



REPUBLIC OF KENYA

THE SENATE

ELEVENTH PARLIAMENT – THIRD SESSION

VOTES AND PROCEEDINGS

THURSDAY, JULY 30, 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 ON TWO COMMONWEALTH PARLIAMENTARY ASSOCIATION (AFRICA REGION), CONFERENCES TO BE HELD IN NAIROBI BETWEEN 6TH – 15TH AUGUST, 2015

The Speaker issued the following Communication from the Chair-

"Hon. Senators,

I wish to notify all Senators that this August, our Parliament will have the honour of hosting two very important international conferences under the auspices of the Commonwealth Parliamentary Association, (CPA) Africa Region.

The main event, namely, the 46th CPA (Africa Region) Conference is scheduled to take place from the 9th – 15th August, 2015.

It will be preceded by the 6th Commonwealth Women Parliamentarians (CWP) Conference which will take place from the 6th – 9th August, 2015.

Both conferences will be held at the Safari Park Hotel, Nairobi.

Hon. Senators,

My office has nominated or is in the process of nominating Senators to participate in the two conferences as delegates and observers. I am certain some Senators have received correspondence to that effect.

Hon. Senators,

That notwithstanding, it is my pleasure and honour to invite each one of you to the two conferences. The CWP conference is expected to attract more than one hundred (100) participants from the Commonwealth Countries in Africa, Government Officials and civil society organizations. Her Excellency the First Lady of the Republic of Kenya has been invited and has graciously accepted to officially open the conference on Friday, 7th August, 2015.

All Senators and especially women Senators are invited and encouraged to attend. In the following week, that is, Tuesday, 11th August, 2015, H.E. the President of the Republic of Kenya will officially open the second and main conference where over four hundred (400) participants from Africa and beyond are expected to attend.

Hon. Senators,

As you may be aware, the CPA has been the voice of parliamentary democracy across the Commonwealth for more than nine decades. The CPA also develops, promotes and supports Parliamentarians and their staff to identify benchmarks of good governance and the implementation of the enduring values of the Commonwealth. It is therefore such an honour for Kenya to be the host of the two events this year.

The two conferences come at a time when the Country is positioning itself as the preferred conference tourism destination. The conferences will therefore go a long way in enhancing that aspiration in addition to advancing the objectives of the commonwealth family of nations.

I hope that each one of us will take an interest in the said events and will endeavour to interact, network and share experiences with colleagues from other jurisdictions.

I thank you".

4. PAPERS

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

- (a) Cash Disbursement Schedule to County Governments for FY 2015/2016.

(Sen. Ole Ndiema on behalf of the Chairperson, Standing Committee on Finance, Commerce and Budget)

- (b) Report of the Fifth African Digital Television Development Seminar held in China from 8th-12th June, 2015, and Study visit to the Kingdom of Thailand held on 15th-17th June, 2015.

(Vice-Chairperson, Standing Committee on Information and Technology);

- (c) A Report of the Mediation Committee on the Fertilizer and Animal Food Stuff (Amendment) Bill (National Assembly Bill No. 36 of 2013);
- (d) A Report of the Standing Committee on Agriculture, Livestock and Fisheries on the County visit to Mombasa from 12th to 16th April 2015;
- (e) A Report of the Standing Committee on Agriculture, Livestock and Fisheries on the Food Security Bill 2014; and
- (f) A Report of the Standing Committee on Agriculture, Livestock and Fisheries on the petition made to the Senate by Maj. (Rtd) Joel Kiprono Rop on the state of the tea industry in Kenya.

(Vice-Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

- (g) Statement by the Senate Majority Leader regarding Business of the Senate for the week commencing Tuesday, 15th September 2015.

(The Senate Majority Leader)

- 5. **NOTICE OF MOTION** – (Sen. Ole Ndiema on behalf of the Chairperson, Standing Committee on Finance, Commerce and Budget)

THAT, the House adopts the Cash Disbursement Schedule for County Governments for FY 2015/2016 laid on the Table of the House on Thursday 30th July, 2015 pursuant to Section 17 of the Public Finance Management Act, 2012.

- 6. **NOTICE OF MOTION** – (Vice-Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

THAT, this House approves the Report of the Mediation Committee on the Fertilizer and Animal Food Stuff (Amendment) Bill, laid on the Table of the House on Thursday 30th July, 2015.

