



## THE SENATE MOTION TRACKER – SECOND SESSION, 2014

No	SUBJECT	NOTICE OF MOTION	PROPOSER	SECONDER	AFFECTS/ DOES NOT AFFECT COUNTIES	DIVISION	DATES DEBATED AND CONCLUDED	REMARKS
1.	<p><b>THAT, WHEREAS</b>, pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 28th January, 2014 the County Assembly of Embu approved Motions <i>“to remove from office, by impeachment,”</i> the County Governor and the Deputy Governor of Embu County; <b>AND FURTHER, WHEREAS</b> by letters dated 29th January, 2014 (Ref: CAE/SCA/1/28 and 29) and received in the Office of the Speaker of the Senate on 30th January, 2014, the Speaker of the County Assembly of Embu informed the Speaker of the Senate of the approval of the Motion by the County Assembly and further forwarded to the Speaker of the Senate documents in evidence of the proceedings of the Assembly;</p> <p><b>AND WHEREAS</b>, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 65(1)(b) the Senate, by resolution on Tuesday 4th February 2014 appointed a special committee comprising eleven of its Members to investigate the matter of the proposed removal from office of the Governor and Deputy Governor of Embu County and to report to the Senate within ten(10) days of its appointment on whether it finds the particulars of the allegations to have been substantiated;</p> <p><b>AND WHEREAS</b>, pursuant to section 33 (4) of the County Governments Act, 2012 and standing order 65 (2), the Special Committee has investigated the matter and tabled its Report on Friday 14th February 2014;</p> <p><b>AND WHEREAS</b>, pursuant to section 33 (4) and (6) (b) of the County Governments Act, 2012 and standing order 65 (4) (b), the Special Committee has found that the particulars of the following allegations against the Governor of Embu County have been substantiated; namely:-</p> <p>a) Violation of the Public Procurement and Disposal Act 2005 and Regulations 2013;</p>	Friday, February 14 <sup>th</sup> 2014	Sen. Boni Khalwalwe	Sen. Kipchumba Murkomen	Affects Counties	Ayes-39 Noes-1 Abstention s-1	Friday,, February 14 <sup>th</sup> 2014	Adopted on Friday, February 14 <sup>th</sup> 2014

b) Violation of the Public Finance Management Act, 2012;  
c) Violation of the Constitution of Kenya;  
**NOW THEREFORE**, pursuant to section 33 (6) (b) of the County Governments Act, 2012 and standing order 65 (4) (b), the Senate after according the Governor of Embu County an opportunity to be heard, resolves to impeach the Governor of Embu County on the following grounds; namely:-  
d) Violation of the Public Procurement and Disposal Act 2005 and Regulations 2013;  
e) Violation of the Public Finance Management Act, 2012;  
f) Violation of the Constitution of Kenya.

**RESOLUTION**

*THAT, WHEREAS, pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 28th January, 2014 the County Assembly of Embu approved Motions "to remove from office, by impeachment," the County Governor and the Deputy Governor of Embu County; AND FURTHER, WHEREAS by letters dated 29th January, 2014 (Ref: CAE/SCA/1/28 and 29) and received in the Office of the Speaker of the Senate on 30th January, 2014, the Speaker of the County Assembly of Embu informed the Speaker of the Senate of the approval of the Motion by the County Assembly and further forwarded to the Speaker of the Senate documents in evidence of the proceedings of the Assembly;*  
*AND WHEREAS, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 65(1)(b) the Senate, by resolution on Tuesday 4th February 2014 appointed a special committee comprising eleven of its Members to investigate the matter of the proposed removal from office of the Governor and Deputy Governor of Embu County and to report to the Senate within ten(10) days of its appointment on whether it finds the particulars of the allegations to have been substantiated;*  
*AND WHEREAS, pursuant to section 33 (4) of the County Governments Act, 2012 and standing order 65 (2), the Special Committee has investigated the matter and tabled its Report on Friday 14th February 2014;*  
*AND WHEREAS, pursuant to section 33 (4) and (6) (b) of the County Governments Act, 2012 and standing order 65 (4) (b), the Special Committee has found that the particulars of the following allegations against the Governor of Embu County have been substantiated; namely:-*

	<p>a) <i>Violation of the Public Procurement and Disposal Act 2005 and Regulations 2013;</i></p> <p>b) <i>Violation of the Public Finance Management Act, 2012;</i></p> <p>c) <i>Violation of the Constitution of Kenya;</i></p> <p><i>NOW THEREFORE, pursuant to section 33 (6) (b) of the County Governments Act, 2012 and standing order 65 (4) (b), the Senate after according the Governor of Embu County an opportunity to be heard, resolves to impeach the Governor of Embu County on the following grounds; namely:-</i></p> <p>d) <i>Violation of the Public Procurement and Disposal Act 2005 and Regulations 2013;</i></p> <p>e) <i>Violation of the Public Finance Management Act, 2012;</i></p> <p>f) <i>Violation of the Constitution of Kenya;</i></p>					
2.	<p><b>THAT</b>, pursuant to Standing Order 174(1)(d), the Senate approves the following Senators to be Members of the Rules and Business Committee:-</p> <ol style="list-style-type: none"> <li>1. Sen. David Ekwee Ethuro - Speaker of the Senate – Chairperson</li> <li>2. Sen.(Prof.) Kithure Kindiki - Senate Majority Leader</li> <li>3. Sen. Moses Masika Wetang'ula - Senate Minority Leader</li> <li>4. Sen. Beatrice Elachi – Senate Majority Whip</li> <li>5. Sen. Jonson Nduya Muthama – Senate Minority Whip</li> <li>6. Sen. Beth Mugo</li> <li>7. Sen. Charles Keter</li> <li>8. Sen. Kiraitu Murungi</li> <li>9. Sen. (Prof.) John Lonyangapuo</li> <li>10. Sen. James Orengo</li> <li>11. Sen. Janet Ong'era</li> <li>12. Sen. (Dr.) Agnes Zani</li> </ol> <p><b>RESOLUTION</b></p> <p><b>THAT</b>, pursuant to Standing Order 174(1)(d), the Senate approves the following Senators to be Members of the Rules and Business Committee:-</p> <ol style="list-style-type: none"> <li>1. Sen. David Ekwee Ethuro - Speaker of the Senate – Chairperson</li> <li>2. Sen.(Prof.) Kithure Kindiki - Senate Majority Leader</li> <li>3. Sen. Moses Masika Wetang'ula - Senate</li> </ol>	<p>Tuesday, 25<sup>th</sup> February 2014</p>	<p>Senate Majority Leader</p>	<p>Senate Minority Leader</p>	<p>Does not affect counties</p>	

	<p><b>Minority Leader</b></p> <p>4. <b>Sen. Beatrice Elachi - Senate Majority Whip</b></p> <p>5. <b>Sen. Jonson Nduya Muthama - Senate Minority Whip</b></p> <p>6. <b>Sen. Beth Mugo</b></p> <p>7. <b>Sen. Charles Keter</b></p> <p>8. <b>Sen. Kiraitu Murungi</b></p> <p>9. <b>Sen. (Prof.) John Lonyangapuo</b></p> <p>10. <b>Sen. James Orengo</b></p> <p>11. <b>Sen. Janet Ong'era</b></p> <p>12. <b>Sen. (Dr.) Agnes Zani</b></p>					
3.	<p><b>THAT</b>, pursuant to Standing Order 98 (1), the Senate resolves that debate on a Motion not sponsored by the Majority or Minority Party or a Committee shall be limited in the following manner:-</p> <p>A maximum of three hours with not more than fifteen minutes for the mover, fifteen minutes for the Majority Party Official Responder, fifteen minutes for the Minority Party Official Responder and ten minutes for each other Senator speaking and that ten minutes before the time expires, the mover shall be called upon to reply.</p> <p><b><u>RESOLUTION</u></b></p> <p><b>THAT</b>, pursuant to Standing Order 98 (1), the Senate resolves that debate on a Motion not sponsored by the Majority or Minority Party or a Committee shall be limited in the following manner:-</p> <p>A maximum of three hours with not more than fifteen minutes for the mover, fifteen minutes for the Majority Party Official Responder, fifteen minutes for the Minority Party Official Responder and ten minutes for each other Senator speaking and that ten minutes before the time expires, the mover shall be called upon to reply.</p>		Senate Majority Leader	Senate Minority Leader	Does not affect counties	
4.	<p><b>THAT</b>, the debate on any Motion for the adjournment of the Senate to a day other than the next normal sitting day in accordance with the calendar of the</p>		Senate Majority Leader	Senate Minority Leader	Does not affect counties	

