



REPUBLIC OF KENYA

THE SENATE

ELEVENTH PARLIAMENT – THIRD SESSION

VOTES AND PROCEEDINGS

WEDNESDAY, JULY 22, 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. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following communications from the Chair-

a) Visiting delegation from the National Transition Council of Burkina Faso

"Honorable Senators,

I would like to acknowledge the presence, in the Speaker's Gallery this afternoon, of a delegation from the National Transition Council of Burkina Faso. The delegation is in Nairobi to participate in the 9th Stop Cervical, Breast and Prostate Cancer in Africa Conference.

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

They are:

1. Honourable Lucien Honore Nombre, MP-1st Vice President of the National Transition Council;
2. Honourable Paul Djiguemedede, MP;
3. Honourable Theophile Ababenhiri Dentiogue, MP;
4. Honourable Amadou Diabate, MP; and
5. Honourable Bakary Kone, MP.

The delegation is accompanied by:-

1. Miss Emma Zobilma – Montoro – Secretary General of the National Transition Council;
2. Missis Suzanne Zan – Ouedraogo; and
3. Miss Sarre Bationo Bazie.

Honourable Senators,

I hope that they have had fruitful deliberations during their visit to Kenya and 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."

b) Visiting students and teachers from Nyota Academy

"Honorable Senators,

I wish to recognize the presence of the Students and Teachers from Nyota Academy from Nairobi County seated in the Public gallery who are visiting the Senate today.

As you all know Hon. Senators, the tradition of receiving and welcoming visitors to Parliament is a long time tradition and one we shall endeavor to continue upholding.

On behalf of the Senate and on my own behalf, I extend a warm welcome to the Students and Teachers of Nyota Academy.

I Thank You."

c) Visiting students and teachers from Chiakariga Girls High School

"Honorable Senators,

I wish to recognize the presence of the Students and Teachers from Chiakariga Girls High School from Tharaka Nithi County seated in the Public gallery who are visiting the Senate today.

As you all know Hon. Senators, the tradition of receiving and welcoming visitors to Parliament is a long time tradition and one we shall endeavor to continue upholding.

On behalf of the Senate and on my own behalf, I extend a warm welcome to the Students and Teachers of Chiakariga Girls High School.

I Thank You."

d) Visiting students and teachers from Iiyuni High School

"Honorable Senators,

I wish to recognize the presence of the Students and Teachers from Iiyuni High School from Machakos County seated in the Public gallery who are visiting the Senate today.

As you all know Hon. Senators, the tradition of receiving and welcoming visitors to Parliament is a long time tradition and one we shall endeavor to continue upholding.

On behalf of the Senate and on my own behalf, I extend a warm welcome to the Students and Teachers of Iiyuni High School.

I Thank You."

4. **NOTICE OF MOTION**- (Sen. James Orengo)

THAT WHEREAS the President of the United States of America, Mr. Barrack Obama is to visit Kenya between 24th-26th July, 2015 to attend the Global Entrepreneurship Summit;

AND WHEREAS the visit is the first to the Republic of Kenya by a sitting President of the United States of America;

NOW THEREFORE, the Senate welcomes the President and records its appreciation for the historic visit to Kenya and calls upon both Governments to deepen and broaden their relations in order to promote social and economic development of the two countries based on shared values of liberty, justice, human rights and democracy.

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

- i) A Nominated Senator (Sen. Daisy Kanainza) sought a statement from the Chairperson of the Standing Committee on Health regarding the death of Ms. Mourine Tata and the deteriorating healthcare standards in the country.
- ii) The Vice-Chairperson of the Standing Committee on Land and Natural Resources issued a statement on hazards caused by the Nairobi Dam, especially during the rainy seasons.

In the statement, the Vice-Chairperson informed the Senate that the Nairobi Dam had over the years suffered from multiple sources of pollution and other environmental challenges, rendering its waters unfit for any economic or social use. The County Government of Nairobi was however working with the Ministries of Environment and Natural Resources and Water and Irrigation to address the situation. Among the measures being undertaken in this regard was the implementation of an integrated solid waste management system in the City of Nairobi, and Kibera area in particular, to contain the discharge of raw sewage and solid waste into the Dam.

The Vice-Chairperson further informed the Senate that the Governor of Nairobi City County had, in May 2014, appointed a Taskforce for the Restoration of Nairobi Dam (TREND) with the mandate to advise on, facilitate and conduct all activities aimed at restoration of the Dam. The Senate was also informed that Taskforce was undertaking a number of measures which were expected to reduce the pollution arising from sewer effluent flowing into the Dam and further that the Nairobi City County Government was also undertaking measures to address the problem of flooding of rivers flowing into the Dam during the rainy seasons.

