



REPUBLIC OF KENYA

THE SENATE

ELEVENTH PARLIAMENT – THIRD SESSION

VOTES AND PROCEEDINGS

TUESDAY, FEBRUARY 24, 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;

"Honourable Senators,

I wish to recognize the presence of students and teachers from St. Paul Secondary School in Kitui County who are seated in the Public Gallery.

On behalf of the Senate and on my own behalf, I extend a warm welcome to them and wish them a happy and fruitful visit.

I thank you."

4. **PAPER**

The following paper was laid on the Table of the Senate-

The Senate Calendar (Regular Sessions of the Senate) for the year 2015 (*February to December, 2015*).

(The Senate Majority Leader)

5. **NOTICE OF MOTION** - (*The Senate Majority Leader*)

THAT, pursuant to Standing Order 28(1), this House approves the Senate Calendar (Regular Sessions of the Senate) for the year 2015 (*February to December, 2015*), laid on the Table of the House on Tuesday, 24th February, 2015.

6. NOTICE OF MOTION - *(The Senate Majority Leader)*

THAT, pursuant to Standing Orders 177(1) and 178, the Senate approves the nomination of the following Senators to serve in Select Committees as indicated below:-

1. Sen. Moses Otieno Kajwang' to serve in the:-
 - a. Standing Committee on Agriculture, Livestock and Fisheries;
 - b. Standing Committee on Roads and Transportation; and
 - c. Joint Committee on National Cohesion and Equal opportunity.
2. Sen. (Dr.) Agnes Zani to serve in the Standing Committee on Finance, Commerce and Budget.

7. STATEMENT

Statement pursuant to Standing Order 45(2) (b)-

The Senator for Makueni County (Sen. Mutula Kilonzo Jnr.) sought a Statement from the Chairperson of the Standing Committee on Labour and Social Welfare regarding the Social Protection Cash Transfer Scheme for the elderly.

8. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE - (Acting Chairperson of Committees - Sen. (Dr.) Machage, in the Chair)

The National Police Service (Amendment) Bill (Senate Bill No. 29 of 2014)

Clause 2 - amendment proposed

Motion made and Question proposed.

THAT, Clause 2 of the Bill be amended-

- (a) by deleting paragraph (a) and substituting therefor the following new paragraph -
 - (a) by deleting subsection (1) and substituting therefor the following new subsection -
 - (i) The National Police Reserve (hereinafter referred to as "the Reserve") shall consist of such persons resident in Kenya (other than serving members of the Kenya disciplined services) who shall -
 - a) be at least thirty years and not more than sixty years of age;
 - b) be persons of good conduct and have no criminal record;

- c) be medically and physically fit; and
- d) have the ability to read and write.

- (b) by deleting paragraph (b);
- (c) by deleting paragraph (c); and
- (d) by deleting paragraph (d).

(Chairperson, Standing Committee on National Security and Foreign Relations)

Debate arising;
Proposed amendment withdrawn.

Question proposed;

That, Clause 2 be part of the Bill.

Clause 3 - amendment proposed

Motion made and Question proposed;

That, Clause 3 of the Bill be deleted

(Chairperson, Standing Committee on National Security and Foreign Relations)

Debate arising;

Proposed amendment withdrawn.
Question proposed;

That, Clause 3 be part of the Bill.

Question proposed;

That Clause 4, Title and Clause 1 be part of the Bill.

Question put;

That Clauses 2, 3, 4, Title and Clause 1 be part of the Bill;

The House proceeded to a division.

The Chairperson directed that a roll call vote be taken pursuant to Standing Order 75, following technical failure, and that the division bell be rung for eight minutes;

After the expiry of eight minutes, the Chairperson directed that the bar be drawn and the doors be locked;

The Chairperson announced the names of the Tellers and asked them to take seats at the designated place;

The Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order in the presence of the Tellers;

Upon a Division, Question agreed to.

