



REPUBLIC OF KENYA

THE SENATE

ELEVENTH PARLIAMENT – THIRD SESSION

VOTES AND PROCEEDINGS

WEDNESDAY, MARCH 18, 2015 AT 2.30 P.M.

1. The Senate assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer.
3. **COMMUNICATION FROM THE CHAIR**

The Speaker issued the following communication from the Chair-

"Honorable Senators,

I am pleased to acknowledge and to welcome to the Senate this afternoon, a delegation from the County Assembly of Kisii who are seated at the Speaker's Gallery.

I request the Members and the Staff that when your name is called out, you stand so that you may be acknowledged in our usual Senate tradition.

1. Hon. Haron Motume Masase
2. Hon. Joyce K. Isaac
3. Hon. Shem Ondara
4. Hon. George M Bibao
5. Hon. Jane Kananga
6. Hon. Peter Omari
7. Hon. Sabina Kennedy
8. Hon. Phelister Metobo
9. Hon. Godfrey Ogembo
10. Hon. Timothy Nyarango
11. Hon. Kennedy Mainye

They are accompanied by the following staff members-

1. Geoffrey O Oseko
2. Dennis Ogendo

Honorable Senators,

I take this opportunity on behalf of the Senate and on my own behalf, to wish the delegation a happy and fruitful visit.

I Thank You".

4. PAPERS LAID

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

- i) Report of the Standing Committee on Legal Affairs and Human Rights on the Parliamentary Service (Amendment) Bill, 2014.

(The Vice - Chairperson of the Standing Committee on Legal Affairs and Human rights)

- ii) Report of the Standing Committee on Legal Affairs and Human Rights on the Petition to Counties (Procedure) Bill, 2014.

(The Vice - Chairperson of the Standing Committee on Legal Affairs and Human Rights)

- iii) Report of the Standing Committee on Lands and Natural Resources on the National Drought Management Authority Bill, 2014.

(The Chairperson of the Standing Committee on Land and Natural Resources)

5. STATEMENTS PURSUANT TO STANDING ORDER 45 (2) (b)

The Senator for Nyeri County (Sen. Mutahi Kagwe) sought a statement from the Chairperson of the Standing Committee on National Security and Foreign Relations regarding Kenyan missions abroad located in premises owned by the Kenya Government and the amount paid as rent monthly and annually for overseas missions on rented premises.

6. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen (Dr.) Wilfred Machage – in the Chair)

The Alcoholic Drinks Control (Amendment) Bill (Senate Bill No. 5 of 2014)

Clauses 4, 6, 7, 9 - 15, 17 - 19, 21 - 23, 25 - 27, 34, and 37-43

Motion made and question proposed;

THAT Clauses 4, 6, 7, 9 - 15, 17 - 19, 21 - 23, 25 - 27, 34, and 37-43 be part of the Bill.

Debate arising;

The Acting Chairperson deferred putting the Question.

Clause 8 - amendment proposed

Motion made and question proposed;

THAT clause 8 of the Bill be amended by-

i) deleting sub-section 4(b) of the proposed new section 6A and inserting therefor the following new sub-section-

(b) research and promotion of the use of local raw materials for the manufacture of alcohol.

ii) deleting sub-section 4(c) of the proposed new section 6A.

(Sen. (Prof.) Anyang' Nyong'o)

Debate arising;

Raising a point of order, the Senate Majority Leader claimed to move that the Committee of the Whole report progress on its consideration of the Alcoholic Drinks Control (Amendment) Bill, (Senate Bill No. 5 of 2014) and seek leave to sit again tomorrow;

And the Chairperson acceding to the request;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson of Committees (Sen. (Dr.) Machage) ruled that the question did not affect counties;

Question put and agreed to.

7. **HOUSE RESUMED** -(Temporary Speaker (Sen. Peter Mositet) in the Chair)

8. **THE ALCOHOLIC DRINKS CONTROL (AMENDMENT) BILL (SENATE BILL NO. 5 OF 2014)**

The Acting Chairperson of the Committee of the Whole (Sen. (Dr.) Machage) reported progress and sought leave to sit again tomorrow.

Motion made and Question proposed-

THAT, the House do agree with the Committee in the said report.

(The Senate Majority Leader)

Before the question was put and pursuant to Standing Order 72, the Temporary Speaker (Sen. Peter Mositet) ruled that the question did not affect counties;

Question put and agreed to.

9. THE PUBLIC FUNDRAISING BILL (SENATE BILL NO. 28 OF 2014)

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Public Fundraising Bill (Senate Bill No. 28 of 2014) be now read a Second time.

(Sen. (Prof.) Anyang' Nyong'o - 05.03.2015)

Debate interrupted on Thursday, 12th March, 2015 resumed on a Division;

The Temporary Speaker directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the Division Bell be rung for five minutes;

After the expiry of five minutes, the Temporary Speaker directed that the bar be drawn and the doors be locked and requested Senators to log-in using their cards;

The Temporary Speaker put the Question and directed Senators to cast their votes by pressing either the **"Yes"**, **"No"** or **"Abstain"** button;

Before the results of the Division were announced and pursuant to the provisions of Standing Order 74 (5), the Temporary Speaker allowed eight Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**-

1. Sen. Billow Kerrow
2. Sen. Bule Ali Abdi
3. Sen. Kindiki Kithure
4. Sen. Mositet Peter Korinko
5. Sen. Murkomen Onesmus Kipchumba
6. Sen. Musila David
7. Sen. Ntutu Stephen
8. Sen. Okong'o Kennedy Mong'are

Upon a Division, Question agreed to.

The results of the Division were as follows-

AYES - 27

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow – Voted verbally
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi - Voted verbally
4. Sen. Elachi Beatrice - on behalf of Nairobi City County
5. Sen. Hargura Godana
6. Sen. Hassan Omar Hassan
7. Sen. Kajwang' Moses
8. Sen. Khalwale Bonny
9. Sen. Khaniri George
10. Sen. Kindiki Kithure – Voted verbally
11. Sen. Kilonzo Mutula Junior
12. Sen. Lonyangapuo John Krop
13. Sen. Machage Wilfred Gisuka
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Melly Isaac Kipkemboi
16. Sen. Mositet Peter Korinko – Voted verbally
17. Sen. Muriuki Karue Muriuki
18. Sen. Murkomen Onesmus Kipchumba – Voted verbally
19. Sen. Musila David – Voted verbally
20. Sen. Mutahi Kagwe
21. Sen. Muthama Johnson Nduya
22. Sen. Ndiema Henry Tiole
23. Sen. Ntutu Stephen –Voted verbally
24. Sen. Nyong'o Peter Anyang'
25. Sen. Okong'o Kennedy Mong'are – Voted verbally
26. Sen. Orengo James
27. Sen. Wetang'ula Moses Masika

Bill read a Second Time and committed to the Committee of the Whole, tomorrow.

10. **THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILL NO. 34 OF 2014)**

Order for Second Reading read;

Motion made and Question proposed:-

THAT, the Natural Resources (Benefit Sharing) Bill (Senate Bill No. 34 of 2014) be now read a Second Time.

(Sen. (Dr.) Agnes Zani - 04.12.2014)

Debate interrupted on Thursday, 12th March, 2015 resumed;

And the time being thirty minutes past Six O'clock, the Temporary Speaker (Sen. Peter Mositet) 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
Thursday, March 19, 2015 at 2.30 p.m.*

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