	<p>Senate shall be limited to a maximum of two hours with not more than five minutes for each Senator speaking after which the Senate shall adjourn without question put;</p> <p>Provided that, when the period of recess proposed by any such Motion does not exceed nine calendar days, the debate shall be limited to a maximum of thirty (30) minutes, and shall be confined to the question of adjournment.</p> <p><b><u>RESOLUTION</u></b>  <b><i>THAT, the debate on any Motion for the adjournment of the Senate to a day other than the next normal sitting day in accordance with the calendar of the Senate shall be limited to a maximum of two hours with not more than five minutes for each Senator speaking after which the Senate shall adjourn without question put;</i></b>  <b><i>Provided that, when the period of recess proposed by any such Motion does not exceed nine calendar days, the debate shall be limited to a maximum of thirty (30) minutes, and shall be confined to the question of adjournment.</i></b></p>					
5.	<p><b>THAT</b>, pursuant to Standing Order 98 (1), the Senate resolves that the debate on the Motion on the Presidential Address shall be limited to a maximum of three sitting days with not more than fifteen minutes for each Senator speaking, excluding the mover in moving and replying who shall be limited to thirty minutes in either case and that the Senate Majority Leader and the Senate Minority Leader shall be limited to twenty minutes each.</p> <p><b><u>RESOLUTION</u></b>  <b><i>THAT, pursuant to Standing Order 98 (1), the Senate resolves that the debate on the Motion on the Presidential Address shall be limited to a maximum of three sitting days with not more than fifteen minutes for each Senator speaking, excluding the mover in moving and replying who shall be limited to thirty minutes in either case and that the Senate Majority Leader and the</i></b></p>		Senate Majority Leader	Senate Minority Leader	Does not affect counties	

	<i>Senate Minority Leader shall be limited to thirty minutes each.</i>					
6.	<p><b>THAT</b>, notwithstanding the provisions of Standing Order 98 (4), the Senate resolves that each speech in a debate on a Bill or Report of a Committee, including a Report of a Joint Committee of the Houses of Parliament, be limited as follows:-</p> <p>A maximum of sixty (60) minutes for the mover in moving and thirty (30) minutes in replying, and a maximum of fifteen (15) minutes for any other Senator speaking, except the Senate Majority Leader and the Senate Minority Leader who shall be limited to a maximum of twenty minutes.</p> <p><b><u>RESOLUTION</u></b></p> <p><b><i>THAT, notwithstanding the provisions of Standing Order 98 (4), the Senate resolves that each speech in a debate on a Bill or Report of a Committee, including a Report of a Joint Committee of the Houses of Parliament, be limited as follows:-</i></b></p> <p><b><i>A maximum of sixty (60) minutes for the mover in moving and thirty (30) minutes in replying, and a maximum of fifteen (15) minutes for any other Senator speaking, except the Senate Majority Leader and the Senate Minority Leader who shall be limited to a maximum of sixty (60) minutes.</i></b></p>		Senate Majority Leader	Senate Minority Leader	Does not affect counties	
7.	<p><b>THAT</b>, pursuant to Standing Order Nos. 175 (3), 177 (3) and 178, the Senate approves the nomination of the Rules and Business Committee of Sen. Moses Wetang'ula to the following Committees:-</p> <p><b>a. <u>Standing Committee on Finance, Commerce and Economic Affairs</u></b> To replace Sen. (Dr.) BoniKhalwale</p>	Wednesday 26 <sup>th</sup> February 2014	Senate Majority Leader	Sen. Janet Ong'era	Does not affect counties	

	<p>b. <u>Standing Committee on National Security and Foreign Relations</u> To replace Sen. Kennedy Okong'oMong'are</p> <p><b>RESOLUTION</b> <i>THAT, pursuant to Standing Order Nos. 175 (3), 177 (3) and 178, the Senate approves the nomination of the Rules and Business Committee of Sen. Moses Wetang'ula to the following Committees:-</i></p> <p>c. <u>Standing Committee on Finance, Commerce and Economic Affairs</u> To replace Sen. (Dr.) Boni Khalwale</p> <p>d. <u>Standing Committee on National Security and Foreign Relations</u> To replace Sen. Kennedy Okong'oMong'are</p>					
8.	<p><b>THAT</b>, aware that the Open and Distance Learning (ODL) offers flexible learning opportunities thereby freeing learners from constraints of time and place while enabling them to combine work and family responsibilities with educational opportunities; aware that there is minimum use of ODL in both primary and secondary schools in Kenya; appreciating that this mode of learning would facilitate access to education in areas where physical and socio-economic factors hinder access; the Senate urges the National Government to institutionalize and mainstream policies to support ODL through the development of an effective regulatory and legal framework for ODL and to establish a national university dedicated to ODL.</p> <p><b>RESOLUTION</b> <i>THAT, aware that the Open and Distance Learning (ODL) offers flexible learning opportunities thereby freeing learners from constraints of time and place while enabling them to combine work and family responsibilities with educational opportunities; aware that there is minimum use of ODL in both primary and secondary schools in Kenya; appreciating that this mode of learning would facilitate access to education in areas where physical and socio-economic factors hinder access; the</i></p>	<p>Wednesday, 26<sup>th</sup> February 2014</p>	<p>Sen. (Prof) John Lonyangapuo</p>	<p>Sen. (Dr) Agnes Zani</p>	<p>Does not affect counties</p>	

	<b><i>Senate urges the National Government to institutionalize and mainstream policies to support ODL through the development of an effective regulatory and legal framework for ODL and to establish a national university dedicated to ODL</i></b>					
9.	<p><b>THAT</b>, this House adopts the Report of the Standing Committee on Energy, Roads and Transportation on the Familiarization Tour of the Geothermal Power Plants in Baringo and Nakuru Counties between 11th -13th July, 2013, laid on the Table of the House on Wednesday, February 26, 2014.</p> <p><b><u>RESOLUTION</u></b></p> <p><b><i>THAT, this House adopts the Report of the Standing Committee on Energy, Roads and Transportation on the Familiarization Tour of the Geothermal Power Plants in Baringo and Nakuru Counties between 11th -13th July, 2013, laid on the Table of the House on Wednesday, February 26, 2014.</i></b></p>	Wednesday 26 <sup>th</sup> February 2014	(The vice chairpers on behalf of the Chairpers on of the Standing Committee on Energy, Roads and Transportation)	Sen. (Dr.) Wilfred Machage	Does not affect counties	
10.	<p><b>THAT</b>, aware that the Bill of Rights in the Constitution is an integral part of Kenya's democratic state and its framework for social, economic and cultural policies whose main objective is recognition and protection of human rights to among other things preserve the dignity of individuals and to promote social justice; recognizing that many Kenyans suffered from human rights abuses perpetrated by government agencies, especially between 1970s and 1980s including detention without trial and against those suspected of complicity in the coup attempt of August 1982; noting with concern that the victims of these abuses were treated inhumanely leading to painful deaths while others were dismissed from employment exposing them and all their families to undignified social, economic and psychological conditions; further noting that the High Court has in the past awarded several former detainees millions of shillings in damages for torture, concerned that most of the surviving victims are poor and cannot afford to access the court processes, this Senate calls on the national Government to comprehensively deal with the compensation of former detainees and those unfairly dismissed from employment after the August 1982 coup so as to facilitate reconciliation and</p>	Wednesday 26 <sup>th</sup> February 2014	Sen. Boni Khalwale	Sen. James Orengo	Does not affect counties	



