



REPUBLIC OF KENYA

THE SENATE

ELEVENTH PARLIAMENT – THIRD SESSION

VOTES AND PROCEEDINGS

WEDNESDAY, OCTOBER 21, 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 STAFF FROM
MANDERA COUNTY ASSEMBLY**

The Deputy 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 visiting County Assembly staff from Mandera County.

The county assembly staff are here on a one-week attachment programme at the Directorate of Committee Services, the Sergeant-at-Arms Department and the Hansard Department.

I request each member of the delegation to stand when called out so that they may be acknowledged in the usual Senate tradition.

They are:-

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|---------------------------------|-------------------------|
| 1) Mr. Hassan Abdullahi Abdulla | - Clerk Assistant |
| 2) Mr. Abdi Shakur Dakane Maow | - Clerk Assistant |
| 3) Ms. Fatuma Alio Sheikh | - Sergeant-at-Arms |
| 4) Mr. Bashir Ibrahim Gabow | - Sergeant-at-Arms |
| 5) Mr. Abdifatah Ali Ibrahim | - Deputy Hansard Editor |
| 6) Mr. Ahmed Ali Mayow | - Hansard Recorder |

I hope that they have a fruitful programme.

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. **MESSAGE FROM THE NATIONAL ASSEMBLY ON THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2013) AND THE POLITICAL PARTIES (AMENDMENT) BILL (SENATE BILL NO. 3 OF 2014)**

The Deputy Speaker conveyed the following Message from the National Assembly-

“Honourable Senators,

I wish to report that, pursuant to Standing Order 40(3) and (4), I have received the following message from the Speaker of the National Assembly regarding rejection by the Assembly of the Senate amendments to the provisions relating to the Transition to Devolved Government Act, 2012 as contained in the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 33 of 2013); and the Political Parties (Amendment) Bill (Senate Bill No. 3 of 2014)-

“**PURSUANT** to the provisions of Standing Orders 41 and 142 of the National Assembly Standing Orders, I hereby convey the following message from the National Assembly-

WHEREAS the National Assembly, on Wednesday, September 30, 2015, concurred with the Senate on its amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 33 of 2013), save for the provisions relating to the Transition to Devolved Government Act, 2012;

AND WHEREAS, the National Assembly, in the same Sitting, rejected the Political Parties (Amendment) Bill (Senate Bill No. 3 of 2014) at Second Reading;

NOW THEREFORE, in accordance with the provisions of Article 112 of the Constitution and Standing Order 142 of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate, and seek the appointment of a Mediation Committee in respect of the two Bills.”

Honourable Senators,

In accordance with Articles 112(2)(b) and 113 of the Constitution, the Speaker of the National Assembly has appointed the following Members to represent the Assembly in the Mediation Committee that will attempt to develop a version of the two Bills that both Houses will pass:-

- 1) The Hon. Samuel Chepkong'a, MP;
- 2) The Hon. Njoroge Baiya, MP;
- 3) The Hon. Timothy Bosire, MP; and,
- 4) The Hon. Daniel Maanzo, MP.

Similarly, I also appoint the following Senators to represent the Senate in the Mediation Committee:-

- 1) Sen. Amos Wako, MP;
- 2) Sen. Stephen Sang, MP;
- 3) Sen. Kipchumba Murkomen, MP;
- 4) Sen. Boni Khalwale, MP.

I thank you.”

5. **PETITION ON REGISTRATION OF PERSONS AND ISSUANCE OF NATIONAL IDENTITY CARDS IN VIHIGA COUNTY**

Pursuant to Standing Order 220 (1) (b) and 225 (2) (a), the Senator for Vihiga County (Sen. George Khaniri) presented a petition on behalf of the Committee on Justice and Legal Affairs of Vihiga County Assembly, concerning alleged violation by the National Registration Bureau of the right of residents of Vihiga County to registration and issuance of National Identity Cards.

Pursuant to Standing Order 226, the Deputy Speaker allowed Senators to comment on the petition, and directed that the Petition be committed to the Standing Committee on National Security and Foreign Relations, pursuant to Standing Order 227.

6. **STATEMENTS PURSUANT TO STANDING ORDER 45 (2) (b)**

- a) The Senator for Kirinyaga County (Sen. Daniel Karaba) sought a Statement from the Chairperson of the Standing Committee on National Security and Foreign Relations regarding the killing of Mr. Eliud Wachira Gachoki on Sunday, 25th January, 2015.

- b) The Senator for Makueni County (Sen. Mutula Kilonzo Jr.) sought a Statement from the Chairperson of the Standing Committee on Energy regarding an oil spillage into River Thange in Makueni County.
- c) The Senator for Vihiga County (Sen. George Khaniri) sought a Statement from the Chairperson of the Standing Committee on Education regarding the delayed teachers' salaries for the month of September, 2015.

7. **MOTION- ADOPTION OF THE REPORT OF THE SELECT COMMITTEE ON CONSTITUTIONAL AND LEGAL REVIEW**

Motion made and question proposed -

THAT, this House adopts the Report of the Select Committee of the Senate on Constitutional and Legal Review laid on the Table of the House on Wednesday, 23rd September, 2015.

(The Chairperson of the Select Committee – 14.10.15)

Debate interrupted on Wednesday, 15th October, 2015 resumed;

And there being no other Senator wishing to contribute;

Mover replied.

Before putting the Question, the Temporary Speaker, pursuant to Standing Order 72 ruled that the Motion did not affect counties.

Thereupon, Question put and **agreed to.**

RESOLVED ACCORDINGLY

THAT, this House adopts the Report of the Select Committee of the Senate on Constitutional and Legal Review laid on the Table of the House on Wednesday, 23rd September, 2015.

8. **COMMITTEE OF THE WHOLE**

The Public Appointments (County Assembly Approval Bill (Senate Bill No. 20 of 2014)

(Chairperson Standing Committee on Labour and Social Welfare)

Order deferred.

9. **COMMITTEE OF THE WHOLE**

The County Early Childhood Education Bill, (Senate Bill No.32 of 2014)

(Chairperson of the Standing Committee on Education)

Order deferred.

10. **COMMITTEE OF THE WHOLE**

The Universities (Amendment) Bill (Senate Bill No. 31 of 2014)

(Sen. Halima Abdille)

Order Deferred.

11. **THE OFFICE OF THE COUNTY ATTORNEY BILL (SENATE BILL NO. 37 OF 2014)**

Motion made and question proposed;

THAT, the Office of the County Attorney Bill (Senate Bill No. 37 of 2014) be now read a Second time.

(Chairperson, Standing Committee on Legal Affairs and Human Rights)

Debate interrupted on Tuesday, 13th October, 2015 resumed;

And the time being thirty minutes past six O'clock, the Temporary Speaker (Sen. Murkomen) 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

Thursday, October 22, 2015 at 2.30 p.m.

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