



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – SECOND SESSION

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, NOVEMBER 13, 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 Speaker.
3. **COMMUNICATION FROM THE CHAIR ON VISITING STUDENTS FROM KALAMAZOO COLLEGE - U.S.A**

The Speaker conveyed the following Communication from the Chair:–

Honourable Senators,

I would like to acknowledge the presence, in the Speaker's Gallery, this afternoon, of visiting students from Kalamazoo College, U.S.A who are on a 6-month exchange programme hosted by the University of Nairobi. They are accompanied by university staff.

I request them to stand when called out so that they may be acknowledged in the Senate tradition.

1. Ms. Claudia Stroupe;
2. Ms. Meryl Mc Donhell;
3. Ms. Raen Wolmark;
4. Ms. Tamara Morrison; and
5. Dr. Kathleen Anangwe – Lecturer the University of Nairobi.

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. **MESSAGES FROM THE NATIONAL ASSEMBLY ON THE APPROVAL OF THE URBAN AREAS AND CITIES (AMENDMENT) BILL (SENATE BILLS NO. 4 OF 2017)**

The Speaker conveyed the following Message from the National Assembly: –

“Honourable Senators,

I wish to report to the Senate that, pursuant to Standing Order 41 (4) and (6), I have received the following Message from the Speaker of the National Assembly regarding the approval, with amendments, of the Urban Areas and Cities (Amendment) Bill (Senate Bills No. 4 of 2017)-

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

WHEREAS, the Urban Areas and Cities (Amendment) Bill (Senate Bill No. 4 of 2017) was published vide Kenya Gazette No. 157 of 13th October 2017 as a Bill concerning county governments seeking to amend the Urban Areas and Cities Act, 2011;

WHEREAS, the said Bill was passed by the Senate on Thursday, 29th March 2018 and referred to the National Assembly for consideration;

AND WHEREAS, the National Assembly passed the said Bill on Wednesday, 7th November 2018, with amendments to Clause 19 in the form attached herewith;

NOW THEREFORE, in accordance with the provisions of Article 110 of the Constitution and Standing Order 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,

Article 112 (1) (b) of the Constitution provides that *if one House passes an ordinary Bill concerning counties and the second House passes the Bill in an amended form, it shall be referred back to the originating House for reconsideration.*

Honourable Senators,

In this regard, I direct the Standing Committee on Devolution and Intergovernmental Relations to deliberate on the National Assembly

amendments and report to the Senate. Further, pursuant to Standing Order 159 (1) of the Senate Standing Orders, I direct that the National Assembly amendments to the Urban Areas and Cities (Amendment) Bill (Senate Bills No. 4 of 2017) be circulated to all Senators and be listed in the Order Paper for consideration on Tuesday 20th November, 2018.

I thank you.”

5. PAPERS LAID

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

- a) Report of the Auditor General on the Financial Statements of County Executive of Laikipia for the year ended 30th June 2017.
- b) Report of the Auditor General on the Financial Statements of County Executive of Kiambu for the year ended 30th June 2017.
- c) Report of the Auditor General on the Financial Statements of County Executive of Nyeri for the year ended 30th June 2017.
- d) Report of the Auditor General on the Financial Statements of County Executive of Kirinyaga for the year ended 30th June 2017.
- e) Report of the Auditor General on the Financial Statements of County Executive of Murang'a for the year ended 30th June 2017.
- f) Report of the Auditor General on the Financial Statements of County Executive of Nyandarua for the year ended 30th June 2017.
- g) Report of the Auditor General on the Financial Statements of County Executive of Baringo for the year ended 30th June 2017.
- h) Report of the Auditor General on the Financial Statements of County Executive of Bomet for the year ended 30th June 2017.
- i) Report of the Auditor General on the Financial Statements of County Executive of Samburu for the year ended 30th June 2017.
- j) Report of the Auditor General on the Financial Statements of County Executive of Narok for the year ended 30th June 2017.
- k) Report of the Auditor General on the Financial Statements of County Executive of Nakuru for the year ended 30th June 2017.
- l) Report of the Auditor General on the Financial Statements of County Executive of Kericho for the year ended 30th June 2017.
- m) Report of the Auditor General on the Financial Statements of Homa Bay County Assembly Car Loan and Mortgage Fund for the year ended 30th June 2016.
- n) Report of the Auditor General on the Financial Statements of Homa Bay County Assembly Car Loan and Mortgage Fund for the year ended 30th June 2017.
- o) Report of the Auditor General on the Financial Statements of Homa Bay County Executive Car Loan and Mortgage Fund for the year ended 30th June 2017.