	entrench the development of a just society in Kenya.					
11.	<p><b>THAT,</b> aware that national security is prerequisite for maintaining a stable nation state; concerned that Kenya continues to be confronted by factors that threaten national security such as terrorist attacks, road carnage, cattle rustling, inter-ethnic conflicts, food shortage and floods; further concerned that various forms of threats to national security, such as cyber-crime and terrorism, constantly mutate thereby posing a challenge to security organs; appreciating the efforts of successive governments to safeguard national security; noting with concern that despite the efforts insecurity continues to increase; further noting that no security review has been carried out since independence to forge a common strategy on safeguarding national security; the Senate urges the National Government to constitute a Committee to undertake a comprehensive security review with a view to formulating modern strategies capable of containing crime and safeguarding national security interests.</p> <p><b>RESOLUTION</b></p> <p><i>THAT, aware that national security is prerequisite for maintaining a stable nation state; concerned that Kenya continues to be confronted by factors that threaten national security such as terrorist attacks, road carnage, cattle rustling, inter-ethnic conflicts, food shortage and floods; further concerned that various forms of threats to national security, such as cyber-crime and terrorism, constantly mutate thereby posing a challenge to security organs; appreciating the efforts of successive governments to safeguard national security; noting with concern that despite the efforts insecurity continues to increase; further noting that no security review has been carried out since independence to forge a common strategy on safeguarding national security; the Senate urges the National Government to constitute a Committee to undertake a comprehensive security review with a view to formulating modern strategies capable of containing crime and safeguarding national security interests.</i></p>	<p>Wednesday, 26<sup>th</sup> February 2014</p>	<p>Sen. G. G. Kariuki</p>	<p>Sen. (Prof.) John Lonyangapuo</p>	<p>Does not affect Counties</p>	

12.	<p><b>THAT</b>, aware that many officers serving in Kenya's National Security Organs die in the line of duty; further aware that most of them are very young with those who are married having young spouses and children; concerned that the compensation given to their next of kin is not adequate to cater for the needs of their immediate family members, particularly their children's education, family upkeep and other basic needs; the Senate calls upon the National Government to provide for the education of the deceased officers' children up to university level to cater for the basic needs of their immediate families.</p> <p><b>RESOLUTION</b>  <b>THAT, aware that many officers serving in Kenya's National Security Organs die in the line of duty; further aware that most of them are very young with those who are married having young spouses and children; concerned that the compensation given to their next of kin is not adequate to cater for the needs of their immediate family members, particularly their children's education, family upkeep and other basic needs; the Senate calls upon the National Government to provide for the education of the deceased officers' children up to university level to cater for the basic needs of their immediate families by establishing a specific insurance cover and scheme for that purpose.</b></p>	Wednesday, 26 <sup>th</sup> February 2014	Sen. Johnson Muthama	Sen. Boni Khalwale	Does not affect Counties	
13.	<p><b>THAT</b>, noting that the Constitution of Kenya, 2010 fundamentally changed the architecture of Government in the country; aware that many people in Kenya including elected leaders are not conversant with the new structure and especially the devolved system, the Senate urges the national Executive to undertake comprehensive, well structured and systematic civic education countrywide on the new system so that the Kenyan people can understand and positively participate in its implementation.</p> <p><b>RESOLUTION</b>  <b>THAT, noting that the Constitution of Kenya, 2010 fundamentally changed the architecture of Government in the country; aware that many people in Kenya including elected leaders are not conversant with the new structure and especially the devolved system, the Senate urges the national Executive to undertake comprehensive, well structured and systematic civic education countrywide on</b></p>	Wednesday, 26 <sup>th</sup> February 2014	Sen. Amos Wako	Sen. Anyang' Nyong'o	Does not affect counties	

	<i>the new system so that the Kenyan people can understand and positively participate in its implementation.</i>					
14.	<p><b>THAT</b>, aware that research is a mystified domain which remains a preserve of selected Government agencies, academic institutions of higher learning and a few other organizations; concerned that even in the said institutions of learning, research is usually introduced at post-graduate level; further concerned that research has not been prioritized and very low funding is channeled towards it; the Senate calls upon the National Government to:-</p> <ul style="list-style-type: none"> <li>a) take deliberate measures to cascade research to lower level of education right from early childhood education level;</li> <li>b) inculcate and institutionalize research by introducing it as a compulsory discipline at all levels of education;</li> <li>c) develop a clear policy and legal framework to guide the development and sustainability of research at all levels of education; and</li> <li>d) increase funding for research by allocating at least 1% of the National budget to research.</li> </ul> <p><b><u>RESOLUTION</u></b></p> <p><i>THAT, aware that research is a mystified domain which remains a preserve of selected Government agencies, academic institutions of higher learning and a few other organizations; concerned that even in the said institutions of learning, research is usually introduced at post-graduate level; further concerned that research has not been prioritized and very low funding is channeled towards it; the Senate calls upon the National Government to:-</i></p> <ul style="list-style-type: none"> <li>a) <i>take deliberate measures to cascade research to lower level of education right from early childhood education level;</i></li> <li>b) <i>inculcate and institutionalize research by introducing it as a compulsory discipline at all levels of education;</i></li> <li>c) <i>develop a clear policy and legal framework to</i></li> </ul>	Wednesday, 26 <sup>th</sup> February 2014	Sen. (Prof) John Lonyangapuo	Sen. (Prof) Wilfred Lesan	Does not affect counties	

	<p><i>guide the development and sustainability of research at all levels of education; and</i></p> <p><i>increase funding for research by allocating at least 1% of the Gross Domestic Product (GDP) to research</i></p>					
15.	<p>THAT, pursuant to Standing Order 247, the Report of the Rules and Business Committee on the Review of the Standing Orders laid on the Table of the Senate on Wednesday, 26<sup>th</sup> February, 2014, be approved.</p> <p><b><u>RESOLUTION</u></b></p> <p><i>THAT, pursuant to Standing Order No.247, the Report of the Rules and Business Committee on the review of the Standing Orders laid on the Table of the Senate on Wednesday, 26th February, 2014 be approved subject to the following amendments:-</i></p> <p><i>THAT, the Motion be amended by deleting the full stop after the word "approved" and deleting the proposed new Standing Order 41B and replacing it with the following:-</i></p> <p><i>New Standing Order 41B</i></p> <p><i>Messages from County Governors</i></p> <p><i>41B (1) A Senator shall deliver to the Speaker a copy of a message received from a County Governor at the first available opportunity after receipt and in any event, not later than the next day not being a Saturday, Sunday or Public Holiday.</i></p> <p><i>(2) A Senator shall read to the Senate any message from the Governor of his County to the Senate and such message shall be in writing and shall be signed by the Governor of the County.</i></p> <p><i>(3) If a message is received from a County Governor, at a time when the Senate is in Session, the Senator shall report the message to the Senate at the first convenient opportunity after its receipt and in any event not later than the next sitting day.</i></p> <p><i>(4) If a message is received from a County Governor, at a time when the Senate is not in Session, the Speaker shall forthwith cause the message to be transmitted to every Senator and shall call upon the Senator of that county to report the message to the Senate on the day the Senate</i></p>	<p>Wednesday 26<sup>th</sup> February 2014</p>	<p>Sen Kiraitu Murungi</p>	<p>Sen James Orengo</p>	<p>Does not affect counties</p>	