7. **STATEMENTS**

- (a) **Statements Pursuant To Standing Order 45 (2) (b)**

- i) Nominated Senator (Sen. Liza Chelule), sought a statement from the Chairperson of the Standing Committee on Labour and Social Welfare on access to finances by the youth, women and persons with disability to execute tenders won through the 30% access to Government procurement.
- ii) The Vice-Chairperson of the Standing Committee on Agriculture, Livestock and Fisheries issued a Statement on the seizure by Thailand customs officials of ivory hidden in tea leaves as had been requested by the Senator for Bomet County (Sen. (Prof) Wilfred Lesan).

The Vice-Chairperson informed the Senate that Kenya did not export any tea to the Kingdom of Thailand or Laos in the days preceding 28th April 2015. However, the Vice-Chairperson informed the Senate that Customs officials at Thailand had seized 511 elephant tusks weighing 3.1 tons on 27th April 2015 inside a container that had been shipped from Mombasa on 6th April 2015.

The Senate was further informed that the alleged container was exported by Almasi Chai (K) Ltd and declared to contain 220 bags of various teas destined for UAE and that the tea was stored by Signon Global warehouse before export by an entity known as Potential Quality Supplies who are not registered to deal in tea, and in contravention of the Crops Act, 2013.

The Vice-Chairperson also informed the Senate that the circumstances under which the tea consignment was found in Thailand on 28th April, 2015, yet it was destined for UAE are currently under Police investigations and assured the Senate that the Ministry of Agriculture, Livestock and Fisheries in consultation with stakeholders had put in place several measures to streamline tea trade, including not allowing tea auction by proxies of the registered buyers and installing CCTV cameras in all tea warehouses and that, to deter traders from dealing in contraband under the guise of tea, the Ministry had revoked the license of Almasi Chai Ltd and suspended the license for Signon Group until they are exonerated by the ongoing investigations.

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

The Senate Majority Leader issued a Statement on the Business of the Senate for the week commencing Tuesday, 15th September, 2015.

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

Order for Second Reading read;

Motion made and Question proposed-

THAT, the Climate Change Bill, (National Assembly Bill No. 1 of 2014) be now read a Second Time.

(The Senate Majority Leader – 28.07. 2015)

Debate interrupted on Wednesday, July 29, 2015 resumed on a Division;

The Speaker directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for two minutes;

After the expiry of two minutes, the Speaker directed that the doors be locked and Senators asked to log-in using their cards;

The Speaker put the Question and directed Senators to cast their votes by pressing either the **"Yes"**, **"No"** or **"Abstain"** button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 74 (5), the Speaker allowed four Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**.

1. Sen. Karaba Dickson Daniel
2. Sen. Kimani Paul Wamatangi
3. Sen. Kindiki Kithure
4. Sen. Lesan Wilfred Rotich

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES – 26

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Adan Kerrow
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Elachi Beatrice-On behalf of Nairobi City County Delegation.
5. Sen. Haji Mohammed Yusuf
6. Sen. Hassan Abdirahman Ali
7. Sen. Hassan Omar Hassan
8. Sen. Karaba Dickson Daniel-Voted verbally
9. Sen. Kariuki Godfrey Gitahi
10. Sen. Keter Charles Cheruiyot
11. Sen. Khaniri George
12. Sen. Kilonzo Mutula Junior
13. Sen. Kimani Paul Wamatangi-Voted verbally
14. Sen. Kivuti Lenny Maxwell
15. Sen. Kindiki Kithure-Voted verbally
16. Sen. Lesan Wilfred Rotich-Voted verbally
17. Sen. Lonyangapuo John Krop
18. Sen. Machage Wilfred Gisuka
19. Sen. Muriuki Karue Muriuki
20. Sen. Murungi Kiraitu
21. Sen. Mutahi Kagwe
22. Sen. Ndiema Henry Tiole
23. Sen. Obure Christopher Mogere
24. Sen. Okong'o Kennedy Mong'are
25. Sen. Orengo James
26. Sen. Sang Stephen Kipyego

Bill read a Second Time and committed to the Committee of the Whole tomorrow.

9. THE COMMUNITY LAND BILL (SENATE BILL NO. 38 OF 2014)

Order for Second Reading read;

Motion made and Question proposed-

THAT, the Community Land Bill, (Senate Bill No. 38 of 2014) be now read a Second Time.

