



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, NOVEMBER 19, 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 Temporary Speaker (Sen. (Dr.) Lelegwe Ltumbesi, MP).
3. **COMMUNICATIONS FROM THE CHAIR**

The Temporary Speaker (Sen. (Dr.) Lelegwe Ltumbesi, MP) conveyed the following Communications from the Chair: -

a) Visiting Delegation from Trans Nzoia County Assembly

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, of a visiting delegation from Trans Nzoia County Assembly. The delegation consists of Members of the House Business Committee of the County Assembly, who are undertaking an exposure visit on the operations of the Senate Business Committee.

I request each Member of the delegation to stand when called out, so that you may be acknowledged in the Senate tradition. They are -

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|------------------------------|---|-----------------|
| 1. Hon. Stephen Njoroge Kuru | - | Deputy Speaker; |
| 2. Hon. Eric Musumba | - | Minority Whip; |
| 3. Hon. Jane Gaitano | - | Member; |
| 4. Hon. Ben Mlipuko | - | Member; |
| 5. Hon. Margaret Wanjala | - | Member; |
| 6. Hon. Sarah Lubano | - | Member; |
| 7. Hon. Caroline Makokha | - | Member; |
| 8. Hon. Matthew Orango | - | Member; |
| 9. Hon. Margaret Mutai | - | Member; |

- 10. Hon. Jeremiah Wekhulia - Member;
- 11. Hon. Rogers Barasa - Member; and
- 12. Hon. Anne Wanjiku - Member.

They are accompanied by –

- 1. Ms. Colleta Kisika - Deputy Clerk;
- 2. Mr. Eutin Nakitare - Senior Research Officer;
- 3. Mr. Matthews Wanyama - Serjeant-at-Arms;
- 4. Mr. Katana Ngeiwo - Legal Counsel;
- 5. Mr. Mohamed Noor - Committee Clerk;
- 6. Ms. Joan Ngetich - Public Communications Officer;
- 7. Mr. Leonard Wambalaba - Public Communications Officer;
- 8. Ms. Lily Masulia - Office of the Speaker;
- 9. Mr. Richard Sirengo - ICT Officer; and
- 10. Ms. Jennifer Maiyo - Welfare Officer

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

I thank you.”

b) Visiting Members of the Strathmore University Debating Society

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, of visiting members of the Strathmore University Debating Society.

They are: -

- 1. Njuguna Macharia
- 2. Eden Gatuiku
- 3. Wairimu Manyara
- 4. Mupa M’mbetsa
- 5. Arnold Ombasa
- 6. Kiragu Kimani
- 7. Tracy Nduta
- 8. Yvonne Nyangi
- 9. Angela Gecaga
- 10. Ali Abdilatif
- 11. Bill Muthundo

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. **STATEMENTS**

i) Statements pursuant to Standing Order 48(1)

- a) The Senator for Vihiga County (Sen. George Khaniri, MP) sought a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the inability to manage and mitigate natural disasters in the country.
- b) The Senator for Kisumu County (Sen. Fred Outa, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the brutal killing of six bouncers from Kisumu County, in Bumula, Busia County on Friday, 15th November, 2019.
- c) Nominated Senator (Sen. Falhada Iman, MP) sought a statement from the Standing Committee on Roads and Transportation regarding the unidentified stowaway who fell from a Kenya Airways flight to Heathrow Airport, in London, on 30th June, 2019.

ii) Statements pursuant to Standing Order 51(1)(b)

- a) The Chairperson of the Standing Committee on Justice, Legal Affairs and Human Rights issued a statement relating to the activities of the Committee for the period July to September, 2019.
- b) Nominated Senator (Sen. Abshiro Halake, MP), on behalf of the Chairperson of the Standing Committee on Land, Environment and Natural Resources issued a statement relating to the activities of the Committee for the period July to September, 2019.