- iii) The Chairperson of the Standing Committee on Finance, Commerce and Budget issued a statement on monies earmarked for Constituency Development Fund (CDF) projects in Tana River County.

In the statement, the Chairperson informed the Senate that, as at March 2013, a total of 625 projects funded by CDF in constituencies in Tana River County had been completed at the cost of Kshs.1,159,187,492/= and further that 65 projects were ongoing as at the said date due to slow absorption of funds.

The Chairperson further informed the Senate that in the financial years 2013/2014 and 2014/2015, the total CDF allocations to constituencies in Tana River County was Kshs.558,521,025/=. of which 94.6% of the funds had been applied to development projects, with the balance being set aside for administration and recurrent expenditure. The Senate was also informed that for the financial year 2015/2016, a sum of Kshs.349,066,836/= had been earmarked for CDF allocations to constituencies in the said County.

- iv) The Chairperson of the Standing Committee on Finance, Commerce and Budget issued a statement on Uwezo Fund allocation and expenditure across Counties, with specific reference to Tana River County.

In the statement, the Chairperson informed the Senate that a total of Kshs.6,390,000,000/= had been allocated to Uwezo Fund nationally for the financial years 2013/2014 and 2014/2015, with Tana River County receiving Kshs.57,733,154/=. Of this amount, Kshs.55,897,154/= comprised monies loaned to groups, with the balance of Kshs.1,836,000/= being applied towards administration expenses.

The Chairperson further informed the Senate that 352 groups in the County had so far benefitted from allocated funds as loans, bringing the total number of beneficiaries to 4,629 individuals in those groups. Further, that Uwezo Fund did not fund projects, but rather provided credit facilities in the form of loans to applicants who met the criteria as provided in the Public Finance Management (Uwezo Fund) Regulations.

The Chairperson assured the Senate that he will table a list of beneficiaries of the Uwezo Fund in the County.

6. **THE COUNTY ASSEMBLIES SERVICES BILL (SENATE BILL NO. 27 OF 2014)**

Order for Second Reading read;

Motion made and Question proposed –

That the County Assemblies Services Bill (Senate Bill No. 27 of 2014) be read a second time.

*(Chairperson, Standing Committee on Legal Affairs and Human Rights –
15.07.2015)*

Order deferred.

7. COMMITTEE OF THE WHOLETHE COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO. 32 OF 2014)

(Chairperson, Standing Committee on Education)

Order deferred.

8. COMMITTEE OF THE WHOLETHE PUBLIC APPOINTMENTS (COUNTY ASSEMBLY APPROVAL) BILL (SENATE BILL NO. 20 OF 2014)

(Chairperson, Standing Committee on Labour and Social Welfare)

Order deferred.

9. THE UNIVERSITIES (AMENDMENT) BILL (SENATE BILL NO. 31 OF 2014)

Order for Second Reading read;

Motion made and Question proposed-

THAT, the Universities (Amendment) Bill (Senate Bill No. 31 of 2014) be now read a Second Time.

(Sen. Halima Abdille – 15.07.15)

Debate interrupted on Tuesday, 21st July, 2015 resumed;

There being no other Senator willing to contribute;

Mover replied;

Raising a point of order, pursuant to Standing Order 54 (3), the Nominated Senator (Sen. Halima Abdille) requested the Speaker to defer putting of the question to another day;

And the Deputy Speaker acceding to the request, deferred putting of the question to a later date.

10. THE CLIMATE CHANGE BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2014)

Order for Second Reading read;

Order deferred.

11. THE PARLIAMENTARY POWERS AND PRIVILEGES BILL (SENATE BILL NO. 15 OF 2014)

Order for Second Reading read;

Motion made and Question proposed-

THAT, the Parliamentary Powers and Privileges Bill (Senate Bill No. 15 of 2014) be now read a Second Time.

(The Senate Majority Leader)

Debate arising;

There being no other Senator willing to contribute;

The Mover replied;

Raising a point of order, pursuant to Standing Order 54 (3), the Senator for Tharaka-Nithi County (Sen. (Prof.) Kindiki) requested the Speaker to defer putting of the question to another day;

And the Temporary Speaker (Sen. Murkomen) acceding to the request, deferred putting of the question to another day.

And the time being thirty minutes past Six O'clock, the Temporary Speaker (Sen. Kipchumba Murkomen) 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
Thursday, July 23, 2015 at 2.30 p.m.*

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