



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – THIRD SESSION

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, JULY 09, 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. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair: -

(i) Visiting Pupils and Teachers from Milimani Primary School, Nairobi County.

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting pupils and teachers from Milimani Primary School, Nairobi County.

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

I thank you.”

(ii) Visiting Pupils and Teachers from Kerwa Secondary School, Kiambu County.

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting pupils and teachers from Kerwa Secondary School, Kiambu County.

On behalf of the Senate, and on my own behalf, I welcome them to the Senate and 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 of the Senate Delegation to the 63rd Commission on the Status of Women (CSW63) held in the United Nations Headquarters, New York, USA from 11th to 22nd March, 2019.

(Sen. Sakaja Johnson, MP)

- (ii) Report of the Auditor-General on the Financial Statements of Nyeri County Enterprise Development Fund for the Year ended 30th June 2018;
- (iii) Report of the Auditor-General on the Financial Statements of Nyamira County Education Support Fund for the Year ended 30th June 2018;
- (iv) Report of the Auditor-General on the Financial Statements of Uasin Gishu County Education Revolving Fund for the Year ended 30th June 2018;
- (v) Report of the Auditor-General on the Financial Statements of West Pokot County Car Loan and Mortgage Members Scheme for the Year ended 30th June 2018;
- (vi) Report of the Auditor-General on the Financial Statements of Murang'a County Assembly Car and Mortgage Loan Scheme Fund for the Year ended 30th June 2015;
- (vii) Report of the Auditor-General on the Financial Statements of Murang'a County Assembly Car and Mortgage Loan Scheme Fund for the Year ended 30th June 2016;
- (viii) Report of the Auditor-General on the Financial Statements of Murang'a County Assembly Car and Mortgage Loan Scheme Fund for the Year ended 30th June 2017; and
- (ix) Report of the Auditor-General on the Financial Statements of Murang'a County Assembly Car and Mortgage Loan Scheme Fund for the Year ended 30th June 2018.

(Sen. Johnson Sakaja, MP on behalf of the Senate Majority Leader)

5. **NOTICE OF MOTION**– (Sen. Sakaja Johnson, MP)

THAT, this House notes the Report of the Senate Delegation to the 63rd Commission on the Status of Women (CSW63) held in the United Nations Headquarters, New York, USA from 11th to 22nd March, 2019 laid on the Table of the Senate on Tuesday 9th July, 2019.

6. STATEMENTS**(i) Statements Pursuant to Standing Order 47(1)**

- a) Nominated Senator (Sen. Rose Nyamunga, MP) made a Statement on a matter of national concern, namely, the election of Sen. Abshiro Halake, MP as the Chairperson of the Center for Multi-Party Democracy in Kenya (CMD-K).

Sen Nyamunga observed that Sen. Abshiro Halake's election is a step in the right direction, particularly taking into consideration the fact that the country is yet to meet the constitutional threshold with regard to gender parity.

The House was informed that the election of Sen. Abshiro should set the pace for greater things to happen in the legislature of this country as CMD-K, a political parties-based membership organization established in March 2004 with the mandate of enhancing multiparty democracy and strengthening the institutional capacity of political parties in the country, is critical, especially in a country like Kenya where the Executive, more often than not, influences what happens in Parliament.

Sen. Nyamunga encouraged Sen. Abshiro to ensure that CMD- K works with political parties in order to increase the level of women participation in electoral processes through elections, nominations as well as general acquisition of leadership positions in political parties and in the public sphere. She also urged Sen. Abshiro to work to enhance the capacity of political parties on policy formulation and collaboration as important drivers of the development of a new generation of politics and multiparty democratic practice in Kenya based on issues, dialogue and non-violence.

Sen. Abshiro was also urged to prioritize the engagement and inclusion of the youth in matters affecting this country, by increasing meaningful and constructive involvement of young people in party politics, as well as youth participation in decision making at all levels of political governance.

- b) The Senator for Kakamega County (Sen. Cleophas Malalah, MP) made a Statement on a matter of county-wide concern, namely, the state of affairs in public hospitals in Kakamega County.

The Senator informed the House that he had been on a fact-finding mission across hospitals in Kakamega County in the past few days and he had witnessed the deplorable, despicable and dehumanizing condition of hospitals in the county.

The Senator informed the Senate that maternity wings in most of the hospitals in Kakamega County are clearly overwhelmed, highlighting Malava Sub-County Hospital, which has only 22 beds, forcing expectant mothers to share beds as well as Khalaba Level 4 Hospital, where mothers sleep on the floor with their new born children.