(The Senate Majority Leader - 29.07.2015)

Debate interrupted on Wednesday, July 29, 2015 resumed;

There being no other Senator willing to contribute;

The mover replied;

The House proceeded to a Division;

The Speaker directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for two minutes;

After the expiry of two minutes, the Speaker directed that the doors be locked and Senators asked to log-in using their cards;

The Speaker put the Question and directed Senators to cast their votes by pressing either the **"Yes"**, **"No"** or **"Abstain"** button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 74 (5), the Speaker allowed four Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**.

1. Sen. Karaba Dickson Daniel
2. Sen. Kimani Paul Wamatangi
3. Sen. Kindiki Kithure
4. Sen. Lesan Wilfred Rotich

Following the Division, Question **agreed to.**

The results of Division were as follows:-

AYES – 24

NOES – 0

ABSTENTIONS – 2

AYES

1. Sen. Billow Adan Kerrow
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Elachi Beatrice-On behalf of Nairobi City County Delegation.
5. Sen. Hassan Abdirahman Ali
6. Sen. Karaba Dickson Daniel-Voted verbally

7. Sen. Kariuki Godfrey Gitahi
8. Sen. Keter Charles Cheruiyot
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Junior
11. Sen. Kimani Paul Wamatangi-Voted verbally
12. Sen. Kivuti Lenny Maxwell
13. Sen. Kindiki Kithure-Voted verbally
14. Sen. Lesan Wilfred Rotich-Voted verbally
15. Sen. Lonyangapuo John Krop
16. Sen. Machage Wilfred Gisuka
17. Sen. Muriuki Karue Muriuki
18. Sen. Murungi Kiraitu
19. Sen. Mutahi Kagwe
20. Sen. Ndiema Henry Tiole
21. Sen. Obure Christopher Mogere
22. Sen. Okong'o Kennedy Mong'are
23. Sen. Orengo James
24. Sen. Sang Stephen Kipyego

ABSTENTIONS

1. Sen. Haji Mohammed Yusuf
2. Sen. Hassan Omar Hassan

Bill read a Second Time and committed to the Committee of the Whole **tomorrow.**

10. MOTION-APPROVAL OF THE CASH DISBURSEMENT SCHEDULE TO COUNTY GOVERNMENTS FOR 2015/2016 FY

Motion made and Question proposed;

THAT, the Senate approves the Cash Disbursement Schedule to County Governments for 2015/2016 FY laid on the Table of the Senate on Thursday, 30th July 2015 pursuant to Section 17 of the Public Finance Management Act, 2012.

(The Chairperson of the Standing Committee on Finance Commerce and Budget)

Debate arising;

There being no Senator willing to contribute, the Mover replied;

Before the Question was put, and pursuant to Standing Order No. 72, the Speaker informed the Senate that the Motion affects Counties.

The House proceeded to division on the Motion;

The Speaker directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for two minutes;

After the expiry of two minutes, the Speaker directed that the doors be locked and Senators asked to log-in using their cards;

The Speaker put the Question and directed Senators to cast their votes by pressing either the **"Yes"**, **"No"** or **"Abstain"** button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 74 (5), the Speaker allowed four Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**.

1. Sen. Karaba Dickson Daniel
2. Sen. Kimani Paul Wamatangi
3. Sen. Kindiki Kithure
4. Sen. Lesan Wilfred Rotich

Following the Division, Question **agreed to**.

The results of the Division were as follows:-

AYES – 26

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Adan Kerrow
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Elachi Beatrice-On behalf of Nairobi City County Delegation.
5. Sen. Haji Mohammed Yusuf
6. Sen. Hassan Abdirahman Ali
7. Sen. Hassan Omar Hassan
8. Sen. Karaba Dickson Daniel-Voted verbally
9. Sen. Kariuki Godfrey Gitahi
10. Sen. Keter Charles Cheruiyot
11. Sen. Khaniri George
12. Sen. Kilonzo Mutula Junior
13. Sen. Kimani Paul Wamatangi-Voted verbally
14. Sen. Kivuti Lenny Maxwell
15. Sen. Kindiki Kithure-Voted verbally
16. Sen. Lesan Wilfred Rotich-Voted verbally
17. Sen. Lonyangapuo John Krop
18. Sen. Machage Wilfred Gisuka
19. Sen. Muriuki Karue Muriuki
20. Sen. Murungi Kiraitu
21. Sen. Mutahi Kagwe
22. Sen. Ndiema Henry Tiole
23. Sen. Obure Christopher Mogere
24. Sen. Okong'o Kennedy Mong'are
25. Sen. Orenge James
26. Sen. Sang Stephen Kipyego

RESOLVED ACCORDINGLY-

THAT, the Senate approves the Cash Disbursement Schedule to County Governments for 2015/2016 FY laid on the Table of the Senate on Thursday, 30th July 2015 pursuant to Section 17 of the Public Finance Management Act, 2012.

