary School, Samburu County.

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.”

**(iv) Visiting students and teachers from Sitoto Primary School, Elgeyo Marakwet County**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Sitoto Primary School, Elgeyo Marakwet County.

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.”

**(v) Visiting students and teachers from Chop Primary School, Elgeyo Marakwet County**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Chop Primary School, Elgeyo Marakwet County.

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.”

**(vi) Visiting students and teachers from St. Camila Primary School, Baringo County**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from St. Camila Primary School, Baringo County.

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.”

**(vii) Visiting Staff from the County Assembly of Uasin Gishu.**

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, of visiting staff from the County Assembly of Uasin Gishu.

I request each member of the delegation to stand when called out so that they may be acknowledged in the Senate tradition.

They are:

- |                       |   |                        |
|-----------------------|---|------------------------|
| 1. Mr. Haron Sitienei | - | Legislative Department |
| 2. Ms. Zddy Tanui     | - | Legislative Department |
| 3. Ms. Kigen Gloria   | - | Legislative Department |
| 4. Ms. Rose Jeruto    | - | Legislative Department |

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.”

**(viii) Visiting students and teachers from Matunda Primary School, Muranga County**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Matunda Primary School, Muranga County.

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.”

**(ix) Visiting students and teachers from Gatanga Primary School, Muranga County**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Gatanga Primary School, Muranga County.

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.”

**(x) Visiting students and teachers from Marura Primary School, Nakuru County**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Marura Primary School, Nakuru County.

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.”

**(xi) Visiting students and teachers from Jamaa Primary School, Kisumu County**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Jamaa Primary School, Kisumu County. 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.”

**4. PETITIONS**

The following Petition Report was laid on the Table of the Senate-

Report of the Standing Committee on Health on a Petition to the Senate by Mr. Gwada Ogot, concerning the decriminalization of Marijuana.

*(Chairperson, Standing Committee on Health)*

**5. PAPERS LAID**

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

(i) Report of the Auditor-General on the Financial Statements of the Council of Governors Secretariat for the year ended 30 June, 2017.

*(Deputy Majority Leader)*

(ii) Report of the Parliamentary Service Commission on the appointment of the nominee of the Parliamentary Service Commission to the position of non-Member of Parliament to the Commission.

*(Sen. George Khaniri)*

(iii) Report of the Standing Committee on Education on the TVET Conference held in Victoria, Canada from 27<sup>th</sup> April-2<sup>nd</sup> May, 2018.

*(Sen. (Dr.) Christopher Lang'at)*

(iv) Report of the Standing Committee on Labour and Social Welfare on the 2018 Commonwealth Games held in Gold-Coast, Australia from 4<sup>th</sup> to 15<sup>th</sup> April, 2018.

*(Sen. (Dr.) Alice Milgo)*

6. **NOTICE OF MOTION** – (Sen. (Dr.) Alice Milgo)

**THAT**, this House notes the Report of the Standing Committee on Labour and Social Welfare on the 2018 Commonwealth Games held in Gold-Coast, Australia from 4<sup>th</sup> to 15<sup>th</sup> April, 2018, laid on the Table of the Senate on Wednesday, 1<sup>st</sup> August, 2018.

7. **NOTICE OF MOTION** – (Sen. (Dr.) Christopher Lang'at)

**THAT**, this House notes the Report of the Standing Committee on Education on the TVET Conference held in Victoria, Canada from 27<sup>th</sup> April – 2<sup>nd</sup> May, 2018, laid on the Table of the Senate on Wednesday, 1<sup>st</sup> August, 2018.

8. **STATEMENTS**a) **Statements pursuant to standing order 46 (2) (a)**

- (i) The Senator for Vihiga County (Sen. George Khaniri) made a statement regarding the under-utilization of development funds at the counties, massive corruption and alleged diversion of public funds to personal accounts by some county officials.

The in the Statement, the Senator informed the House that since establishment of county assemblies following the General Elections of March, 2013, great strides had been made towards improving service delivery to Kenyans. The Senator noted that the Second Senate had rolled numerous programmes towards capacity development of County Assemblies members and the secretariat.

The Senator stated that it was disturbing to receive reports that counties were mismanaging the monies allocated to them for development. The Senator was concerned that majority of citizens in counties continue enduring poor sanitation, poor road infrastructure, below standards health services and increasing poverty levels yet county governments were receiving billions of shillings every financial year for development.

