



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – FOURTH SESSION

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, NOVEMBER 03, 2016 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. PAPER LAID

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

The business of the Senate for the week commencing 8<sup>th</sup> November, 2016.  
*(The Senate Majority Leader)*

4. STATEMENTS

(a) Statements Pursuant to Standing Order 45(2) (b)

- i) The Senator for Homa Bay County (Sen. Moses Otieno Kajwang') sought a statement from the Chairperson of the Standing Committee on Land and Natural Resources on the water hyacinth menace in Lake Victoria.
- ii) The Chairperson, Standing Committee on Health issued a statement regarding the safety and security of Mr. Bernard Muchere, Head of Audit at the Ministry of Health.

In the statement, the Chairperson stated that he had spoken with Mr. Muchere who confirmed that he had not received any threats to his life nor had he reported any matter to the police concerning his safety and security. The Chairperson further informed the Senate that the Committee had written to the Cabinet Secretary for Interior and requested that Mr. Muchere's security be ensured.

The Chairperson undertook to issue a substantive statement on the alleged loss and pilferage of public funds at the Ministry of Health, in a week's time.

- iii) The Chairperson of the Standing Committee on National Security and Foreign Relations issued a Statement on the plight of Kenyans who had sought refuge in Uganda, who had been camping at the gate of Parliament since 10<sup>th</sup> October, 2016.

In the Statement, the Chairperson informed the Senate that the Government was aware of the group of returnees camping along Parliament road. The Senate was informed that a taskforce had been put in place with a mandate to facilitate repatriation of refugees to Kenya and that the team had executed their mandate. He added that 246 persons were cleared to be repatriated and further that all of them had since been compensated in cash.

The Chairperson further informed the House that on closer scrutiny of the list provided by the leader of the returnees, the government had noted a discrepancy between the list provided by the returnees and that held by the Government. Consequently, the UNHCR was helping the Government to sort out the discrepancies to avoid situations where some people may take advantage of the process.

The Chairperson informed the House that the returnees had since been moved from the gate of Parliament Buildings and that he would report to the House where they had been relocated to on Tuesday, 8<sup>th</sup> November, 2016.

- iv) The Chairperson of the Standing Committee on National Security and Foreign Relations issued a Statement on the current status of the National Security Communication Network and Surveillance System for the National Police Service.

In his statement, the Chairperson stated that the National Security Communication Network and Surveillance System for the National Police was a high security matter which could only be released to vetted persons in a meeting held *in camera*. The Chairperson undertook to issue a substantive statement in a meeting that will be held *in camera*.

**(b) Statement Pursuant To Standing Order 45(2) (c)**

The Senate Majority Leader issued a Statement on the business of the Senate for the week commencing 8<sup>th</sup> November, 2016.

**5. THE ASSUMPTION OF OFFICE OF GOVERNOR BILL (SENATE BILL NO. 10 OF 2016)**

(Sen. Paul Kimani Wamatangi)

*(Second Reading)*

*(Resumption of Debate interrupted on Wednesday, 2<sup>nd</sup> November, 2016)*  
*(Division)*

Order deferred.

6. **THE COUNTY GOVERNMENTS (AMENDMENT) (NO. 2) BILL (SENATE BILL NO. 7 OF 2016)**

(Sen. Mutula Kilonzo Jnr.)

*(Second Reading)*

*(Resumption of Debate interrupted on Wednesday, 2<sup>nd</sup> November, 2016)*  
*(Division)*

Order deferred.

7. **COMMITTEE OF THE WHOLE**  
**THE COUNTY OUTDOOR ADVERTISING CONTROL BILL (SENATE BILL NO. 11 OF 2015)**

(Sen. Mutula Kilonzo Jnr.)

*(Resumption of Debate interrupted on Tuesday, 19<sup>th</sup> July, 2016)*  
*(Division)*

Order deferred.

8. **COMMITTEE OF THE WHOLE**  
**THE EMPLOYMENT (AMENDMENT) BILL (SENATE BILL NO. 1 OF 2015)**

(Sen. Martha Wangari)

*(Resumption of Debate interrupted on Thursday, 21<sup>st</sup> July, 2016)*  
*(Division)*

Order deferred.

9. **COMMITTEE OF THE WHOLE**  
**THE COUNTY LIBRARY SERVICES BILL (SENATE BILL NO. 6 OF 2015)**

(Sen. Joy Gwendu)

*(Resumption of Debate interrupted on Thursday, 21<sup>st</sup> July, 2016)*  
*(Division)*

Order deferred.

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

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

*(Resumption of Debate interrupted on Wednesday, 5<sup>th</sup> October, 2016)*  
*(Division)*

Order deferred.

11. **COMMITTEE OF THE WHOLE**  
**THE PHYSICAL PLANNING BILL (NATIONAL ASSEMBLY BILL NO. 46 OF 2015)**

(The Senate Majority Leader)

Order deferred.

12. **THE TREATY MAKING AND RATIFICATION (AMENDMENT) BILL (SENATE BILL NO. 5 OF 2016)**  
(Chairperson, Standing Committee on National Security and Foreign Relations)

*(Second Reading)*

Order deferred.

13. **THE CONSTITUTION OF KENYA (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2013)**

Order for Second Reading read;

Motion made and Question proposed-

**THAT**, the Constitution of Kenya (Amendment) Bill (National Assembly Bill No. 26 of 2013) be now read a Second Time.

*(The Senate Majority Leader)*

Debate arising;

And there being no other Senator wishing to contribute;

The Mover replied;

Raising a point of order, the Senate Majority Leader requested that the putting of the Question be deferred to a later date, pursuant to Standing Order 54(3).

And the Temporary Speaker (Sen. Ogoro) acceding to the request, deferred putting of the question to Tuesday, 8<sup>th</sup> November, 2016.

14. **THE CONSTITUTION OF KENYA (AMENDMENT) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2015)**

Order for Second Reading read;

Motion made and Question proposed-

**THAT**, the Constitution of Kenya (Amendment) (No.2) Bill (National Assembly Bill No. 2 of 2015) be now read a Second Time.

*(The Senate Majority Leader)*

Debate arising;

And there being no other Senator wishing to contribute;

The Mover replied;

Raising a point of order, the Senate Majority Leader requested that the putting of the Question be deferred to a later date, pursuant to Standing Order 54(3).

And the Temporary Speaker (Sen. Ongoro) acceding to the request, deferred putting of the question to Tuesday, 8<sup>th</sup> November, 2016.

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

15. 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  
Tuesday, November 08, 2016 at 2:30 p.m.*

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