11. **MOTION-APPROVAL OF THE REPORT OF THE MEDIATION COMMITTEE ON THE FERTILIZER AND ANIMAL FOODSTUFFS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2013)**

Motion made and Question proposed;

THAT, the report of the Mediation Committee on the Fertilizer and Animal Foodstuffs (Amendment) Bill (National Assembly Bill No. 36 of 2013) laid on the Table of the Senate on Thursday, 30th July 2015 be approved.

(The Vice Chairperson, Mediation Committee)

Debate arising;

There being no Senator willing to contribute, the Mover replied;

Before the Question was put, and pursuant to Standing Order No. 72, the Speaker informed the Senate that the Motion affects Counties.

The House proceeded to division on the Motion;

The Speaker directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for two minutes;

After the expiry of two minutes, the Speaker directed that the doors be locked and Senators asked to log-in using their cards;

The Speaker put the Question and directed Senators to cast their votes by pressing either the **"Yes"**, **"No"** or **"Abstain"** button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 74 (5), the Speaker allowed four Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**.

1. Sen. Karaba Dickson Daniel
2. Sen. Kimani Paul Wamatangi
3. Sen. Kindiki Kithure
4. Sen. Lesan Wilfred Rotich

Following the Division, Question **agreed to**.

The results of the Division were as follows:-

AYES – 26

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Adan Kerrow
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Elachi Beatrice-On behalf of Nairobi City County Delegation.
5. Sen. Haji Mohammed Yusuf
6. Sen. Hassan Abdirahman Ali
7. Sen. Hassan Omar Hassan
8. Sen. Karaba Dickson Daniel-Voted verbally
9. Sen. Kariuki Godfrey Gitahi
10. Sen. Keter Charles Cheruiyot
11. Sen. Khaniri George
12. Sen. Kilonzo Mutula Junior
13. Sen. Kimani Paul Wamatangi-Voted verbally
14. Sen. Kivuti Lenny Maxwell
15. Sen. Kindiki Kithure-Voted verbally
16. Sen. Lesan Wilfred Rotich-Voted verbally
17. Sen. Lonyangapuo John Krop
18. Sen. Machage Wilfred Gisuka
19. Sen. Muriuki Karue Muriuki
20. Sen. Murungi Kiraitu
21. Sen. Mutahi Kagwe
22. Sen. Ndiema Henry Tirole
23. Sen. Obure Christopher Mogere
24. Sen. Okong'o Kennedy Mong'are
25. Sen. Orenge James
26. Sen. Sang Stephen Kipyego

RESOLVED ACCORDINGLY-

THAT, the report of the Mediation Committee on the Fertilizer and Animal Foodstuffs (Amendment) Bill (National Assembly Bill No. 36 of 2013) laid on the Table of the Senate on Thursday, 30th July 2015 be approved.

12. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. (Dr.) Machage – in the Chair)

The Community Land Bill (Senate Bill No. 38 of 2014)**Clauses 3 – 6**

Motion made and Question proposed-

That, Clauses 3 - 6 be part of the Bill.

Putting of question deferred.

Clause 7

Motion made and Question proposed-

That, Clause 7 be part of the Bill.

Amendment proposed.

Motion made and Question proposed-

THAT clause 7 of the Bill be amended by deleting Sub-clause (3) and substituting therefor the following new sub-clause –

- (3) No right on community land may be expropriated or confiscated except by law in the public interest and upon prompt payment in full of just compensation to the person or persons.

(Chairperson, Standing Committee on Land and Natural Resources)

Debate arising;

Putting of question deferred.

Clause8

Motion made and Question proposed-

That, Clause8 be part of the Bill.