The Senator noted that the fight against corruption had gathered momentum and urged all Kenyans and institutions mandated to safeguard Kenya against corruption to play their rightful role.

- (ii) Nominated Senator (Sen. Mary Seneta), made a statement regarding the death of eleven rhinos that were trans-located from Lake Nakuru and Nairobi National Parks to Tsavo East National Park.

In the statement, the Senator observed that black rhinos were some of the most endangered wild animals in Kenya. The Senator stated that statistics showed that there were only about 700 black rhinos in the country and that the number kept on decreasing by the day.

She was concerned that in the recent past, eleven black rhinos had died after they were trans-located from Lake Nakuru and Nairobi National Parks to Tsavo East National Park. She noted with concern the failure by the National Government to brief Kenyans on the actual cause of the deaths and how such occurrence would be prevented in future.

The Senator, called upon the Standing Committee on Land, Environment and Natural Resources to carry out an inquiry with a view to establishing the cause of the death of the rhinos and the matter of delay of compensation to victims of human-wildlife conflict.

- (iii) Nominated Senator (Sen. Mercy Chebeni) made a statement regarding the International Youth Day celebrations scheduled for 10<sup>th</sup> August, 2018 at the National Assembly Chambers.

In the statement, the Senator informed the House that the International Youth Day, is a day to celebrate the youth in society. The theme of 2018 International Youth Day would be “SAFE SPACES FOR YOUTH”.

She noted that the theme resonated well with the government’s commitment to ensure the youth were accorded a platform to engage in meaningful discussions with stakeholders.

She appealed to all Senators to sponsor at least two (2) youths (male and female) from their respective counties to join other youth in celebrating the event.

9. **MOTION – REPORT OF THE SELECT COMMITTEE ON THE SOLAI DAM TRAGEDY**

Motion Made.

**THAT**, the House adopts the Report of the Select Committee on the Solai Dam Tragedy, laid on the Table of the Senate on Thursday, 26<sup>th</sup> July, 2018.

*(Sen. Mutula Kilonzo Jnr)*

Following a Point of Order under Standing Order 92 (1) by Senator Gideon Moi, the Deputy Speaker directed that the Motion be deferred to Thursday, 2<sup>nd</sup> August, 2018.

10. **COMMITTEE OF THE WHOLE  
THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2017)**  
(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

*(Resumption of Debate interrupted on Wednesday, 25<sup>th</sup> July, 2018)*

Order deferred.

11. **COMMITTEE OF THE WHOLE****THE OFFICE OF THE COUNTY ATTORNEY BILL (SENATE BILLS NO. 3 OF 2018)**

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

Order deferred.

12. **COMMITTEE OF THE WHOLE****THE FOOD SECURITY BILL (SENATE BILLS NO. 12 OF 2017)**

(The Senate Majority Leader)

Order deferred.

13. **COMMITTEE OF THE WHOLE****THE OFFICE OF THE COUNTY PRINTER BILL (SENATE BILLS NO. 7 OF 2018)**

(Sen. Petronila Were Lokorio, MP)

Order deferred.

14. **THE COUNTY GOVERNMENT (AMENDMENT) BILL (SENATE BILLS NO. 13 OF 2018)**

Order for Second Reading read;

Motion made and Question proposed-

**THAT**, the County Government (Amendment) Bill (Senate Bills No. 13 of 2018) be now read a Second Time.

*(Sen. Aaron Cheruiyot, MP - 25.7.2018)*

Debate interrupted on Wednesday, 25<sup>th</sup> July, 2018 resumed;

And there being no other Senator willing to contribute;

Mover Replied;

Raising a point of order, pursuant to Standing Order 55 (3), the Mover requested the Temporary Speaker (Sen. Rose Nyamunga) to defer putting of the question to a later date;

And the Temporary Speaker (Sen. Rose Nyamunga) acceding to the request, nominated Thursday, 2<sup>nd</sup> August, 2018 as the day when the question shall be put.

15. **THE LOCAL CONTENT BILL (SENATE BILLS NO. 10 OF 2018)**

(Sen. Gideon Moi, MP)

*(Second Reading)*

Order deferred.