5. **MOTION – ELECTION OF A SENATOR TO PRESIDE OVER SITTINGS OF THE SENATE IN THE ABSENCE OF THE SPEAKER AND THE DEPUTY SPEAKER**

Motion made and Question proposed;

THAT, pursuant to Article 107 (1) (c) of the Constitution and Senate Standing Order 15, the Senate elects Senator Johnson Sakaja, MP to preside over the sitting of the Senate, in the absence of the Speaker and the Deputy Speaker, for the remainder of the day’s Sitting.

(Sen. Abshiro Halake, MP)

And there being no Senator wishing to contribute;

Before the Question was put, and pursuant to Standing Order 79 (1), the Temporary Speaker (Sen. (Dr.) Lelegwe Ltumbesi, MP) ruled that the Motion did not affect counties.

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, pursuant to Article 107 (1) (c) of the Constitution and Senate Standing Order 15, the Senate elects Senator Johnson Sakaja, MP to preside over the sitting of the Senate, in the absence of the Speaker and Deputy Speaker, for the remainder of the day's Sitting.

6. **THE LIFESTYLE AUDIT (NO. 2) BILL (SENATE BILLS NO. 21 OF 2019)**

(Sen. (CPA) Farhiya Ali, MP)

Order for First Reading read;

Bill read a First Time and committed to the Standing Committee on Justice, Legal Affairs and Human Rights.

7. **THE FISHERIES MANAGEMENT AND DEVELOPMENT (AMENDMENT) BILL (SENATE BILLS NO. 22 OF 2019)**

(Sen. Moses Kajwang', MP)

Order for First Reading read;

Bill read a First Time and committed to the Standing Committee on Agriculture, Livestock and Fisheries.

8. **THE CARE AND PROTECTION OF CHILD PARENTS BILL (SENATE BILLS NO. 11 OF 2019)**

(Sen. Beatrice Kwamboka, MP)

(Second Reading)

(Resumption of debate interrupted on Wednesday, 13th November, 2019)

(Division)

Order for Second Reading read;

Order deferred.

9. **MOTION – ADOPTION OF THE REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON ACCOUNTS OF COUNTY EXECUTIVES FOR FINANCIAL YEAR 2014/2015**

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

THAT, the Senate adopts the Report of the Sessional Committee on County Public Accounts and Investments on the Inquiry into the Financial Operations of Baringo, Busia, Elgeyo Marakwet, Embu, Kajiado, Kericho, Kilifi, Kirinyaga, Kisii, Kwale, Lamu, Makueni, Marsabit, Meru, Nakuru, Narok, Nyamira, Uasin Gishu, Vihiga and West Pokot County Executives for Financial year 2014/2015 (1st July, 2014 to 30th June, 2015), laid on the Table of the Senate on Wednesday, 9th October, 2019.

*(Resumption of debate interrupted on Wednesday, 6th November, 2019)
(Division)*

Order deferred.

10. **THE ALTERNATIVE DISPUTE RESOLUTION BILL (SENATE BILLS NO. 19 OF 2019)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Alternative Dispute Resolution Bill (Senate Bills No. 19 of 2019) be now read a Second Time.

(Sen. (Arch.) Sylvia Kasanga, MP - 13.11.2019)

Debate interrupted on Wednesday, 13th November, 2019 resumed;

There being no other Senator wishing to contribute;

Mover replied;

Raising a point of order, the Mover requested that the putting of the Question be deferred to a later date, pursuant to Standing Order 61(3).

And the Temporary Speaker (Sen. Johnson Sakaja, MP), acceding to the request, nominated Wednesday, 20th November, 2019 as the day when the Question shall be put.

11. **THE REGISTRATION OF PERSONS (AMENDMENT) BILL (SENATE BILLS NO. 14 OF 2019)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Registration of Persons (Amendment) Bill (Senate Bills No. 14 of 2019) be now read a Second Time.

(Sen. (Dr.) Isaac Mwaura, MP – 07.11.2019)

Debate interrupted on Thursday, 7th November, 2019 resumed;

And the time being thirty minutes past Six O'clock, the Temporary Speaker (Sen. Johnson Sakaja, 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.

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, November 20, 2019 at 2:30 p.m.*

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