



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – THIRD SESSION

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, FEBRUARY 21, 2019 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 A VISITING DELEGATION FROM THE COUNTY ASSEMBLY OF ELGEYO-MARAKWET**

The Speaker conveyed the following communication from the Chair: -

“Honorable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, of a visiting delegation from the County Assembly of Elgeyo-Marakwet, Committee on Sports, Youth Affairs, Gender, ICT and Social Services.

They are:

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|---------------------------|--------------------|
| 1. Hon. Winnie Kanda | - Chairperson |
| 2. Hon. Lawi Kibire | - Vice Chair |
| 3. Hon. Trubena Yego | - Member |
| 4. Hon. William Cherutich | - Member |
| 5. Hon. Tich Cheboi | - Member |
| 6. Hon. Thomas Kimunei | - Member |
| 7. Hon. Ambrose Kiplagat | - Member |
| 8. Mr. Pius Koech | - Clerk Assistant |
| 9. Mrs. Eva Maiyo | - Hansard Reporter |

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.”

4. PAPERS LAID

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

- (i) Report on the Sugar Industry Taskforce consultative meeting with Members of Parliament held on 15th January, 2019 in Kisumu County.

(Sen. Cleophas Malalah, MP)

- (ii) Statement on the Business of the Senate for the week commencing Tuesday, Tuesday, 26th February, 2019.

(The Senate Deputy Majority Leader)

5. NOTICE OF MOTION - (Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

THAT, this House notes the Report on the Global Summit on Open Governance Partnership in Tibilisi, Georgia, 17th to 19th, July, 2018 laid on the Table of the House on Wednesday, 20th February, 2019.

6. STATEMENTS**(i) Statement Pursuant to Standing Order No. 47 (1)**

The Senator for Kakamega County (Sen. Cleophas Malalah, MP) made a statement concerning the state of affairs at the Kakamega County General Hospital (CGH) in Kakamega County,

In his statement, the Senator lauded the infrastructural and technological developments that had been undertaken at the Hospital, which had improved on service delivery to residents of Kakamega County. He however noted that there were still a number of challenges which impacted negatively on service delivery, among them, the low number of personnel, drugs and other non-pharmaceutical items, which were attributed to inadequate financial allocations to the Hospital by the Kakamega County Government.

To improve on the standard of health services delivered at the facility and in the County, the Senator recommended that: the number of specialized staff be enhanced, a campaign be undertaken to enroll low income earners under the National Health Insurance Fund scheme, the hospital be conferred semi-autonomous status which would enable it to manage its operational costs; and for bonding of health professionals sponsored by the County to undergo further training locally and abroad.

In concluding, the Senator invited the Standing Committee on Health to visit the Kakamega County General Hospital (CGH), with a view to assessing its status and proposing reforms that would improve on health services delivery at the hospital and in the country.

(ii) Statements Pursuant to Standing Order No. 48 (1)

- a) The Senator for Kericho County (Sen. Aaron Cheruiyot, MP) requested for a statement from the Standing Committee on National Security, Defense and Foreign Relations regarding the National Integrated Identity Management System (NIIMS).
- b) The Senator for Bungoma County (Sen. Moses Wetang'ula, MP) requested for a statement from the Standing Committee on Education regarding the directive by the Cabinet Secretary for Education to have Higher Education Loans Board (HELB) defaulters arrested by the police.
- c) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) requested for a statement from the Standing Committee on Land, Environment and Natural Resources regarding the status of Voi Sisal Estate.

(iii) Statement Pursuant to Standing Order No. 52 (1)

The Senate Deputy Majority Leader issued a statement on the business of the Senate for the week commencing Tuesday, Tuesday, 26th February, 2019.