16. **MOTION – NEED TO REVIEW AND EVALUATE THE STATE OF EDUCATION IN NORTHERN KENYA**

Motion moved and Question proposed -

**THAT, AWARE** that Article 43 (f) of the Constitution of Kenya stipulates that every person has the right to education, and Article 53(1)(b) provides that every child has the right to free and compulsory basic education;

**ALSO AWARE** that education is a basic need and a tool for intellectual empowerment and social-political development;

**FURTHER AWARE** that education is a shared function between the National and the County levels of Government with the National Government being responsible for Primary, secondary and Higher education while the County Government is responsible for preprimary education, village polytechnics and home craft centers;

**COGNISANT** that both levels of Government complement each other in promoting sustainable education;

**CONCERNED** that the intake, uptake and quality of education in the Northern Kenya have adversely been affected owing to discrepancies in public resources allocation, insecurity, skewed staffing and teacher training in the region;

**FURTHER CONCERNED** that both the school completion rate and the national examination outcomes in region are poor and that the number of students from Northern Kenya who qualify for core courses in universities, colleges, technical schools and village polytechnics is minimal compared to other parts of the country;

**NOTING WITH CONCERN** that due to insecurity and other related concerns, the Teachers Service Commission (TSC) which is the body responsible for the

employment and deployment of teachers, has in the recent past, taken steps to transfer non-local teachers from the northern region of Kenya to other parts of the country;

**CONCERNED THAT**, the transfers have led to shortage of skilled teachers which has been a major cause of the dismal performance in examinations in schools in the region;

**NOW THEREFORE**, the Senate resolves to task the Standing Committee on Education to conduct an inquiry into the challenges facing the education sector in Northern Kenya with a view to-

1. evaluating the effect of the teacher transfers from the region and recommending to the Ministry of Education, policy measures to address the challenge;
2. evaluating the status of the education infrastructure in the region and proposing solutions to mitigate the current and looming challenges;
3. proposing mechanisms for enhanced resource allocation at both levels of government to facilitate improved education facilities; and
4. assessing school intake compared completion levels in the region in order to ascertain the impact of the challenges facing the schools and how these

disadvantages the region compared to other parts of Kenya and proposing ways of addressing the challenges.

And that the Committee submits a report to the Senate within three months of adoption of this Motion by the Senate.

*(Sen. (Dr.) Abdullahi Ali, MP – 31.7.2018)*

Debate interrupted on Tuesday, 31<sup>st</sup> July, 2018 resumed;

And there being no other Senator wishing to contribute;

The Mover Replied;

Before the Question was put and pursuant to Standing Order 73, the Temporary Speaker (Sen. Rose Nyamunga) ruled that the Motion did not affect counties.

Question put and **agreed to.**

**RESOLVED ACCORDINGLY**

**THAT, AWARE** that Article 43 (f) of the Constitution of Kenya stipulates that every person has the right to education, and Article 53(1)(b) provides that every child has the right to free and compulsory basic education;

**ALSO AWARE** that education is a basic need and a tool for intellectual empowerment and social-political development;

**FURTHER AWARE** that education is a shared function between the National and the County levels of Government with the National Government being responsible for Primary, secondary and Higher education while the County Government is responsible for preprimary education, village polytechnics and home craft centers;

**COGNISANT** that both levels of Government complement each other in promoting sustainable education;

**CONCERNED** that the intake, uptake and quality of education in the Northern Kenya have adversely been affected owing to discrepancies in public resources allocation, insecurity, skewed staffing and teacher training in the region;

**FURTHER CONCERNED** that both the school completion rate and the national examination outcomes in region are poor and that the number of students from Northern Kenya who qualify for core courses in universities, colleges, technical schools and village polytechnics is minimal compared to other parts of the country;

**NOTING WITH CONCERN** that due to insecurity and other related concerns, the Teachers Service Commission (TSC) which is the body responsible for the employment and deployment of teachers, has in the recent past, taken steps to transfer non-local teachers from the northern region of Kenya to other parts of the country;

**CONCERNED THAT**, the transfers have led to shortage of skilled teachers which has been a major cause of the dismal performance in examinations in schools in the region;

**NOW THEREFORE**, the Senate resolves to task the Standing Committee on Education to conduct an inquiry into the challenges facing the education sector in Northern Kenya with a view to-

1. evaluating the effect of the teacher transfers from the region and recommending to the Ministry of Education, policy measures to address the challenge;
2. evaluating the status of the education infrastructure in the region and proposing solutions to mitigate the current and looming challenges;
3. proposing mechanisms for enhanced resource allocation at both levels of government to facilitate improved education facilities; and
4. assessing school intake compared completion levels in the region in order to ascertain the impact of the challenges facing the schools and how these disadvantages the region compared to other parts of Kenya and proposing ways of addressing the challenges.