	<p>next sits.</p> <p>(5) <i>The Clerk of the Senate shall transmit a message from the Senate to a County Governor.</i></p> <p>(6) <i>When a Senator reports a message from a County Governor under paragraph (3) or (4), the message shall be deemed to have been laid before the Senate and the Speaker may-</i></p> <p>(a) <i>direct that the message be dealt with forthwith;</i></p> <p>(b) <i>appoint a day for consideration of the message; or</i></p> <p>(c) <i>refer the message to the relevant Committee of the Senate for consideration.</i></p> <p><i>THAT, the Motion be amended by deleting the full stop after the word "approved" and inserting the following:-</i></p> <p><i>Subject to inserting an amendment to Standing Order 16 as follows:-</i></p> <p><i>a) By deleting paragraph (1) and substituting with the following:-</i></p> <p><i>16 (1) There shall be a panel to be known as the Chairpersons panel which shall comprise three Senators to be known, respectively, as the First, Second and Third Chairperson of the Committees and who shall be entitled to exercise all the powers vested in the Chairperson of Committees.</i></p> <p><i>b) In paragraph (2) by deleting the word "two" and substituting therefore the word "three".</i></p>					
16.	<p><b>THAT</b>, this House adopts the Report of the Standing Committee on Energy, Roads and Transportation on the Familiarization Tour of Kenya Ports Authority (KPA), Kenya Petroleum Refineries Limited (KPRL), and Kenya Pipeline Company Limited (KPC), in Mombasa County between 5th – 8th August, 2013 laid on the Table of the House on Thursday, February 27, 2014.</p> <p><b>RESOLUTION</b></p> <p><b>THAT, this House adopts the Report of the Standing Committee on Energy, Roads and Transportation on the Familiarization Tour of Kenya Ports Authority (KPA), Kenya Petroleum Refineries Limited (KPRL), and Kenya Pipeline Company Limited (KPC), in Mombasa County between 5th – 8th August, 2013 laid on the Table of the House on Thursday, February 27, 2014.</b></p>	Thursday, 27 <sup>th</sup> February 2014	The Vice Chairperson behalf of the Chairperson of the Standing Committee on Energy, Roads and Transportation (Sen. Danson Mwazo)	Sen. Chris Obure	Does not affect Counties	

17.	<p><b>THAT</b>, aware that the film industry is one of the leading and prestigious occupations; noting that Ms. Lupita Amondi Nyong'o is a Kenyan actress who featured in the movie 'Twelve Years a Slave'; further aware that she made history by being the first African woman to win an Oscar Award of the Best Supporting Actress at the 86<sup>th</sup> Academy Awards held in Los Angeles, United States of America, for her role in the movie; appreciating that it is through relevant education, training and hard work that she was able to win this award and many others; realizing that she is an inspiration and a role model to many, including the African women and youth; cognizant of the fact that she has uplifted the Kenyan profile in the world; the Senate records its commendation to Ms. Lupita Amondi Nyong'o for her exemplary performance.</p> <p><b><u>RESOLUTION</u></b></p> <p><b><i>THAT, aware that the film industry is one of the leading and prestigious occupations; noting that Ms. Lupita Amondi Nyong'o is a Kenyan actress who featured in the movie 'Twelve Years a Slave'; further aware that she made history by being the first African woman to win an Oscar Award of the Best Supporting Actress at the 86<sup>th</sup> Academy Awards held in Los Angeles, United States of America, for her role in the movie; appreciating that it is through relevant education, training and hard work that she was able to win this award and many others; realizing that she is an inspiration and a role model to many, including the African women and youth; cognizant of the fact that she has uplifted the Kenyan profile in the world; the Senate records its commendation to Ms. Lupita Amondi Nyong'o for her exemplary performance.</i></b></p>	Tuesday, 4 <sup>th</sup> March 2014	Sen. Fatuma Dullo	Sen. Naisula Lesuuda	Does not affect counties	
18.	<p><b>THAT</b>, aware that on November 3, 2004, Parliament passed a motion requiring the government to release all KCSE certificates held by schools on account of fees balances and requiring schools to cease withholding certificates on account of fees balances; appreciating that in December 2006, the Government ordered the release of all KCSE certificates held by schools but that the certificates were released only that one time; concerned that since 2007, schools have continued to</p>	Thursday, March 6 2014	Sen David Musila	Sen Chris Obure	Does not affect counties	

	<p>withhold certificates especially those of orphans and children from poor families, on account of fees balances; aware that Section 10(1)(b) of the Kenya National Examinations Council Act(No. 29 of 2012) outlaws the withholding of certificates by any person or institution; the Senate urges the National Government to take immediate measures to release all certificates held by heads of secondary schools since 2007 and to ensure that no head of a school, person or institution continues to withhold KCSE certificates.</p> <p><b><u>RESOLUTION</u></b>  <b><i>THAT, aware that on November 3, 2004, Parliament passed a motion requiring the government to release all KCSE certificates held by schools on account of fees balances and requiring schools to cease withholding certificates on account of fees balances; appreciating that in December 2006, the Government ordered the release of all KCSE certificates held by schools but that the certificates were released only that one time; concerned that since 2007, schools have continued to withhold certificates especially those of orphans and children from poor families, on account of fees balances; aware that Section 10(1)(b) of the Kenya National Examinations Council Act(No. 29 of 2012) outlaws the withholding of certificates by any person or institution; the Senate urges the National Government to take immediate measures to release all certificates held by heads of secondary schools since 2007 and to ensure that no head of a school, person or institution continues to withhold KCSE certificates.</i></b></p>					
19.	<p><b>THAT</b>, pursuant to Standing Order 18 and Article 107 (1) (c) of the Constitution, the following Senators be elected to preside over the sittings of the Senate in the absence of the Speaker, the Deputy Speaker and Members of the Chairpersons Panel for the period 11th March to 20th March, 2014:-  Sen. (Dr.) Wilfred Machage; and  Sen. Peter Mositet.</p> <p><b><u>RESOLUTION</u></b>  <b><i>THAT, pursuant to Standing Order 18 and Article 107 (1) (c) of the Constitution, the following Senators be elected to preside over the sittings of the Senate in the absence of the Speaker, the Deputy Speaker and Members of the Chairpersons Panel for the period 11th March to 20th</i></b></p>		Sen. Beatrice Elachi		Does not affect counties	

	<p><b>March, 2014:-</b>  <b>Sen. (Dr.) Wilfred Machage; and</b>  <b>Sen. Peter Mositet.</b></p>					
20.	<p><b>THAT</b>, pursuant to the provisions of Standing Order No. 125, the Senate resolves that the publication period of the following Bills be reduced from fourteen days to five days:-</p> <ul style="list-style-type: none"> <li>i. The County Governments (Amendment) Bill, 2014</li> <li>ii. The County Governments (Amendment) (No. 2) Bill, 2014</li> <li>iii. The Political Parties (Amendment) Bill, 2014</li> <li>iv. The Kenya Medical Supplies Authority (Amendment) Bill, 2014</li> </ul> <p><b>RESOLUTION</b></p> <p><b>THAT, pursuant to the provisions of Standing Order No. 125, the Senate resolves that the publication period of the following Bills be reduced from fourteen days to five days:-</b></p> <ul style="list-style-type: none"> <li><b>i. The County Governments (Amendment) Bill, 2014</b></li> <li><b>ii. The County Governments (Amendment) (No. 2) Bill, 2014</b></li> <li><b>iii. The Political Parties (Amendment) Bill, 2014</b></li> <li><b>iv. The Kenya Medical Supplies Authority (Amendment) Bill, 2014</b></li> </ul>	<p>Wednesday, 12<sup>th</sup> March 2014</p>	<p>Sen. (Prof) Kithure Kindiki)</p>	<p>Sen. (Dr.) Boni Khalwale</p>	<p>Does not affect Counties</p>	
21.	<p>THAT, aware that a good percentage of Kenya's population is made up of Kenyans aged 70 years and above and that some of them are affected by senile dementia but have no one to take care of them owing to the reality of changing circumstances; appreciating the introduction of social support programmes by the National Government; concerned, however, that the Government has not comprehensively addressed the challenges of the aged, further concerned that the magnitude of the</p>	<p>Wednesday, 12<sup>th</sup> March 2014</p>	<p>Sen. (Prof) Wilfred Lesan</p>	<p>Sen. (Prof) Lonyangapuo</p>	<p>Does not Affect Counties</p>	