Amendment proposed-

Motion made and Question proposed-

THAT clause 8 of the Bill be amended—

- (a) by inserting the following new sub-clause immediately after sub-clause (1)—
- (1A) The Commission shall prepare guidelines on the procedure to be applied in the formation of a committee under sub-section (1)(b)(ii).
- (b) in sub-clause (2) by deleting the word “before” appearing immediately after the words “the community” and substituting therefor the words “upon formal”; and
- (c) by inserting the following new sub-clause immediately after sub-clause (2) —
- (2A) The Registrar may issue a provisional certificate of title pending formal adjudication of the community land.

(Chairperson, Standing Committee on Land and Natural Resources)

Debate arising;

Putting of question deferred.

Clauses 9-13

Motion made and Question proposed-

That, Clauses 9-13 be part of the Bill.

Putting of question deferred.

Clause 14

Motion made and Question proposed-

That, Clause 14 be part of the Bill.

Amendment proposed

Motion made and Question proposed-

THAT clause 14 of the Bill be amended by deleting sub-clause 5.

(Chairperson, Standing Committee on Land and Natural Resources)

Debate arising;

Putting of question deferred.

Clauses 15-19

Motion made and Question proposed-

That, Clauses 15-19 be part of the Bill.

Putting of question deferred.

Clause 20

Motion made and Question proposed.

That, Clause 20 be part of the Bill.

Amendment proposed

Motion made and Question proposed-

THAT clause 20 of the Bill be amended in sub clause (1) by inserting the following new paragraph immediately after paragraph (a) —

(aa) develop land use plans;

(Chairperson, Standing Committee on Land and Natural Resources)

Debate arising;

Putting of question deferred.

Clauses 21-27

Motion made and Question proposed.

That, Clauses 21-27 be part of the Bill.

Putting of question deferred.

Clause 28

Motion made and Question proposed.

That, Clause 28 be part of the Bill.

Amendment proposed

Motion made and Question proposed-

THAT clause 28 of the Bill be amended in sub-clause (1) by deleting paragraph (b).

(Chairperson, Standing Committee on Land and Natural Resources)

Debate arising;

Putting of question deferred.

Clauses 29-54

Motion made and Question proposed-

That, Clauses 29-54 be part of the Bill.

Putting of question deferred.

Clause 55

Motion made and Question proposed-

That, Clause 55 be part of the Bill.

Amendment proposed

Motion made and Question proposed-

THAT clause 55 of the Bill be amended by deleting paragraph (d).

(Chairperson, Standing Committee on Land and Natural Resources)

Debate arising;

Putting of question deferred.

Clause 56

Motion made and Question proposed-

That, Clause 56 be part of the Bill.

Amendment proposed

Motion made and Question proposed-

THAT the Bill be amended by deleting clause 56.

(Chairperson, Standing Committee on Land and Natural Resources)

Debate arising;

Putting of question deferred.

Clauses 57 – 67

Motion made and Question proposed-

That, Clauses 57 - 67 be part of the Bill.

Putting of question deferred.

Clause 68

Motion made and Question proposed-

That, Clause 68 be part of the Bill.

Amendment proposed

Motion made and Question proposed-

THAT clause 68 of the Bill be amended in sub-clause (1) by deleting the words "the Commission or" appearing at the beginning of the sub-clause.

(Chairperson, Standing Committee on Land and Natural Resources)

Debate arising;

Putting of question deferred.

Clause 69

Motion made and Question proposed-

That, Clause 69 be part of the Bill.

Putting of question deferred.

The First Schedule

Motion made and Question proposed-

That, the First Schedule be part of the Bill.

Putting of question deferred.

The Second Schedule

Motion made and Question proposed-

That, the Second Schedule be part of the Bill.

Putting of question deferred.

The Third Schedule

Motion made and Question proposed-

That, the Third Schedule be part of the Bill.

Putting of question deferred.

The Fourth Schedule

Motion made and Question proposed-

That, the Fourth Schedule be part of the Bill.

Putting of question deferred.

Clause 2

Motion made and Question proposed-

That, Clause 2 be part of the Bill.

Amendment proposed

Motion made and Question proposed-

THAT clause 2 of the Bill be amended by inserting the following new definition in its alphabetical order;

“natural resources” has the meaning assigned to it under Article 260 of the Constitution.”

(Chairperson, Standing Committee on Land and Natural Resources)

Debate arising;

Putting of question deferred.

The Title and Clause 1

Motion made and Question proposed-

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

Putting of question deferred.

