



REPUBLIC OF KENYA

THE SENATE

ELEVENTH PARLIAMENT – THIRD SESSION

VOTES AND PROCEEDINGS

TUESDAY, OCTOBER 27, 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 issued the following communications from the Chair.

a. ON VISITING STAFF FROM THE COUNTY ASSEMBLY OF LAMU COUNTY

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker's Gallery this afternoon, visiting County Assembly staff from Lamu County.

The County Assembly staff is here on a one-week attachment program at the Senate and will be attached to the Directorates of Committee Services, Legislative and Procedural Services and that of Information and Research.

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

They are:

- | | |
|---------------------------|------------------------------|
| 1. Mr. Ali Ahmed Sayyid | -Principal Clerk Assistant; |
| 2. Mr. Swaleh Rubea | -Clerk Assistant III; |
| 3. Mr. Athman E. Molmocha | -Clerk Assistant III; |
| 4. Mr. Yasir M. Sheyumbe | -Clerk Assistant III; |
| 5. Ms. Fatuma Athman Haji | -Records Management Officer. |

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”

b. ON THE CONVENING OF A SITTING OF THE SENATE ON WEDNESDAY, 28TH OCTOBER, 2015 AT 11.00 A.M.

“I wish to give notice to all Senators-

That, pursuant to Section 33(3)(a) of the County Governments Act and standing order 68 (1) (a) of the Senate Standing Orders;

And further upon receipt of a letter from the Speaker of the County Assembly of Murang’a dated 22nd October, 2015 by which the Speaker of the County Assembly of Murang’a informed the Speaker of the Senate of the approval of a Motion for the removal from office by impeachment of Mwangi wa Iria, the Governor of Murang’a County;

I convene a sitting of the Senate tomorrow, Wednesday, 28th October, 2015. The sitting shall be held in the Senate Chamber, Main Parliament Buildings, Ground Floor, Nairobi, commencing at 11.00 a.m. The business to be transacted at the sitting shall be the hearing of the charges against Mwangi wa Iria, the Governor of Murang’a County.

I thank you.”

4. PAPER LAID

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

The Report on Bi-Annual Alcohol and Drug Abuse from the National Authority for Campaign against Alcohol and Drug Abuse (NACADA).

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

5. PETITION ON THE MANAGEMENT AND OPERATIONS OF THE NANDI COUNTY EXECUTIVE AND COUNTY ASSEMBLY

Pursuant to Standing Order 220 (1) (a) and 225 (2) (b), the Speaker presented a petition to the Senate by the Nandi County Civil Society Network and the Nandi County Chamber of Commerce and Industry concerning the management and operations of the Nandi County Executive and County Assembly.

Pursuant to Standing Order 226, the Speaker allowed Senators to comment on the petition, and directed that the Petition be committed to the Standing Committees on Legal Affairs and Human Rights and Finance, Commerce and Budget, pursuant to Standing Order 227.

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

- i. The Senator for Meru County (Sen. Kiraitu Murungi) sought a Statement from the Chairperson of the Standing Committee on National Security and Foreign Relations concerning banditry attack at Kithiorone area of Meru County.
- ii. The Chairperson of the Standing Committee on National Security and Foreign Relations issued a Statement concerning rising insecurity within Nandi County, sought by the Senator for Nandi County (Sen. Stephen Sang).

Thereupon, the Chairperson informed the Senate that the Government was not aware of the increased incidents of insecurity in Nandi County but was aware of isolated cases of motor-cycle thefts and burglary reported in Kapsabet and Mosoriot towns which have been investigated and appropriate action taken accordingly.

The Senate was also informed that on the night of 12th August, 2015, three suspects were apprehended by members of the public for house breaking and stealing of a television set in Nadaptabwa area and that the suspects were booked at Mosoriot Police Station and processed for court.

The Chairperson noted that on the following night, the three suspects escaped from police custody and investigations into the escape were initiated vide Inquiry File No. 2/2015.

The Chairperson further reported that the Government was not aware of collusion between the County Government officials and suspected criminals to issue fake boda-boda operating licenses and stickers to unsuspecting law abiding operators.

7. 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.

8. 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.

9. **COMMITTEE OF THE WHOLE**

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

Order Deferred.

10. **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-
21.10.2015)*

Debate interrupted on Wednesday, 21st October, 2015 resumed;

There being no other Senator wishing to contribute;

Mover replied.

Raising a point of order, pursuant to Standing Order 54 (3), the Chairperson, Standing Committee on Legal Affairs and Human Rights requested the Speaker to defer putting of the Question to a later date;

And the Temporary Speaker (Sen. Elizabeth Ongoro) acceding to the request, nominated Wednesday, 28th October, 2015 when the Question will be put.

11. **THE COUNTY GOVERNMENTS DISASTER MANAGEMENT BILL, (SENATE BILL NO. 40 OF 2014)**

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

Order deferred.

12. **THE KENYA NATIONAL EXAMINATIONS COUNCIL (AMENDMENT) BILL (SENATE BILL NO. 7 OF 2015)**

Order for Second Reading read;

Motion Made and Question Proposed;

THAT, the Kenya National Examinations Council (Amendment) Bill, (Senate Bill No. 7 of 2015) be now read a Second time.

(Sen. David Musila)

Debate arising;

And the time being thirty minutes past Six O'clock, the Temporary Speaker (Sen. Elizabeth Ongoro) interrupted the proceedings and adjourned 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
Wednesday, October 28, 2015 at 11.00 a.m*

---X---