- p) Report of the Auditor General on the Financial Statements of Homa Bay County Assembly Car Loan and Mortgage Fund for fourteen (14) months period ended 30th June 2015.
- q) Report of the Auditor General on the Financial Statements of Bungoma County Women Empowerment Fund for the year ended 30th June 2017.
- r) Report of the Auditor General on the Financial Statements of County Assembly of Siaya Car Loan and Mortgage Fund for the year ended 30th June 2017.
- s) Report of the Auditor General on the Financial Statements of Garissa County Executive for the year ended 30th June 2017.
- t) Report of the Auditor General on the Financial Statements of Embu County Executive for the year ended 30th June 2017.
- u) Report of the Auditor General on the Financial Statements of Kitui County Executive for the year ended 30th June 2017.
- v) Report of the Auditor General on the Financial Statements of Mandera County Executive for the year ended 30th June 2017.
- w) Report of the Auditor General on the Financial Statements of Wajir County Executive for the year ended 30th June 2017.
- x) Report of the Auditor General on the Financial Statements of Marsabit County Executive for the year ended 30th June 2017.
- y) Report of the Auditor General on the Financial Statements of Meru County Executive for the year ended 30th June 2017.
- z) Report of the Auditor General on the Financial Statements of Isiolo County Assembly for the year ended 30th June 2017.

(The Senate Majority Leader)

6. THE COUNTY GOVERNMENT RETIREMENT SCHEME BILL (NATIONAL ASSEMBLY BILLS NO. 10 OF 2018)

Order for First Reading read;

Bill Read a First Time and Committed to the Standing Committee on Labour and Social Welfare pursuant to the Standing Orders.

7. THE COPYRIGHT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 33 OF 2017)

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Copyright (Amendment) Bill (National Assembly Bills No. 33 of 2017) be now read a Second Time.

(The Senate Majority Leader - 07.11.2018)

Debate interrupted on Wednesday, 7th November, 2018 resumed;

There being no other Senator wishing to contribute;

Mover replied;

Raising a point of Order, the Senate Majority Leader requested that the putting of the question be deferred to a later date, pursuant to Standing Order 61(3);

And the Speaker, acceding to the request nominated Wednesday 14th November, 2018 as the day when the Question shall be put.

8. THE COUNTY OUTDOOR ADVERTISEMENT CONTROL BILL (SENATE BILLS NO. 19 OF 2018)

Order for Second Reading read;

Motion made and Question proposed;

THAT the County Outdoor Advertisement Control Bill (Senate Bills No. 19 of 2018) be now read a Second Time.

(Sen. Samuel Poghio, MP)

Debate arising;

There being no other Senator wishing to contribute;

Mover replied;

Raising a point of Order Sen. Samuel Poghio, MP requested that the putting of the Question be deferred to a later date, pursuant to Standing Order 61(3);

And the Speaker, acceding to the request and nominated Wednesday 14th November, 2018 as the day when the question shall be put.

9. THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 52 OF 2017)

(The Senate Majority Leader)

Order for Second Reading read;

Order deferred.

10. THE LAND VALUE INDEX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 3 OF 2018)

Order for Second Reading read;

Motion made;

THAT the Land Value Index Laws (Amendments) Bill (National Assembly Bills No. 3 of 2018) be now read a second time.

(The Senate Majority Leader)

And the time being thirty minutes past Six O'clock, the Temporary Speaker (Sen. (Dr.) Steve Lelegwe) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

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

MEMORANDUM

*The Speaker will take the Chair on
Wednesday, November 14, 2018 at 2.30 p.m.*

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