	<p>problem of the aged is enormous; the Senate urges the National government to develop a comprehensive policy for the aged and initiate innovative projects such as small-scale residential homes in each county to enable them access necessary care and live dignified lives.</p> <p><b>RESOLUTION</b>  <b><i>THAT, aware that a good percentage of Kenya's population is made up of Kenyans aged 70 years and above and that some of them are affected by senile dementia but have no one to take care of them owing to the reality of changing circumstances; appreciating the introduction of social support programmes by the National Government; concerned, however, that the Government has not comprehensively addressed the challenges of the aged, further concerned that the magnitude of the problem of the aged is enormous; the Senate urges the National government to develop a comprehensive policy for the aged and initiate innovative projects to enable them access necessary care and live dignified lives.</i></b></p>					
22.	<p><b>THAT</b>, this House adopts the Report of the Standing Committee on Health, Labour and Social Welfare on the approval of nomination of Hon. (Dr.) Abdullahi Ibrahim Ali and Mrs. Lonah Mumelo to be Members of the Parliamentary Service Commission pursuant to Article 127(2)(d) of the Constitution, laid on the Table of the House on Thursday, 13<sup>th</sup> March, 2014.</p> <p><b>RESOLUTION</b>  <b><i>THAT, this House adopts the Report of the Standing Committee on Health, Labour and Social Welfare on the approval of nomination of Hon. (Dr.) Abdullahi Ibrahim Ali and Mrs. Lonah Mumelo to be Members of the Parliamentary Service Commission pursuant to Article 127(2)(d) of the Constitution, laid on the Table of the House on Thursday, 13<sup>th</sup> March, 2014.</i></b></p>	Thursday, 13 <sup>th</sup> March 2014	Sen. Kuti Mohamed	Sen. Abdirahman Ali	Does not affect Counties	
23.	<p><b>THAT</b>, aware that Information, Communication and Technology (ICT) is a critical component in effective service delivery in all sectors of our economy; further aware that the fibre optic backbone (FOB) is already laid in most counties;</p>	Thursday, 13 <sup>th</sup> March 2014	Sen. (Prof.) Wilfred Lesan	Sen. (Prof.) John Lonyangapuo	Does not affect Counties	

	<p>appreciating that advanced medical equipment is now available in county medical institutions; acknowledging that medical diagnosis and care is critical and costly; concerned about the shortage of medical personnel trained in various specialties in the health sector; cognizant of the beneficial role of telemedicine in consultations irrespective of the physical location of consultants; the Senate urges the National Government to provide fibre optic connectivity to referral and level 4 and 5 public hospitals in all counties.</p> <p><b><u>RESOLUTION</u></b>  <b><i>THAT, aware that Information, Communication and Technology (ICT) is a critical component in effective service delivery in all sectors of our economy; further aware that the fibre optic backbone (FOB) is already laid in most counties; appreciating that advanced medical equipment is now available in county medical institutions; acknowledging that medical diagnosis and care is critical and costly; concerned about the shortage of medical personnel trained in various specialties in the health sector; cognizant of the beneficial role of telemedicine in consultations irrespective of the physical location of consultants; the Senate urges the National Government to provide fibre optic connectivity to referral and level 4 and 5 public hospitals in all counties.</i></b></p>					
24.	<p><b>THAT</b>, pursuant to Standing Order Nos. 16 and 177, the Senate approves the following Senators nominated by the Rules and Business Committee to be Members of the Chairpersons Panel and the respective Committees as indicated below:-</p> <p><b>1. <u>CHAIRPERSONS PANEL</u></b></p> <p>Sen. (Dr.) Wilfred Machage</p> <p><b>2. <u>STANDING COMMITTEES</u></b></p> <p><b>A. <u>COMMITTEE ON AGRICULTURE, LIVESTOCK AND FISHERIES</u></b></p> <p>1. Sen. Murungi Kiraitu</p>	Thursday, 13 <sup>th</sup> March 2014	Senate Majority Leader	Senate Minority Leader	Does not affect Counties	

2. Sen. Mungai James
3. Sen. Mositet Peter
4. Sen. Mburu Emma Getrude
5. Sen. Stephen Ole Ntutu
6. Sen. Munyes Kiyonga John
7. Sen. Tiole Ndiema Henry
8. Sen. Otieno Gerald Kajwang'
9. Sen. Mwachiru Madzayo Stewart

**B. COMMITTEE ON EDUCATION**

1. Sen. Karaba Daniel
2. Sen. (Prof.) Lesan Wilfred
3. Sen. Ali Bule
4. Sen. Mvita Mshenga Kisasa
5. Sen. Mutahi Kagwe
6. Sen. Okong'o Mong'are Kennedy
7. Sen. Mohamed Abdille Halima
8. Sen. Zani Agnes
9. Sen. Nyongesa Kanainza Daisy

**C. COMMITTEE ON ENERGY**

1. Sen. Moi Gideon
2. Sen. Keter Charles
3. Sen. Murungi Kiraitu
4. Sen. Chiaba Abu
5. Sen. Wamatangi Kimani Paul
6. Sen. Mwazo Wakulegwa Danson
7. Sen. Musila David
8. Sen. Munyes Kiyonga John
9. Sen. Ongoro Masha Elizabeth

**D. COMMITTEE ON FINANCE, COMMERCE AND BUDGET**

1. Sen. Kerrow Billow
2. Sen. Elachi Beatrice
3. Sen. Mositet Peter
4. Sen. Kagwe Mutahi
5. Sen. Mungai James
6. Sen. (Prof.) Lonyangapuo John

7. Sen. Kittony Zipporah
8. Sen. Njoroge Paul
9. Sen. Kilonzo Mutula Jnr
10. Sen. Wetang'ula Masika Moses
11. Sen. Machage Wilfred
12. Sen. Mukiite Nabwala Catherine
13. Sen. (Dr.) Boni Khalwale

**E. COMMITTEE ON HEALTH**

1. Sen. Kuti Mohamed
2. Sen. Mugo Beth
3. Sen. Kittony Zipporah
4. Sen. Mvita Kisasa Mshenga
5. Sen. (Prof.) Lesan Wilfred
6. Sen. Ali Hassan Abdirahman
7. Sen. Machage Wilfred
8. Sen. Omondi Godliver Nanjira
9. Sen. Mukiite Nabwala Catherine

**F. COMMITTEE ON ROADS AND TRANSPORT**

1. Sen. Wamatangi Kimani
2. Sen. Keter Charles
3. Sen. Sonko Mike Mbuvi
4. Sen. Chelule Liza
5. Sen. Chiaba Abu
6. Sen. Hargura Godana
7. Sen. Otieno Gerald Kajwang'
8. Sen. Obure Christopher
9. Sen. Sijeny Judith

**G. COMMITTEE ON LABOUR AND SOCIAL WELFARE**

1. Sen. Kariuki Godfrey Gitahi
2. Sen. Martha Wangari
3. Sen. Muriuki Karue
4. Sen. Gwendu Joy
5. Sen. Mvita Kisasa Mshenga
6. Sen. Mwachiru Stewart Madzayo
7. Sen. Ali Hassan Abdirahman
8. Sen. Munyes Kiyonga John
9. Sen. Mohamed Abdille Halima

#### **H. COMMITTEE ON INFORMATION AND TECHNOLOGY**

1. Sen. Kagwe Mutahi
2. Sen. Gwendolyn
3. Sen. Njoroge Paul
4. Sen. (Prof.) Lesan Wilfred
5. Sen. Melly Isaac
6. Sen. Boy Juma Boy
7. Sen. Mwazo Mwakulegwa Danson
8. Sen. Kilonzo Mutula Jnr
9. Sen. Nyongesa Kanainza Daisy