And that the Committee submits a report to the Senate within three months of adoption of this Motion by the Senate.

17. **MOTION – REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON FINANCIAL OPERATIONS OF THE NAKURU COUNTY EXECUTIVE FOR FY 2013/2014**

**THAT**, this House adopts the Report of the Sessional Committee on County Public Accounts and Investments on the inquiry into the Financial operations of Nakuru County Executive for the Financial year 2013/2014 (1<sup>st</sup> July 2013 - 30<sup>th</sup> June, 2014) laid on the Table of the House on Tuesday, 19<sup>th</sup> June, 2018.

*(Chairperson, Sessional Committee on County Public Accounts and Investments)*

Order Deferred.

18. **MOTION – REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON FINANCIAL OPERATIONS OF THE KILIFI COUNTY EXECUTIVE FOR FY 2013/2014**

**THAT**, this House adopts the Report of the Sessional Committee on the County Public Accounts and Investments on the inquiry into the Financial operations of Kilifi County Executive for the Financial year 2013/2014 (1<sup>st</sup> July 2013 - 30<sup>th</sup> June, 2014) laid on the Table of the House on Tuesday, 19<sup>th</sup> June, 2018.

*(Chairperson, Sessional Committee on County Public Accounts and Investments)*

Order Deferred.

19. **MOTION – REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON FINANCIAL OPERATIONS OF THE HOMABAY COUNTY EXECUTIVE FOR FY 2013/2014**

**THAT**, this House adopts the Report of the Sessional Committee on the County Public Accounts and Investments on the inquiry into the Financial operations of Homabay County Executive for the Financial year 2013/2014 (1<sup>st</sup> July 2013 - 30<sup>th</sup> June, 2014) laid on the Table of the House on Tuesday, 19<sup>th</sup> June, 2018.

*(Chairperson, Sessional Committee on County Public Accounts and Investments)*

Order Deferred.

20. **MOTION – REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON FINANCIAL OPERATIONS OF THE KISII COUNTY EXECUTIVE FOR FY 2013/2014**

**THAT**, this House adopts the Report of the Sessional Committee on the County Public Accounts and Investments on the inquiry into the Financial operations of Kisii County Executive for the Financial year 2013/2014 (1<sup>st</sup> July 2013 - 30<sup>th</sup> June, 2014) laid on the Table of the House on Tuesday, 19<sup>th</sup> June, 2018.

*(Chairperson, Sessional Committee on County Public Accounts and Investments)*

Order Deferred.

21. **MOTION – APPROVAL OF SENATORS TO SERVE IN SELECT COMMITTEES**

**THAT**, pursuant to standing orders 183, 212 and 213, the Senate approves the nomination of Sen. Rose Nyamunga, MP, to serve in the Standing Committee on Devolution and Intergovernmental Relations in place of Sen. James Orengo, EGH, SC, MP.

*(The Senate Majority Leader)*

Order Deferred.

22. **MOTION – NEED FOR STANDARD POLICY REGULATION FOR CONSTRUCTION AND MAINTENANCE OF RURAL ACCESS ROADS**

Motion made and Question proposed-

**THAT, AWARE** that Section 15 of the National Construction Authority (NCA) Act prescribes the requirements for registration as a contractor;

**ALSO AWARE** that Section 18 of the Act mandates the NCA Board to accredit firms incorporated outside Kenya to carry out construction works in Kenya for a prescribed period;

**CONCERNED** that a large number of registered local contractors cannot perform up to the expected standard leading to collapsed buildings, poor county roads and infrastructure and incomplete contracts;

**APPRECIATING** that there is still a good number of local contractors that has demonstrated capacity to perform and deliver projects as required;

**DEEPLY CONCERNED** that foreign contractors are now engaging in projects that local contractors have equal capacity and skill to perform, especially in the counties;