The results of the Division were as follows-

AYES - 30

NOES - 0

ABSTENTIONS - 0

1. Sen. Billow Kerrow
2. Sen. Haji Mohammed Yusuf
3. Sen. Hargura Godana
4. Sen. Hassan Abdirahman Ali
5. Sen. Kajwang' Moses Otieno
6. Sen. Karaba Dickson Daniel
7. Sen. Kembi - Gitura
8. Sen. Khalwale Boni
9. Sen. Khaniri George
10. Sen. Judith Sijeny - On behalf of the Nairobi County Delegation
11. Sen. Kiyonga John Munyes
12. Sen. Kuti Mohamed Abdi
13. Sen. Lesan Wilfred
14. Sen. Leshore Sammy Prisa
15. Sen. Lonyangapuo John Krop
16. Sen. Machage Wilfred Gisuka
17. Sen. Madzayo Stewart Mwachiru
18. Sen. Mositet Peter Korinko
19. Sen. Murungi Kiraitu
20. Sen. Musila David
21. Sen. Muthama Johnson Nduya
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwakulegwa Danson Mwazo
24. Sen. Ndiema Henry Tiole
25. Sen. Ntutu Stephen Kanyinke
26. Sen. Okong'o Kennedy Mong'are
27. Sen. Orengo James
28. Sen. Sang' Stephen Kipyego
29. Sen. Wetang'ula Moses Masika

Bill to be reported without amendments;

9. HOUSE RESUMED - (Deputy Speaker in the Chair)

The National Police Service (Amendment) Bill (Senate Bill No. 29 of 2014)

Bill reported without amendments;

Motion made and Question proposed:-

THAT, the Senate do agree with the Committee of the Whole in the said Report.

(Sen. (Prof.) Lonyangapuo)

Debate arising;

Before the question was put and pursuant to Standing Order 72, the Deputy Speaker ruled that the question did not affect counties;

Question put and **agreed to.**

Motion made and Question proposed;

That, the National Police Service (Amendment) Bill (Senate Bill No. 29 of 2014) be now read a **Third Time.**

Debate arising;

There being no other Senator wishing to contribute;

The House proceeded to a division.

The Deputy Speaker directed that a roll call vote be taken pursuant to Standing Order 75, following technical failure, and that the division bell be rung for eight minutes;

After the expiry of eight minutes, the Deputy Speaker directed that the bar be drawn and the doors be locked;

The Deputy Speaker announced the names of the Tellers and asked them to take seats at the designated place;

The Deputy Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order in the presence of the Tellers;

Upon a Division, Question **agreed to.**

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS - 0

1. Sen. Billow Kerrow
2. Sen. Haji Mohammed Yusuf
3. Sen. Hargura Godana
4. Sen. Hassan Abdirahman Ali
5. Sen. Kajwang' Moses Otieno
6. Sen. Kariuki Godfrey Gitahi
7. Sen. Kembi - Gitura
8. Sen. Khalwale Boni
9. Sen. Khaniri George
10. Sen. Mugo Beth - On behalf of the Nairobi County Delegation
11. Sen. Kiyonga John Munyes
12. Sen. Kuti Mohamed Abdi
13. Sen. Lesan Wilfred
14. Sen. Lonyangapuo John Krop
15. Sen. Machage Wilfred Gisuka

16. Sen. Madzayo Stewart Mwachiru
17. Sen. Mositet Peter Korinko
18. Sen. Liza Chelule - On behalf of the Nakuru County Delegation
19. Sen. Murkomen Kipchumba
20. Sen. Mutula Kilonzo Junior
21. Sen. Ndiema Henry Tiole
22. Sen. Ong'era Janet - On behalf of the Kisii County Delegation
23. Sen. Okong'o Kennedy Mong'are
24. Sen. Orengo James
25. Sen. Wako Sitswila Amos
26. Sen. Wetang'ula Moses Masika

Bill read a Third Time and **Passed.**

10. THE POTATO PRODUCE AND MARKETING BILL (SENATE BILL NO. 22 OF 2014)

Motion made and Question proposed:-

THAT, the Potato Produce and Marketing Bill (Senate Bill No. 22 of 2014) be now read a Second Time.

(Sen. (Eng.) Karue Muriuki- 4th December, 2014)

Debate interrupted on Wednesday, 11th February, 2015 resumed;

And the time being thirty minutes past six O'clock, a Temporary Speaker (Sen. Mositet) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

11. 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, February 25, 2015 at 2.30 p.m.*

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