



REPUBLIC OF KENYA

THE SENATE

ELEVENTH PARLIAMENT – SECOND SESSION

VOTES AND PROCEEDINGS

TUESDAY, SEPTEMBER 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. **COMMUNICATION FROM THE CHAIR- VISIT BY THE DELEGATION FROM THE COUNTY ASSEMBLY OF VIHIGA**

The Speaker conveyed the following Communication from the Chair-

"Honourable Senators,

I am pleased to acknowledge the presence, in the Speaker's Gallery this afternoon, of a delegation from the Vihiga County Assembly.

The delegation is in Nairobi on a benchmarking visit to share experiences on the management of the affairs of a legislature.

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

They are:-

- |                            |   |
|----------------------------|---|
| (a) Hon. Daniel Chitwah    | -Speaker of the County Assembly;        |
| (b) Hon. Richard Muhiga    | -Deputy Speaker of the County Assembly; |
| (c) Hon. Pamela Amunga     | -Member;                                |
| (d) Hon. Gladys Analo      | -Member; and                            |
| (e) Hon. Stephen Mulagitsi | -Member;                                |

The delegation is accompanied by the following officers of the County Assembly:-

- (a) Mr. Kennedy Kulali Okang'a
- (b) Mr. Joseph Ollumulah
- (c) Ms. Nancy Aseyo
- (d) Ms. Judy Osire
- (e) Mr. Victor Chadiva

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 programme.

I thank you."

#### 4. PAPERS LAID

The following papers were laid on the Table of the Senate:-

- (a) Report of the Auditor-General on the Financial Statements of the County Government of Meru for the Sixteen (16) Months period ended 30<sup>th</sup> June 2014;
- (b) Report of the Auditor-General on the Financial Statements of Embu County Government for the Sixteen (16) Months period ended 30<sup>th</sup> June 2014;
- (c) Report of the Auditor-General on the Financial Operations of Kiambu County Assembly for the period 1<sup>st</sup> July 2013 to 30<sup>th</sup> June, 2014;
- (d) Report of the Auditor-General on the Financial Operations of Murang'a County Executive for the period 1<sup>st</sup> July 2013 to 30<sup>th</sup> June 2014; and
- (e) Report of the Auditor-General on the Financial Operations of Kirinyaga County Assembly for the period 1<sup>st</sup> July 2013 to 30<sup>th</sup> June 2014.

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

#### 5. NOTICE OF MOTION- (Sen. Kiraitu Murungi)

(Department of Land and Natural Resources)

**GIVEN** the clear provisions of Article 6(1) and the First Schedule which established the 47 counties of the Republic of Kenya;

**CONSIDERING** the clear provisions of the Districts and provisions Act (Cap 105 A) of the 1992 which specifically delineates the geographical boundaries of each county;

**NOTING** the provisions of Article 188 of the Constitution, which clearly state that the boundary of a county may be altered only by a resolution of an Independent Commission set up for that purposes by parliament and with support of at least two-thirds of members of the National Assembly and two-thirds of the county delegates in the Senate;

**FURTHER NOTING** that the boundaries in counties have not been surveyed and beacons have been fixed;

**CONCERNED** that failure by the National Government to mark and fix the county boundaries has led to endless and sometimes violent conflicts, in which innocent Kenyans have been killed and their property destroyed, and is generally perpetuating poverty and underdevelopment in the counties;

**THIS HOUSE** urges the office of the President and the Ministry of Land, Housing and Urban Development to urgently establish a Task Force to survey, mark and fix beacons for all the county boundaries and to submit a report of the said Task Force to this House on or before 31<sup>st</sup> March, 2016.

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

- (a) The Senator for West Pokot County (Sen. John Lonyangapuo) sought a statement from the Chairperson of the Standing Committee on Land and Natural Resources, regarding the destruction of indigenous trees for charcoal burning in the North Rift (West Pokot, Turkana, Baringo and Elgeyo Marakwet Counties).
- (b) The Senator for Kakamega County (Sen.(Dr.) Boni Khalwale) sought a statement from the Chairperson of the Standing Committee on Finance, Commerce and Budget regarding foreign visits by H.E the President.
- (c) The Senator for Meru County (Sen. Kiraitu Murungi) sought a statement from the Chairperson of the Standing Committee on Land and Natural Resources regarding issuance of title deeds in Meru County.

7. **COMMITTEE OF THE WHOLE**

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

Order for Committee read;

Order deferred by leave of the Senate.

8. **COMMITTEE OF THE WHOLE**

**THE PUBLIC APPOINTMENTS (COUNTY ASSEMBLY APPROVAL) BILL  
(SENATE BILL NO. 20 OF 2014)**

Order for Committee read;

Order deferred by leave of the Senate.

9. **COMMITTEE OF THE WHOLE**

**THE COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO. 32 OF 2014)**

Order for Committee read;

Order deferred by leave of the Senate.

10. **THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILL NO. 35 OF 2014)**

Order for Second Reading read;

Motion made and Question proposed-

THAT, the Petition to County Assemblies (Procedure) Bill (Senate Bill No. 35 of 2014) be now read a Second Time.

*(Sen. Mutula Kilonzo Junior on behalf of Chairperson, Standing Committee on Legal Affairs and Human Rights)*

Debate arising;

There being no other Senator wishing to contribute;

Mover replied;

Raising a point of order, pursuant to Standing Order 54 (3), the Senator for Makueni County (Sen. Mutula Kilonzo Junior) requested the Speaker to defer putting of the Question to a later date;

And the Temporary Speaker (Sen. Murkomen) acceding to the request, nominated Wednesday, 23<sup>rd</sup> September, 2015 when the Question will be put.

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

Order for Second Reading read;

Motion made and Question proposed-

THAT, the Office of The County Printer Bill (Senate Bill No. 42 of 2014) be now read a Second Time.

*(Sen. Stephen Sang)*

Debate arising;

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  
Wednesday, September 23, 2015 at 2.30 p.m.*

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