7. MOTION – THE REPORT OF THE AD-HOC COMMITTEE ON THE MAIZE CRISIS IN KENYA.

Motion made and Question proposed-

THAT, this House adopts The Report of the Ad-hoc Committee on the Maize crisis in Kenya laid on the Table of the House on Tuesday, 27th November, 2018. (Resumption of debate interrupted on Wednesday, 20th February, 2019)

(Chairperson, Ad-Hoc Committee on Maize)

Debate arising;

Amendment proposed

THAT, the Motion be amended by deleting the full stop at the end thereof and inserting the following words-

- (a) by inserting the words “*and the Inter-Ministerial Committee on Food Security*” immediately after the words “*The Cabinet Secretary, the National Treasury & Planning and the Cabinet Secretary, MOALF&I*” appearing in paragraph 3 on page 11 of the report;
- (b) by inserting the words “*and the Inter-Ministerial Committee on Food Security*” immediately after the words “*The Cabinet Secretary, the National Treasury and Cabinet Secretary, MOALF&I*” appearing in column 1 of recommendation 7 on page 111 of the report; and
- (c) by inserting the words “*and the Inter-Ministerial Committee on Food Security*” immediately after the words “*The Cabinet Secretary, the National Treasury and Cabinet Secretary, Agriculture*” appearing in column 3 of recommendation 7 on page 111 of the report.

(Sen. Petronila Were Lokorio)

Question on the proposed amendment proposed;

Debate on the proposed amendment interrupted on Wednesday 20th February, 2019 resumed;

There being no other Senator wishing to contribute;

Raising a point of order the Deputy Senate Majority Leader requested that putting of the Question on the proposed amendment be deferred pursuant to Standing Order 61 (3).

And the Temporary Speaker (Sen. Judith Pareno) acceding to the request, deferred putting of the Question to a later date.

8. **MOTION – ON THE CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE WAREHOUSE RECEIPTS SYSTEM BILL (SENATE BILL No. 10 OF 2017)**

Motion made and Question proposed;

THAT, the amendments by the National Assembly amendments to the Warehouse Receipts System Bill (Senate Bill No. 10 of 2017) be now considered.

(Deputy Senate Majority Leader)

Debate arising;

And there being no other Senator wishing to contribute;

Before the Question was put, and pursuant to Standing Order No. 79, the Temporary Speaker (Sen. Judith Pareno) informed the House that the Motion did not affect counties.

Question put and **agreed to.**

9. **MOTION – REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE COUNTY GOVERNMENTS' INFRASTRUCTURE PROJECTS**

THAT, this House adopts the Report of the Standing Committee on Finance and Budget on the County Governments' infrastructure projects comprising County Executive Headquarter offices, Assembly Chambers and offices and County State officers' residences, laid on the Table of the Senate on Thursday, 29th November, 2018.

(Chairperson, Standing Committee on Finance and Budget)

Order deferred.

10. **MOTION - CREATION OF DISABILITY INCLUSIVE SCHOOL CLUBS IN ALL PUBLIC SCHOOLS**

Motion made-

THAT, WHEREAS Article 19 of the Convention on the Rights of Persons with Disabilities (CRPD) affirms the equal right of all persons with disabilities to live in a community, with choices equal to others, equal access to services and facilities that are responsive to their needs;

AWARE THAT societal perception of disability is negative, mainly due to lack of socialization and integration during the formative years;

COGNIZANT THAT participation in school clubs provides important life skills that prepare children holistically for their future and plays a major role in transforming students' lives as they transit to various professions in adulthood;

CONCERNED THAT no policy exists addressing inclusivity in school clubs for persons with disability in the public school system;

NOW THEREFORE the Senate calls upon the coordinated effort of the National Government through the Ministry of Education, and the County Governments through the Council of Governors to develop policy that would ensure inclusiveness of special needs learners in school clubs in public schools beginning at the Early Childhood Development (ECD) level up to and including Secondary School level.

(Sen. (Dr.) Getrude Musuruve)

And the time being thirty Minutes past Six O'clock, the Temporary Speaker (Sen. Judith Pareno) adjourned the Senate without question put, pursuant to the Standing Orders.

11. **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
Tuesday, February 26, 2019 at 2.30 p.m.*

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