#### **I. COMMITTEE ON LAND AND NATURAL RESOURCES**

1. Sen. Kivuti Lenny
2. Sen. Khaniri George
3. Sen. Melly Isaac
4. Sen. Chelule Liza
5. Sen. Martha Wangari
6. Sen. Boy Juma Boy
7. Sen. Mwakulegwa Mwazo Danson
8. Sen. Tiolo Ndiema Henry
9. Sen. Obure Christopher

#### **3. SESSIONAL COMMITTEES**

##### **A. COUNTY PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE**

1. Sen. Murkomen Kipchumba
2. Sen. Wamatangi Kimani
3. Sen. Karue Muriuki
4. Sen. (Prof.) John Lonyangapuo
5. Sen. Wangari Martha
6. Sen. Khaniri George
7. Sen. Omar Hassan Hassan

8. Sen. Sitswila Wako Amos
9. Sen. Nyong'o Anyang'
10. Sen. Khalwale Boni
11. Sen. Mong'are Okong'o Kennedy

**B. COMMITTEE ON DEVOLVED GOVERNMENT**

1. Sen. Murkomen Kipchumba
2. Sen. Lesuuda Naisula
3. Sen. Kerrow Billow
4. Sen. Beatrice Elachi
5. Sen. Stephen Ole Ntutu
6. Sen. Omar Hassan Hassan
7. Sen. Tiole Ndiema Henry
8. Sen. Sitswila Wako Amos

9. Sen. Nyong'o Anyang'

**C. COMMITTEE ON IMPLEMENTATION**

1. Sen. Njoroge Paul
2. Sen. Bule A. Ali
3. Sen. Onchwang'i Hosea
4. Sen. Mbura Emma Getrude
5. Sen. Kariuki Godfrey Gitahi
6. Sen. Ali Hassan Abdirahman
7. Sen. Orengo James
8. Sen. Nyongesa Kahainza Daisy
9. Sen. Muthama Jonson

**D. COMMITTEE ON DELEGATED LEGISLATION**

1. Sen. Sang Stephen
2. Sen. Gwendu Joy
3. Sen. Chelule Liza
4. Sen. Mbura Emma Gertrude
5. Sen. Karaba Daniel
6. Sen. Nyong'o Anyang'
7. Sen. Omondi Godliver Nanjira
8. Sen. Sijeny Judith

9. Sen. Khalwale Boni

**RESOLUTION**

*THAT, pursuant to Standing Order Nos. 16 and 177, the Senate approves the following Senators nominated by the Rules and Business Committee to be Members of the Chairpersons Panel and the respective Committees as indicated below:-*

**4. CHAIRPERSONS PANEL**

*Sen. (Dr.) Wilfred Machage*

**5. STANDING COMMITTEES**

**J. COMMITTEE ON AGRICULTURE, LIVESTOCK AND FISHERIES**

- 1) *Sen. Murungi Kiraitu*
- 2) *Sen. Mungai James*
- 3) *Sen. Mositet Peter*
- 4) *Sen. Mbura Emma Getrude*
- 5) *Sen. Stephen Ole Ntutu*
- 6) *Sen. Munyes Kiyonga John*
- 7) *Sen. Tirole Ndiema Henry*
- 8) *Sen. Otieno Gerald Kajwang'*
- 9) *Sen. Mwachiru Madzayo Stewart*

**K. COMMITTEE ON EDUCATION**

- 1) *Sen. Karaba Daniel*
- 2) *Sen. (Prof.) Lesan Wilfred*
- 3) *Sen. Ali Bule*
- 4) *Sen. Mvita Mshenga Kisasa*
- 5) *Sen. Mutahi Kagwe*
- 6) *Sen. Okong'o Mong'are Kennedy*
- 7) *Sen. Mohamed Abdille Halima*
- 8) *Sen. Zani Agnes*
- 9) *Sen. Nyongesa Kanainza Daisy*

**L. COMMITTEE ON ENERGY**

- 1) *Sen. Moi Gideon*
- 2) *Sen. Keter Charles*
- 3) *Sen. Murungi Kiraitu*
- 4) *Sen. Chiaba Abu*
- 5) *Sen. Wamatangi Kimani Paul*
- 6) *Sen. Mwazo Mwakulegwa Danson*
- 7) *Sen. Musila David*
- 8) *Sen. Munyes Kiyonga John*
- 9) *Sen. Ongoro Masha Elizabeth*

**M. COMMITTEE ON FINANCE, COMMERCE AND BUDGET**

- 1) *Sen. Kerrow Billow*
- 2) *Sen. Elachi Beatrice*
- 3) *Sen. Mositet Peter*
- 4) *Sen. Kagwe Mutahi*
- 5) *Sen. Mungai James*
- 6) *Sen. (Prof.) Lonyangapuo John*
- 7) *Sen. Kittony Zipporah*
- 8) *Sen. Njoroge Paul*
- 9) *Sen. Kilonzo Mutula Jnr*
- 10) *Sen. Wetang'ula Masika Moses*
- 11) *Sen. Machage Wilfred*
- 12) *Sen. Mukiite Nabwala Catherine*
- 13) *Sen. (Dr.) Boni Khalwale*

**N. COMMITTEE ON HEALTH**

- 1) *Sen. Kuti Mohamed*
- 2) *Sen. Mugo Beth*
- 3) *Sen. Kittony Zipporah*
- 4) *Sen. Mvita Kisasa Mshenga*
- 5) *Sen. (Prof.) Lesan Wilfred*
- 6) *Sen. Ali Hassan Abdirahman*
- 7) *Sen. Machage Wilfred*
- 8) *Sen. Omondi Godliver Nanjira*
- 9) *Sen. Mukiite Nabwala Catherine*

**O. COMMITTEE ON ROADS AND TRANSPORT**

- 1) *Sen. Wamatangi Kimani*
- 2) *Sen. Keter Charles*



- 3) *Sen. Sonko Mike Mbuvi*
- 4) *Sen. Chelule Liza*
- 5) *Sen. Chiaba Abu*
- 6) *Sen. Hargura Godana*
- 7) *Sen. Otieno Gerald Kajwang'*
- 8) *Sen. Obure Christopher*
- 9) *Sen. Sijeny Judith*

**P. COMMITTEE ON LABOUR AND SOCIAL WELFARE**

- 1) *Sen. Kariuki Godfrey Gitahi*
- 2) *Sen. Martha Wangari*
- 3) *Sen. Muriuki Karue*
- 4) *Sen. Gwendu Joy*
- 5) *Sen. Mvita Kisasa Mshenga*
- 6) *Sen. Mwachiru Stewart Madzayo*
- 7) *Sen. Ali Hassan Abdirahman*
- 8) *Sen. Munyes Kiyonga John*
- 9) *Sen. Mohamed Abdille Halima*

**Q. COMMITTEE ON INFORMATION AND TECHNOLOGY**

- 1) *Sen. Kagwe Mutahi*
- 2) *Sen. Gwendu joy*
- 3) *Sen. Njoroge Paul*
- 4) *Sen. (Prof.) Lesan Wilfred*
- 5) *Sen. Melly Isaac*
- 6) *Sen. Boy Juma Boy*
- 7) *Sen. Mwazo Mwakulegwa Danson*
- 8) *Sen. Kilonzo Mutula Jnr*
- 9) *Sen. Nyongesa Kanainza Daisy*

**R. COMMITTEE ON LAND AND NATURAL RESOURCES**

- 1) *Sen. Kivuti Lenny*
- 2) *Sen. Khaniri George*
- 3) *Sen. Melly Isaac*
- 4) *Sen. Chelule Liza*
- 5) *Sen. Martha Wangari*
- 6) *Sen. Boy Juma Boy*
- 7) *Sen. Mwakulegwa Mwazo Danson*
- 8) *Sen. Tirole Ndiema Henry*

9) *Sen. Obure Christopher*

6. SESSIONAL COMMITTEES

E. COUNTY PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE

- 1) *Sen. Murkomen Kipchumba*
- 2) *Sen. Wamatangi Kimani*
- 3) *Sen. Karue Muriuki*
- 4) *Sen. (Prof.) John Lonyangapuo*
- 5) *Sen. Wangari Martha*
- 6) *Sen. Khaniri George*

