



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – SECOND SESSION

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, NOVEMBER 06, 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. **PETITION**

Pursuant to Standing Order 230 (2) (a) the Senator for Taita Taveta County Sen. (Johnes Mwaruma, MP) presented to the Senate a Petition on alleged insecurity caused by camel herders in Teri B Ranch in Taita Taveta County. Pursuant to Standing Order 231, the Speaker invited Senators to comment on the Petition and, subsequently, committed the Petition to the Standing Committee on National Security, Defence and Foreign relations for consideration, pursuant to Standing Order 232 (1).

4. **PAPER LAID**

The following Paper was laid on the Table of the Senate: -

Report of the Auditor General on the Financial Statements of the Wajir County Assembly for the year ended 30th June 2017.

(The Senate Majority Whip on behalf of the Senate Majority Leader)

5. **STATEMENT PURSUANT TO STANDING ORDER 48 (1)**

The Senator for Kirinyaga County (Sen. Charles Kibiru, MP) sought a statement from the Standing Committee on Land, Environment and Natural Resources on the status of the issuance of title deeds to rice farmers in Mwea in Kirinyaga County.

6. **THE COUNTY PLANNING (ROADS, PAVEMENTS AND PARKING BAYS) BILL (SENATE BILLS NO. 18 OF 2018)**

Order for Second reading read;

Motion made and Question proposed;

That, the County Planning (Roads, pavements and parking Bays) Bill (Senate Bill No.18 of 2018) be now read a Second Time

(Sen. Ledama Olekina, MP – 23.10.2018)

Debate interrupted Wednesday, 24th October, 2018 resumed;

Raising on a point of Order, Sen. Ledama Olekina, MP requested for deferment of the putting of the question to a later date, pursuant to Standing Order 61(3);

And the Speaker, acceding to the request nominated Wednesday 7th November, 2018 as the day when the Question shall be put.

7. **THE DATA PROTECTION BILL (SENATE BILLS NO. 16 OF 2018)**

Order for Second reading read;

Motion made and Question proposed;

THAT, the Data Protection Bill (Senate Bills No. 16 of 2018) be now read a Second Time.

(Vice-Chairperson, Standing Committee on Information and Technology)

Debate arising;

There being no other Senator wishing to contribute;

Mover replied;

Raising on a point of Order the Vice Chairperson, Standing Committee on Information and Technology (Sen. Abshiro Halake), requested the putting of the question be deferred to a later date, pursuant to Standing Order 61(3);

And the Temporary Speaker (Sen. (Prof.) Margaret Kamar), acceding to the request, nominated Wednesday 7th November, 2018 as the day when the Question shall be put.

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

(Sen. Samuel Poghio, MP)

(Second Reading)

Order for Second reading read;

Order deferred.

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

(The Senate Majority Leader)

(Second Reading)

Order deferred.

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

(The Senate Majority Leader)

(Second Reading)

Order deferred.

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

(The Senate Majority Leader)

(Second Reading)

Order deferred.

12. **THE COUNTY STATUTORY INSTRUMENTS BILL (SENATE BILLS NO. 21 OF 2018)**

(Sen. Samuel Poghio, MP)

(Second Reading)

Order deferred.

13. **THE TREATY MAKING AND RATIFICATION (AMENDMENT) BILL (SENATE BILLS NO. 23 OF 2018)**

(Sen. Fatuma Dullo, MP)

(Second Reading)

Order deferred.

14. **THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (SENATE BILLS NO. 24 OF 2018)**

(Chairperson, Sessional Committee on Delegated Legislation)

(Second Reading)

Order deferred.

15. **THE COUNTY COMPLIANCE AND ENFORCEMENT BILL (SENATE BILLS NO. 25 OF 2018)**

(Sen. George Khaniri, MP)

(Second Reading)

Order deferred.

16. **THE COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILLS NO. 26 OF 2018)**

(Chairperson, Standing Committee on Education)

(Second Reading)

Order deferred.

17. **THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILLS NO. 27 OF 2018)**

(Sen. Abshiro Halake, MP)

(Second Reading)

Order deferred.

18. **MOTION – COMPENSATION TO VICTIMS OF HUMAN WILDLIFE CONFLICT**

Motion made and Question proposed:

THAT, AWARE THAT tourism is amongst key sectors of Kenya's economy contributing billions of shillings to the country as well as generating employment and livelihoods to millions of citizens;

FURTHER AWARE THAT, Kenya is endowed with different wildlife species which contribute substantially to the national economy through tourism;

NOTING THAT, cases of human-wildlife conflict are on the rise as a result of many factors key among them climate change and encroachment on parks and nature reserves leading to deaths and maiming of people by wild animals;

FURTHER NOTING THAT there's need to create a conducive environment for peaceful coexistence of humans and wildlife in the same space given the importance of wildlife not only to our economy but to ecology as well;

CONCERNED that victims and families of victims of human-wildlife conflict are not being compensated for loss of lives, being maimed or loss of their means of livelihood due to failure of the Treasury to allocate adequate funds for this purpose contrary to the Wildlife Compensation Management Act, 2013;

FURTHER CONCERNED that the regions and communities hosting the wildlife are marginalized and do not benefit from the proceeds of tourism in their area;

NOW THEREFORE the Senate calls upon the National Government to-

- (i). Allocate adequate funds during the current financial year and subsequent years for compensation;
- (ii). Ensure that victims and families of victims of human-wildlife conflict are always compensated within 90 days of submitting their claims; and

(iii). Come up with innovative ways of ensuring host communities benefit from the revenue accruing from wildlife tourism.

(Sen. Johnes Mwaruma, MP)

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

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

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, November 7, 2018 at 2.30 p.m.*

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