Progress Report

Motion made;

THAT, the Committee of the whole House do report progress and seek leave to sit again tomorrow.

Before the Question was put and pursuant to Standing Order 72, the Acting Chair of the Committee of the whole (Sen. (Dr.)Machage) ruled that the question did not affect counties;

Question put and agreed to.

13. **HOUSE RESUMED** - Temporary Speaker (Sen. Ongoro) in the Chair.

14. **THE COMMUNITY LAND BILL (SENATE BILL NO. 38 OF 2014)**

Progress Reported.

Motion made and Question proposed-

THAT, the House do agree with the Committee in the said Report.

(The Senate Majority Leader)

There being no other Senator willing to contribute;

Before the question was put and pursuant to Standing Order 72, the Temporary Speaker (Sen. Ongoro) ruled that the question did not affect counties;

Question put and agreed to.

15. **MOTION – ESTABLISHMENT OF A SELECT COMMITTEE TO CONDUCT AN INQUIRY INTO THE NEEDS OF EACH OF THE FORTY – SEVEN COUNTIES**

Motion made and Question Proposed-

THAT, noting that County governments were allocated offices and premises formerly occupied by the defunct local authorities and, to some extent, by former provincial administration;

OBSERVING that these arrangements were satisfactory in most counties;

AWARE that some counties had little or no such offices or premises to inherit resulting in serious operational challenges of such county governments;

APPRECIATING that there are many counties with inadequate physical facilities whether they inherited the envisaged facilities or not;

CONCERNED that the situation, continues to impact negatively on the performance of the said counties;

ACKNOWLEDGING that it is the mandate of the Senate to protect the interests of the counties and to ensure that their governments are fully operational;

NOW THEREFORE, in order to form the basis for possible assistance to counties for headquarter facilities, the Senate resolves to establish a Select Committee to conduct an inquiry into the needs of each of the forty – seven counties and report to the Senate within three months, and further that the select committee shall comprise the following Senators-

1. Sen. (Eng.) Muriuki Karue Muriuki;
2. Sen. George Khaniri;
3. Sen. Abu Chiaba;
4. Sen. Abdirahman Hassan;
5. Sen. Stephen Sang;
6. Sen. Fatuma Dullo;
7. Sen. Judith Sijeny
8. Sen. Christopher Obure; and
9. Sen. (Prof.) John Lonyangapuo

(Sen. (Eng.) Muriuki Karue – 09.07.2015)

Debate interrupted on Thursday, 16th July 2015 resumed;

There being no Senator willing to contribute;

Mover replied;

Before the Question was put, and pursuant to Standing Order No. 72, the Speaker informed the House that the Motion did not affect Counties.

Question put and **agreed to.**

RESOLVED ACCORDINGLY

THAT, noting that County governments were allocated offices and premises formerly occupied by the defunct local authorities and, to some extent, by former provincial administration;

OBSERVING that these arrangements were satisfactory in most counties;

AWARE that some counties had little or no such offices or premises to inherit resulting in serious operational challenges of such county governments;

APPRECIATING that there are many counties with inadequate physical facilities whether they inherited the envisaged facilities or not;

CONCERNED that the situation continues to impact negatively on the performance of the said counties;

ACKNOWLEDGING that it is the mandate of the Senate to protect the interests of the counties and to ensure that their governments are fully operational;

NOW THEREFORE, in order to form the basis for possible assistance to counties for headquarter facilities, the Senate resolves to establish a Select Committee to conduct an inquiry into the needs of each of the forty – seven counties and report to the Senate within three months, and further that the select committee shall comprise the following Senators-

1. Sen. (Eng.) Muriuki Karue Muriuki;
2. Sen. George Khaniri;
3. Sen. Abu Chiaba;
4. Sen. Abdirahman Hassan;
5. Sen. Stephen Sang;
6. Sen. Fatuma Dullo;
7. Sen. Judith Sijeny
8. Sen. Christopher Obure; and
9. Sen. (Prof.) John Lonyangapuo

16. **MOTION - ADJOURNMENT OF THE SENATE PURSUANT TO STANDING ORDER 28 (3)**

Motion made and Question proposed;

THAT, the Senate do now adjourn until Tuesday, 15th September, 2015.

(The Senate Majority Leader)

Debate arising;

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

17. 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, September 15, 2015 at 2.30 p.m.*

--X--