7) *Sen. Omar Hassan Hassan*

8) *Sen. Sitswila Wako Amos*

9) *Sen. Nyong'o Anyang'*

10) *Sen. Khalwale Boni*

11) *Sen. Mong'are Okong'o Kennedy*

F. COMMITTEE ON DEVOLVED GOVERNMENT

- 1) *Sen. Murkomen Kipchumba*
- 2) *Sen. Lesuuda Naisula*
- 3) *Sen. Kerrow Billow*
- 4) *Sen. Beatrice Elachi*
- 5) *Sen. Stephen Ole Ntutu*
- 6) *Sen. Omar Hassan Hassan*
- 7) *Sen. Tirole Ndiema Henry*
- 8) *Sen. Sitswila Wako Amos*

9) *Sen. Nyong'o Anyang'*

G. COMMITTEE ON IMPLEMENTATION

	<ol style="list-style-type: none"> <li>1) <i>Sen. Njoroge Paul</i></li> <li>2) <i>Sen. Bule A. Ali</i></li> <li>3) <i>Sen. Onchwang'i Hosea</i></li> <li>4) <i>Sen. Mbura Emma Getrude</i></li> <li>5) <i>Sen. Kariuki Godfrey Gitahi</i></li> <li>6) <i>Sen. Ali Hassan Abdirahman</i></li> <li>7) <i>Sen. Orengo James</i></li> <li>8) <i>Sen. Nyongesa Kanainza Daisy</i></li> <li>9) <i>Sen. Muthama Jonson</i></li> </ol> <p><b>H. <u>COMMITTEE ON DELEGATED LEGISLATION</u></b></p> <ol style="list-style-type: none"> <li>1) <i>Sen. Sang Stephen</i></li> <li>2) <i>Sen. Gwendu Joy</i></li> <li>3) <i>Sen. Chelule Liza</i></li> <li>4) <i>Sen. Mbura Emma Gertrude</i></li> <li>5) <i>Sen. Karaba Daniel</i></li> <li>6) <i>Sen. Nyong'o Anyang'</i></li> <li>7) <i>Sen. Omondi Godliver Nanjira</i></li> <li>8) <i>Sen. Sijeny Judith</i></li> <li>9) <i>Sen. Khalwale Boni</i></li> </ol>					
25.	<p><b>THAT</b>, pursuant to the provisions of Standing Order No. 125, the Senate resolves that the publication period of the following Bills be reduced from fourteen days to eleven days:-</p> <ol style="list-style-type: none"> <li>i. The County Industrial Development Bill, 2014;</li> <li>ii. The Alcoholic Drinks Control (Amendment) Bill, 2014; and</li> <li>iii. The Statute Law (Miscellaneous Amendments) Bill, 2014.</li> </ol> <p><b>RESOLUTION</b></p> <p><i>THAT, pursuant to the provisions of Standing Order No. 125, the Senate resolves that the publication period of the following Bills be reduced from fourteen days to eleven days:-</i></p> <ol style="list-style-type: none"> <li>i. <i>The County Industrial Development Bill, 2014;</i></li> <li>ii. <i>The Alcoholic Drinks Control (Amendment)</i></li> </ol>		The Senate Majority Whip on behalf of The Senate Majority Leader	Sen. (Dr.) Boni Khalwale	Does not affect Counties	

	<b>Bill, 2014; and</b> <b>iii. The Statute Law (Miscellaneous Amendments) Bill, 2014.</b>					
26.	<p><b>THAT</b>, aware that Article 43(1)(f) of the Constitution of Kenya states that every person has a right to education; recognizing that vision 2030 underscores the critical role of education in Kenya's social economic development; appreciating that, pursuant to Chapter 223 of the Laws of Kenya, the Government established the Board of Adult Education to coordinate adult education; concerned, however, that implementation of adult education programmes is hampered by absence of appropriate policies, including policies on recruitment, training, deployment, discipline and termination of services; the Senate calls upon the National Government to take immediate measures to develop clear policy guidelines for adult education staff recruitment, training, deployment and discipline in order to promote adult education.</p> <p><b>RESOLUTION</b> <b>THAT, aware that Article 43(1)(f) of the Constitution of Kenya states that every person has a right to education; recognizing that vision 2030 underscores the critical role of education in Kenya's social economic development; appreciating that, pursuant to Chapter 223 of the Laws of Kenya, the Government established the Board of Adult Education to coordinate adult education; concerned, however, that implementation of adult education programmes is hampered by absence of appropriate policies, including policies on recruitment, training, deployment, discipline and termination of services; the Senate calls upon the National Government to take immediate measures to develop clear policy guidelines for adult education staff recruitment, training, deployment and discipline in order to promote adult education.</b></p>	Wednesday, 19 <sup>th</sup> March 2014	Sen. Daniel Karaba	Sen. Mshenga Mvita	Does not affect Counties	
27.	<p><b>THAT</b>, aware that Kenya is fully supportive of United Nations (UN) peacekeeping initiatives and has contributed to many peace keeping operations, both in Africa and beyond; appreciating that the Kenya Defence College offers very high quality training in peace-keeping; concerned, however, that Kenya has missed many opportunities at the United Nations institutions that would enable the UN to benefit from the skills</p>	Wednesday, 19 <sup>th</sup> March 2014	Sen Beatrice Elachi	Sen (Prof) John Lonyangapuo	Does not affect counties	

	<p>of our well trained officers and through which Kenya would benefit, especially by absorbing qualified military personnel in peace keeping missions; the Senate urges the National Government to strengthen relations with and engage the UN more with a view to ensuring that many young trained Kenyan military personnel get more opportunities to participate in peace-keeping missions.</p> <p><b><u>RESOLUTION</u></b>  <b><i>THAT, aware that Kenya is fully supportive of United Nations (UN) peacekeeping initiatives and has contributed to many peace keeping operations, both in Africa and beyond; appreciating that the Kenya Defence College offers very high quality training in peace-keeping; concerned, however, that Kenya has missed many opportunities at the United Nations institutions that would enable the UN to benefit from the skills of our well trained officers and through which Kenya would benefit, especially by absorbing qualified military personnel in peace keeping missions; the Senate urges the National Government to strengthen relations with and engage the UN more with a view to ensuring that many young trained Kenyan military personnel get more opportunities to participate in peace-keeping missions.</i></b></p>					
28.	<p><b>THAT</b>, pursuant to Standing Order 28, the Senate approves its Calendar (Regular Sessions) for the Second Session.</p> <p><b><u>RESOLUTION</u></b>  <b><i>THAT, pursuant to Standing Order 28, the Senate approves its Calendar (Regular Sessions) for the Second Session.</i></b></p>	Wednesday 26 <sup>th</sup> March, 2014	Senate Majority Leader	Sen Obure	Chris Does not affect counties	
29.	<p>THAT, the Senate approves the Report of the Mediation Committee on the County Governments (Amendment) (No. 2), Bill, (Senate Bills No. 4 of 2013) laid on the Table of the Senate on Tuesday, 1<sup>st</sup> April, 2014.</p> <p><b><u>RESOLUTION</u></b>  <b><i>THAT, the Senate approves the Report of the Mediation Committee on the County Governments (Amendment) (No. 2), Bill, (Senate Bills No. 4 of 2013) laid on the Table of the Senate on Tuesday, 1<sup>st</sup> April, 2014.</i></b></p>	Tuesday, 1 <sup>st</sup> April 2014	Sen Sang on behalf of Sen. Amos Wako	Sen. (Dr.) Boni Khalwale	Affects counties	Ayes-24 Noes-0 Abstentions-0