The House was also informed that Makunga Rural Health Demonstration Centre, which is on the boarder of Mumias East and Navakholo Sub Counties, lacks clean linen for the patients and those available are worn out. Patients at this facility are also forced to buy non pharmaceuticals and pharmaceuticals from external pharmacies while diabetes clinics are conducted in the offices and not in wards and patients have to wait from 8 am – 5pm to be attended to. The Senator noted that Matungu Hospital did not have adequate medicine even to treat the most prevalent diseases and the hospital and, just like Malava and Makunga Hospitals, patients visiting the hospital are forced to buy non-pharmaceuticals from outside suppliers due to non-supply of the same from the County Government. The County last procured non-pharmaceuticals for the hospitals in October, 2018.

The Senator urged the Standing Committee on Health to take interest in the health affairs of Kakamega County and visit the County to delve more into these issues in order to come up with a workable way of improving services and also recommend some policy options on issues affecting the health sector in Kenya, generally.

- c) The Senator for Vihiga County (Sen. George Khaniri, MP) made a statement on an issue of general topical concern, namely; the death of the legendary Kenyan footballer, Joe Kadenge. The Senator conveyed a message of condolence to the family and undertook to stand with them in giving the late footballer a befitting sendoff.

He informed the House that, for many Kenyans, while growing up the catch phrase “*Kadenge na mpira*” was etched on the minds in both football commentaries and in playing grounds and, to date, there has never been a greater footballer than Joe Kadenge in Kenya.

He observed that Kadenge, born in 1935 in Vihiga County, graced the football pitch and news for more than six decades, both as an active player, coach and advisor. He informed the House that the late Kadenge played from colonial to independent Kenya; he played for Maragoli United Football Club, the current AFC Leopards, North Nyanza Combined, among others. During this time, he also played for the National team as a great forward midfielder, who ensured the Harambee Stars were a formidable force in East Africa.

The Senator appreciated that His Excellency the President had, while visiting the late Kadenge, directed that he be awarded a token of appreciation, be provided with medical care and enrolled to the NHIF. The senator, however pointed out that, while the gesture was good, it offers neither a sustainable nor practical solution to the challenges facing all former sports personalities.

Sen. Khaniri informed the House that the demise of the football legend offers to the country an opportunity to ponder on, among others, the treatment of Kenyan sports personalities, both in their active years and in their retirement and commended the efforts being made by the Senate in the County Hall of Fame Bill, 2019.

The Senator informed the House that the other important aspect that the life and times of Kadenge taught the Country is the importance of nurturing sports at the local level.

Sen. Khaniri also suggested that Kadenge's name should be immortalized by naming a national stadium after him, owing to his immense contribution to soccer in the country.

Thereupon, the Speaker led the House in observing a minute's silence in memory of Mr. Joe Kadenge.

(ii) Request for Statements Pursuant to Standing Order 48(1)

- a) The Senator for Kisumu County (Sen. Fred Outa, MP) sought a statement from the Standing Committee on Devolution and Intergovernmental Relations concerning the delayed hand-over of the Lake Basin Mall in Kisumu County.
- b) The Senator for Kisumu County (Sen. Fred Outa, MP) sought a statement from the Standing Committee on Devolution and Intergovernmental Relations regarding the ownership of the land on which the Kachok dumpsite in Kisumu County sits.

7. **THE KENYA MEDICAL SUPPLIES AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 38 OF 2018)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Kenya Medical Supplies Authority (Amendment) Bill (Senate Bills No. 38 of 2018) be now Read a Second Time.

(Sen. Mary Seneta – 18.06.2019)

Debate interrupted on Tuesday, 2nd July, 2019 resumed;

Mover replied;

Raising a point of order, the Mover requested, pursuant to Standing Order 61 (3), for the deferment of the putting of the Question to a later date;

And the Temporary Speaker (Sen. Judith Pareno, MP), acceding to the request, nominated Wednesday, 10th July, 2019 as the day when the Question shall be put.

8. **THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 39 OF 2018)**

(The Senate Majority Leader)

Order for Second Reading read;

Order deferred.

9. **THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2019)**

(Sen. Aaron Cheruiyot, MP and Sen. (Dr.) Isaac Mwaura, MP)

Order deferred.

10. **THE CONSTITUTION OF KENYA (AMENDMENT) BILL (SENATE BILLS NO. 2 OF 2019)**

(The Senate Majority Leader)

Order deferred.

11. **THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 3 OF 2019)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Public Finance Management (Amendment) Bill (Senate Bills No. 3 of 2019) be now Read a Second Time.

(Sen. (Dr.) Agnes Zani, MP)

Debate arising;

And the time being thirty Minutes past six O'clock, the Temporary Speaker (Sen. Judith Pareno, MP) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

12. **SENATE ROSE-** at thirty minutes past Six O'clock

MEMORANDUM

*The Speaker will take the Chair on
Wednesday, July 10, 2019 at 2.30 p.m.*

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