**RECOGNIZING THAT** there is need to grow our local industries by giving job opportunities to Kenyan citizens and building their technical capacities;

**NOW THEREFORE**, the Senate calls upon the Government through the NCA to-

1. conduct a fresh registration drive of all building and infrastructure contractors in order to weed out all non-performing ones and to identify those who demonstrate compliance;
2. enforce strict oversight on foreign contractors and institute a mechanism to handle complaints raised against contractors;
3. ensure that foreign contractors are only awarded contracts that local contractors cannot handle and require them to include technology transfer to locals; and
4. require both local and foreign contractors to undertake corporate social responsibility activities in the counties where they operate.

*(Sen. (Arch.) Sylvia Kasanga, MP – 26.7.2018)*

Debate interrupted on Thursday, 26<sup>th</sup> July, 2018 resumed;

And there being no other Senator willing to contribute;

Before the Question was put and pursuant to Standing Order 73, the Temporary Speaker (Sen. Rose Nyamunga) ruled that the Motion did not affect counties.

Question put and agreed to.

**RESOLVED ACCORDINGLY**

**THAT, AWARE** that Section 15 of the National Construction Authority (NCA) Act prescribes the requirements for registration as a contractor;

**ALSO AWARE** that Section 18 of the Act mandates the NCA Board to accredit firms incorporated outside Kenya to carry out construction works in Kenya for a prescribed period;

**CONCERNED** that a large number of registered local contractors cannot perform up to the expected standard leading to collapsed buildings, poor county roads and infrastructure and incomplete contracts;

**APPRECIATING** that there is still a good number of local contractors that has demonstrated capacity to perform and deliver projects as required;

**DEEPLY CONCERNED** that foreign contractors are now engaging in projects that local contractors have equal capacity and skill to perform, especially in the counties;

**RECOGNIZING THAT** there is need to grow our local industries by giving job opportunities to Kenyan citizens and building their technical capacities;

**NOW THEREFORE**, the Senate calls upon the Government through the NCA to-

1. conduct a fresh registration drive of all building and infrastructure contractors in order to weed out all non-performing ones and to identify those who demonstrate compliance;
2. enforce strict oversight on foreign contractors and institute a mechanism to handle complaints raised against contractors;
3. ensure that foreign contractors are only awarded contracts that local contractors cannot handle and require them to include technology transfer to locals; and
4. require both local and foreign contractors to undertake corporate social responsibility activities in the counties where they operate.

23. **MOTION - FLOOD SITUATION IN THE COUNTRY**

**THAT**, aware that several days of heavy rains recently have caused severe flooding in many parts of the country, resulting in multiple deaths and devastating damage to property and infrastructure;

**NOTING** with concern that, whenever Kenya experiences periods of severe drought, torrential rains usually follow;

**CONCERNED** that year in year out, the challenge of floods continues to recur, leading to loss of human and animal life, displacement of people and wanton destruction of property;

**COGNIZANT** that the number of Kenyans needing emergency food aid as a result of displacement caused by the current floods continues to rise by the day, and that the floods have also washed away many bridges and destroyed roads in many parts of Kenya;

**ALSO CONCERNED** that no effective measures, such as improved storm water harvesting, proper drainage infrastructure and preventing the destruction of riparian reserves and natural water courses, to mitigate and/or provide a lasting solution to the menace of flooding, have been taken;

**NOW THEREFORE**, the Senate calls upon the National Government to develop a lasting framework to permanently address the challenge of effects of floods by, among other things-

1. developing and enforcing regulations for preventing the obstruction of riparian reserves and natural water courses; and
2. preventing and regulating the construction of informal settlements and ensuring prevention of construction on low lying areas and flood plains.

And further that the relevant government agency to execute this task submits a report to the Senate within three months of the adoption of this Motion.

(*Sen. Fatuma Dullo, MP*)

Order deferred.

There being no other business, the Temporary Speaker (Sen. Rose Nyamungwa) adjourned the Senate at forty minutes past Five O' without Question put, pursuant to the standing orders.

24. **SENATE ROSE** - at forty minutes past five O'clock.

**M E M O R A N D U M**

*The Speaker will take the Chair on  
Thursday, August 2, 2018 at 2.30 p.m.*

--x--