



REPUBLIC OF KENYA

THE SENATE

ELEVENTH PARLIAMENT – SECOND SESSION

VOTES AND PROCEEDINGS

THURSDAY, FEBRUARY 12TH, 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 - VISITING DELEGATION
FROM THE COMMISSION ON REVENUE ALLOCATION**

The Speaker issued the following communication from the Chair-

"Honourable Senators, I wish to acknowledge the presence of a delegation visiting us this afternoon. Allow me, therefore, to introduce to you a delegation of members from the Commission on Revenue Allocation who are seated at the Speaker's Gallery. The delegation is led by the Chairman, Mr. Micah Cheserem. As I proceed to introduce the rest, I request that when a member is called, he or she should stand up to be acknowledged in the normal traditional way of Parliament.

(i) Mr. Micah Cheserem – Chairman (CRS)

(ii) Ms. Rose B. Osoro

(iii) Ms. Amina Ahmed

(iv) Mr. James Katule

(v) Ms. Linet Oyugi

(iv) Ms. Martha Maneno.

On behalf of the Senate and on my own behalf, I extend a warm welcome to you and wish you enjoy our proceedings. "

4. **PAPER LAID**

Statement regarding the Business of the Senate for the week commencing Tuesday, February 17, 2015.

(The Senate Majority Leader)

5. **NOTICE OF MOTION** - (Sen. Mutula Kilonzo Jnr.)
(Department of Interior and Coordination of National Government)

THAT, noting the constitutional role of the Senate in the protection of the interests of counties and their governments and in the implementation of the devolved system of Government pursuant to Article 96 of the Constitution; aware that the 47 counties are based on the delineation of administrative districts as created under the Provinces and Districts Act of 1992; further aware that there existed deep-rooted and historical boundary disputes between the districts which were inherited by the resultant counties; aware that there are existing boundary disputes between various counties, which raise questions on the exact boundaries between the counties; recognizing the provisions of Article 188 of the Constitution of Kenya that mandates Parliament to approve alteration of county boundaries on the recommendation of an independent commission set up for that purpose; the Senate urges the Sessional Committee on Devolved Government to initiate and prioritize the drafting of legislation within ninety days to provide for the establishment of an independent commission to inquire into, examine and identify the boundaries of counties, taking into account the criteria set out in Article 188 (2) of the Constitution and to recommend appropriate changes to Parliament so as to comprehensively deal and resolve the inter-county boundary disputes to enhance national cohesion and stability.

6. **STATEMENTS**

i) Statements pursuant to Standing Order 45 (2) (b)

- a) Senator Martha Wangari sought a statement from the chairperson, Standing Committee on Lands and Natural resources regarding the status of the Kenya Wildlife Community Enterprise Development and the implementation of the Wildlife Conservation and Management Act.
- b) Senator Joy Gwendu Sought a statement from the Chairperson, Standing Committee on Finance, Commerce and Budget regarding the implementation of the parastatals task force report on amalgamation of parastatals.
- c) Senator Mutula Kilonzo Junior sought a statement from Chairperson, Standing Committee on Lands and Natural Resources regarding the lifting of the ban on logging as well as the status of the national forest cover.
- d) Senator Fatuma Dulo sought a statement from Chairperson, Standing Committee on Education regarding the declining

standards of education at Garbatula High School in Isiolo County.

ii) Statement pursuant to Standing Order 45 (2) (C)

The Senate Majority Leader issued a Statement on the Business of the Senate for the week commencing Tuesday, February 17th, 2015.

7. THE REGISTRATION AND IDENTIFICATION OF PERSONS BILL (SENATE BILL NO. 39 OF 2014)

(Sen. Mohamed Yusuf Haji)

Order for First Reading read;

Bill read a First Time and committed to relevant Committee.

8. THE COUNTY GOVERNMENTS DISASTER MANAGEMENT BILL (SENATE BILL NO. 40 OF 2014)

(Sen. Mohamed Yusuf Haji)

Order for First Reading read;

Bill read a First Time and committed to relevant Committee.

9. THE REFUGEES BILL (SENATE BILL NO. 41 OF 2014)

(Sen. Mohamed Yusuf Haji)

Order for First Reading read;

Bill read a First Time and Committed to the relevant Standing committee.

10. THE OFFICE OF THE COUNTY PRINTER BILL (SENATE BILL NO. 42 OF 2014)

(Sen. Stephen Sang)

Order for First Reading read;

Bill read a First Time and committed to the relevant Standing Committee.

11. MOTION – APPROVAL OF NOMINATION OF MEMBERS TO SERVE IN SESSIONAL COMMITTEES

Motion moved in amended form and question proposed;

THAT, pursuant to Standing Order Nos. 177 and 210, the Senate approves the following Senators nominated by the Rules and Business Committee to serve in the respective Sessional Committees as indicated below:-

A. COUNTY PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE

1. Sen. Murkomen Kipchumba
2. Sen. Wamatangi Kimani
3. Sen. Karue Muriuki
4. Sen. (Prof.) John Lonyangapuo
5. Sen. Wangari Martha
6. Sen. Boni Khalwale
7. Sen. Omar Hassan
8. Sen. Sitswila Wako Amos
9. Sen. Nyong'o Anyang'
10. Sen. Mong'are Okong'o Kennedy
11. Sen. George Khaniri

B. COMMITTEE ON DEVOLVED GOVERNMENT

1. Sen. Murkomen Kipchumba
2. Sen. Lesuuda Naisula
3. Sen. Kerrow Billow
4. Sen. Beatrice Elachi
5. Sen. Stephen Ole Ntutu
6. Sen. Sitswila Wako Amos
7. Sen. Janet Ong'era
8. Sen. Omar Hassan
9. Sen. Tirole Ndiema Henry

C. COMMITTEE ON IMPLEMENTATION

1. Sen. Yusuf Haji
2. Sen. Bule A. Ali
3. Sen. Onchwang'i Hosea
4. Sen. Mbura Emma Gertrude
5. Sen. Kariuki Godfrey Gitahi
6. Sen. Ali Hassan Abdirahman
7. Sen. James Orengo
8. Sen. Muthama Johnson
9. Sen. Nyongesa Kanainza Daisy

D. COMMITTEE ON DELEGATED LEGISLATION

1. Sen. Sang Stephen
2. Sen. Gwendu Joy
3. Sen. Chelule Liza
4. Sen. Mbura Emma Gertrude
5. Sen. Karaba Daniel
6. Sen. Boy Juma Boy
7. Sen. Sijeny Judith
8. Sen. Boni Khalwale
9. Sen. Omondi Godliver Nanjira
(The Senate Majority Leader)

Debate arising;

Before the Question was put, and pursuant to Standing Order No. 72, the Speaker informed the House that the Motion did not affect Counties.

Question put and agreed to.

RESOLVED ACCORDINGLY-

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12. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE, COMMERCE AND BUDGET ON THE SECOND GENERATION CRITERIA FOR RESOURCE ALLOCATION FOR 2015/16, 2016/17 AND 2017/18**

Motion made and Question proposed;

THAT, this House adopts the Report of the Standing Committee on Finance, Commerce and Budget on the Consideration of the Second Generation Criteria for Resource Allocation for 2015/16, 2016/17 and 2017/18 laid on the Table of the House on Wednesday, 11th February, 2015;

(The Chairperson, Standing Committee on Finance, Commerce and Budget)

Debate arising;

And the time being thirty minutes past Six O'clock, the Temporary Speaker (Sen. Peter Mositot) adjourned the business of the Senate without Question put, pursuant to the Standing Orders.

13. **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 17, 2015 at 2.30 p.m.*