



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – FIFTH SESSION**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, MARCH 29, 2017 AT 2.30 P.M.**

1. The Senate assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with prayer said by the Speaker.
3. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following communications from the Chair:-

**a) On the visiting staff from Nyamira County Assembly**

“Honourable Senators,

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

The staffs are here on a five-day attachment programme at the Senate.

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. Mr. Evans Omwega   | - | Public Relations Officer |
| 2. Ms. Janet Onchagwa | - | Public Relations Officer |

I hope that they have a fruitful program.

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) On the visiting students and teachers from St. Joseph Girls' Secondary School**

"Honourable Senators,

Honorable Senators,

I would like to acknowledge the presence, in the Public Gallery, this afternoon, of visiting students and teachers from St. Joseph Girls Secondary School, Taita Taveta County.

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them and, on behalf of the Senate and on my own behalf, wish them a fruitful visit.

I thank you."

**4. STATEMENTS****Statements Pursuant to Standing Order 45(2)(b)**

- i.) The Senator for Bomet County (Sen. (Prof.) Wilfred Lesan) sought a statement from the Chairperson of the Standing Committee on Education regarding the publication and distribution of books and other educational materials to public primary and secondary schools.
- ii.) The Senator for West Pokot County (Sen. (Prof.) John Lonyangapuo) sought a statement from the Chairperson of the Standing Committee on Education regarding the status of the new technical colleges initiated by the Kenya Government for the period 2013-2017.
- iii.) The Vice-Chairperson of the Standing Committee on Agriculture, Livestock and Fisheries, (Sen. Ole Ndiema) issued a statement regarding preparedness for planting season and supply of fertilizers and other farm inputs to farmers.

In the statement, the Vice-Chairperson informed the Senate that the Ministry in collaboration with the National Cereals and Produce Board (NCPB) concluded procurement of fertilizers for year 2017 long rains in December 2016. He further informed the Senate that contracts for 238, 000 metric tonnes were signed and distribution has started to various NCPB depots country-wide.

In addition, the Ministry procured 749 metric tonnes of assorted seeds of drought tolerant crops such as sorghum, cow peas and pigeon peas worth Ksh 133 million for distribution to the counties from the first week of March 2017, which will benefit about 104,000 farmers country-wide.

The Vice-Chairperson stated that as of 26<sup>th</sup> February, 2017, 260,000 bags had been distributed and exercise was ongoing. He asserted that to avert future delays in the supply of fertilizer and other farm inputs, the Ministry of Agriculture has signed a two year contract for supply and delivery of fertilizers and other farm inputs. Further, fertilizers and other farm inputs now have a budget line and so there will be ease of planning, acquisition and distribution. Other measures include; irrigated seed production by Kenya Seed Company and implementation of the National Subsidy Fertilizer Programme.

5. **THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2016)**

(The Senate Majority Leader)

Order for First Reading Read;

Bill Read a First Time and Committed to the Standing Committee on Finance, Commerce and Budget

6. **THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2015)**

(The Senate Majority Leader)

Order for First Reading Read;

Bill Read a First Time and Committed to the Standing Committee on Finance, Commerce and Budget

7. **MOTION – DEBATE ON THE ADDRESS BY H. E THE PRESIDENT**

Motion made and Question proposed;

**THAT**, pursuant to the provisions of Standing Order 24 (6), the Thanks of the Senate be recorded for the exposition of public policy contained in the Address of the President delivered on Wednesday, 15<sup>th</sup> March, 2017 and further notes the following Reports submitted by the President in fulfillment of the provisions of Articles 132 (1) (c) and 240 (7) of the Constitution, laid on the Table of the House on Tuesday, 28<sup>th</sup> March, 2017-

- a) Report on measures Taken and Progress Achieved in the Realization of National Values and Principles of Governance;
- b) Report on Progress made in Fulfillment of the International Obligations of the Republic; and,
- c) The Fourth Annual Report to Parliament on the State of National Security.
- d) *(The Senate Majority Whip, on behalf of the Senate Majority Leader – 28<sup>th</sup> March, 2017)*

Debate interrupted on Tuesday, 28<sup>th</sup> March, 2017 resumed;

**Adjournment of debate pursuant to Standing Order 99(1):**

Raising a point of order, the Senator for Laikipia County (Sen. Godfrey Kariuki) claimed to move-

**“That**, the debate be now adjourned”, pursuant to Standing Order 99(1).

And the Deputy Speaker acceding to the claim;

Question Proposed;

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.

**RESOLVED ACCORDINGLY**

**THAT**, the debate be now adjourned.

8. **MOTION – CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO. 32 OF 2014)**

**THAT**, the National Assembly Amendments to the County Early Childhood Education Bill (Senate Bill No. 32 of 2014) be now considered.

*(Chairperson, Standing Committee on Education)*

Order deferred.

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

(Chairperson, Standing Committee on Education)

*(Consideration of National Assembly Amendments)*

Order deferred.

11. **MOTION-ADOPTION OF THE REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON THE INQUIRY INTO THE FINANCIAL OPERATIONS OF SEVERAL COUNTY EXECUTIVES FOR THE FINANCIAL YEAR 2013/2014**

**THAT**, the Senate adopts the Report of the Sessional Committee on County Public Accounts and Investments on the inquiry into the financial operations of Kiambu, Busia, Tana River, Trans Nzoia, Nyandarua, Migori, Kwale, Kisumu, Samburu and Kericho County Executives for the Financial year

2013/2014 (1<sup>st</sup> July, 2013 to 30<sup>th</sup> June, 2014) laid on the Table of the Senate on Thursday, 23<sup>rd</sup> February, 2017.

*(Chairperson, Sessional Committee on County Public Accounts and Investments:  
28-02-2017)*

***(Resumption of Debate interrupted on Thursday, 2<sup>nd</sup> March, 2017)***

Order deferred.

12. **COMMITTEE OF THE WHOLE**

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

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

*(Consideration of National Assembly Amendments)*

*(Resumption of Debate interrupted on Wednesday, 1<sup>st</sup> March, 2017  
(Division)*

Order deferred.

13. **COMMITTEE OF THE WHOLE**

**THE NATIONAL CEREALS AND PRODUCE BOARD (AMENDMENT) BILL  
(SENATE BILL NO. 15 OF 2015)**

(Sen. Zipporah Kittony)

***(Resumption of Debate interrupted on Wednesday, 16<sup>th</sup> November,  
2016)  
(Division)***

Order deferred.

14. **COMMITTEE OF THE WHOLE**

**THE COUNTY STATUTORY INSTRUMENTS BILL (SENATE BILL NO. 10 OF  
2015)**

(Sen. Stephen Sang)

*(Resumption of Debate interrupted on Thursday, 16<sup>th</sup> February, 2017)  
(Division)*

Order deferred.

15. **COMMITTEE OF THE WHOLE**

**THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF THE  
ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILL NO. 8 OF 2015)**

(Sen. Omar Hassan)

*(Resumption of Debate interrupted on Tuesday, 15<sup>th</sup> November, 2016)  
(Division)*

Order deferred.

16. **COMMITTEE OF THE WHOLE**

**THE BASIC EDUCATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL  
NO. 35 OF 2014)**

(The Senate Majority Leader)

*(Resumption of Debate interrupted on Tuesday, 15<sup>th</sup> November, 2016)*

Order deferred.

17. **COMMITTEE OF THE WHOLE**  
**THE PARLIAMENTARY POWERS AND PRIVILEGES BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2014)**

(The Senate Majority Leader)

Order deferred.

18. **COMMITTEE OF THE WHOLE**  
**THE ASSUMPTION OF OFFICE OF GOVERNOR BILL (SENATE BILL NO. 10 OF 2016)**

(Sen. Paul Kimani Wamatangi)

Order deferred.

19. **COMMITTEE OF THE WHOLE**  
**THE MEDICAL PRACTITIONERS AND DENTISTS (AMENDMENT) BILL (SENATE BILL NO. 2 OF 2016)**

(Sen. (Prof). Wilfred Lesan)

Order deferred.

20. **COMMITTEE OF THE WHOLE**  
**THE COUNTY GOVERNMENTS (AMENDMENT) (NO.2) BILL (SENATE BILL NO. 7 OF 2016)**

(Sen. Mutula Kilonzo Jr.)

Order deferred.

21. **COMMITTEE OF THE WHOLE**  
**THE TREATY MAKING AND RATIFICATION (AMENDMENT) BILL (SENATE BILL NO. 5 OF 2016)**

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

Order deferred.

22. **MOTION – ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON NATIONAL SECURITY AND FOREIGN RELATIONS ON THE ASSESSMENT OF THE SECURITY SITUATION IN MANDERA COUNTY, LAIKIPIA COUNTY AND KAPEDO AREA**

**THAT**, this House adopts the Report of the Standing Committee on National Security and Foreign Relations on the assessment of the security situation in Mandera County, Laikipia county and Kapedo (Border town of

Turkana and Baringo Counties) conducted between 19<sup>th</sup> January and 5<sup>th</sup> February, 2015 and laid on the Table of the House on Wednesday, 29<sup>th</sup> July, 2015.

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

*(Resumption of Debate interrupted on Wednesday, 22<sup>nd</sup> February, 2017)*

Order deferred.

23. **MOTION – NOTING OF THE REPORT OF THE STANDING COMMITTEE ON NATIONAL SECURITY AND FOREIGN RELATIONS ON THE EALA REPORTS AND RESOLUTIONS PURSUANT TO STANDING ORDER 235**

**THAT**, the Senate notes the Report of the Standing Committee on National Security and Foreign Relations on the EALA Reports and Resolutions pursuant to standing order 235 laid on the Table of the House on Tuesday, 19<sup>th</sup> April, 2016.

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

Order deferred.

24. **MOTION – ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON NATIONAL SECURITY AND FOREIGN RELATIONS ON THE STUDY VISIT TO RUSSIA**

**THAT**, this House adopts the Report of the Standing Committee on National Security and Foreign Relations on the study visit to Russia laid on the Table of the House on Tuesday, 15<sup>th</sup> March, 2016.

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

Order deferred.

And there being no other Business, the Deputy Speaker adjourned the Senate at twenty Minutes past six O'clock without question put, pursuant to the Standing Orders.

25. **SENATE ROSE** – at twenty Minutes past six O'clock.

**M E M O R A N D U M**

*The Speaker will take the Chair on  
Thursday, March 30, 2017 at 2.30 p.m.*

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