30.	<p><b>THAT</b>, the thanks of the Senate be recorded for the exposition of public policy contained in the Address of the President to Parliament on Thursday, 27th March, 2014.</p> <p><b>RESOLUTION</b>  <b>THAT, the thanks of the Senate be recorded for the exposition of public policy contained in the Address of the President to Parliament on Thursday, 27th March, 2014.</b></p>	Tuesday, 1 <sup>st</sup> April 2014	Senate Majority Leader	Sen. Kipchumba Murkomen	Does not affect counties	
31.	<p><b>THAT</b>, the Senate notes the Annual Report to Parliament on the State of National Security, submitted by H.E the President on Thursday, 27th March, 2014 pursuant to Article 240 (7) of the Constitution and Section 16 of the National Security Council Act, 2012.</p> <p><b>RESOLUTION</b>  <b>THAT, the Senate notes the Annual Report to Parliament on the State of National Security, submitted by H.E the President on Thursday, 27th March, 2014 pursuant to Article 240 (7) of the Constitution and Section 16 of the National Security Council Act, 2012.</b></p>	Tuesday, 1 <sup>st</sup> April 2014	Senate Majority Leader	Sen. (Prof.) Lonyangapuo	Does not affect counties	
32.	<p><b>THAT</b>, the Senate adopts the Report of the Standing Committee on Education, Information and Technology on the County Oversight and Networking Engagement (CONE) to Lamu, Tana River, Kilifi, Mombasa and Kwale Counties on 29<sup>th</sup> August – 5<sup>th</sup> September, 2013 laid on the Table of the Senate on Thursday, 3<sup>rd</sup> April, 2014.</p> <p><b>RESOLUTION</b>  <b>THAT, the Senate adopts the Report of the Standing Committee on Education, Information and Technology on the County Oversight and Networking Engagement (CONE) to Lamu, Tana River, Kilifi, Mombasa and Kwale Counties on 29<sup>th</sup> August – 5<sup>th</sup> September, 2013 laid on the Table of the Senate on Thursday, 3<sup>rd</sup> April, 2014</b></p>	Thursday, 3 <sup>rd</sup> April	Sen. Juma Boy Juma on behalf of the Chairperson of the Standing Committee on Information and Technology	Sen. Mutahi Kagwe	Does not affect Counties	
33.	<p><b>THAT</b>, the Senate adopts the Report of the Standing Committee on Education, Information and Technology on the Retreat with County Executive Members in Charge of Education and Information Technology (ICT) at the Great Rift Valley Lodge, Naivasha on 11- 14 September, 2013 laid on the Table of the Senate on Thursday, 3<sup>rd</sup> April, 2014.</p>	Thursday, 3 <sup>rd</sup> April 2014	Chairman of the Standing Committee of Information and Technology			

34.	<p><b>THAT</b>, the Senate adopts the Reports of the Standing Committee on Education, Information and Technology on Retreats with County Executive Members in Charge of Education and Information Technology (ICT) held at the Great Rift Valley Lodge, Naivasha on 11th - 14<sup>th</sup> September, 2013, Serena Hotel, Mombasa on 17th – 20th October, 2013 and at Continental Resort, Mombasa on 19th – 22nd December, 2013 laid on the Table of the Senate on Thursday, 3rd April, 2014.</p> <p><b>RESOLUTION</b>  <b>THAT, the Senate adopts the Reports of the Standing Committee on Education, Information and Technology on Retreats with County Executive Members in Charge of Education and Information Technology (ICT) held at the Great Rift Valley Lodge, Naivasha on 11th - 14<sup>th</sup> September, 2013, Serena Hotel, Mombasa on 17th - 20th October, 2013 and at Continental Resort, Mombasa on 19th - 22nd December, 2013 laid on the Table of the Senate on Thursday, 3rd April, 2014</b></p>	Thursday, 3 <sup>rd</sup> April 2014	The Chairperson of the Standing Committee on Information, Communication and Technology	Sen. Joy gwendu		Does not affect counties
35.	<p><b>THAT</b>, the Senate adopts the Report of the Standing Committee on Education, Information and Technology on the Retreat with County Executive Members in Charge of Education and Information Technology (ICT) held at Continental Resort, Mombasa on 19 - 22 December, 2013 laid on the Table of the Senate on Thursday 3<sup>rd</sup> April, 2014.</p>	Thursday, 3 <sup>rd</sup> April 2014	Chairman of the Standing Committee of Information and Technology			
36.	<p><b>THAT</b>, aware that 80 % of Kenya's land comprises arid and semi-arid areas; further aware that nearly 30% of the 47 counties are inhabited by pastoralists who live in arid and semi-arid areas; concerned that these pastoralists are marginalized and face a myriad of socio-economic and physical constraints that make it difficult for their children to access education; appreciating that Article 56(b) of the Constitution of Kenya obligates the state to take affirmative action measures to ensure marginalized groups are provided with special opportunities in educational and economic fields; the Senate urges the National Government to construct boarding facilities in at least three established schools in every ward in arid and semi-arid areas as a means of facilitating nomadic children to access education.</p> <p><b>RESOLUTION</b>  <b>THAT, aware that 80 % of Kenya's land comprises arid and semi-arid areas; further aware that nearly 30% of the</b></p>	Wednesday, 9 <sup>th</sup> April 2014	Sen Halima Abdille	Sen. Sijeny Judy	Does not affect Counties	

	<p><i>47 counties are inhabited by pastoralists who live in arid and semi-arid areas; concerned that these pastoralists are marginalized and face a myriad of socio-economic and physical constraints that make it difficult for their children to access education; appreciating that Article 56(b) of the Constitution of Kenya obligates the state to take affirmative action measures to ensure marginalized groups are provided with special opportunities in educational and economic fields; the Senate urges the National Government to construct boarding facilities in at least three established schools in every ward in arid and semi-arid areas as a means of facilitating nomadic children to access education.</i></p>					
37.	<p><b>THAT</b>, aware that the Kenya Urban Roads Authority (KURA) is vested with the responsibility of developing roads in cities and former municipalities; noting that a number of county headquarters are located within areas formerly known as county councils and therefore road maintenance within such county headquarters would not be the responsibility of KURA; concerned that this arrangement gives undue advantage to county headquarters located within cities and former municipalities compared to those located within the former county council areas; the Senate calls upon the National Government to restructure KURA and expand its mandate to cover road infrastructure in all the forty-seven county headquarters.</p> <p><b>RESOLUTION</b></p> <p><i>THAT, aware that the Kenya Urban Roads Authority (KURA) is vested with the responsibility of developing roads in cities and former municipalities; noting that a number of county headquarters are located within areas formerly known as county councils and therefore road maintenance within such county headquarters would not be the responsibility of KURA; concerned that this arrangement gives undue advantage to county headquarters located within cities and former municipalities compared to those located within the former county council areas; the Senate calls upon the National Government to restructure KURA and expand its mandate to cover road infrastructure in all the forty-seven county headquarters.</i></p>	<p>Wednesday, 9<sup>th</sup> April 2014</p>	<p>Sen. Peter Mositet</p>	<p>Sen. Hargura Godana</p>	<p>Affects counties</p>	<p>Ayes-27 Noes-0 Abstentions-0</p>



38.	<p><b>THAT</b>, the Senate adopts the Report of the Sessional Committee On Devolved Government on the Appeals for the Transfer of Functions to the Counties pursuant to Section 23 (7) of the Transition to Devolved Government Act, 2012, laid on the Table of the Senate on Thursday, 10<sup>th</sup> April, 2014.</p> <p><b>RESOLUTION</b>  <b>THAT, the Senate adopts the Report of the Sessional Committee On Devolved Government on the Appeals for the Transfer of Functions to the Counties pursuant to Section 23 (7) of the Transition to Devolved Government Act, 2012, laid on the Table of the Senate on Thursday, 10<sup>th</sup> April, 2014.</b></p>	Thursday, 10 <sup>th</sup> April 2014	The Chairperson of the Sessional Committee on Devolved Government (Sen. Kipchumba Murkomen)	Sen. Amos Wako	Affects Counties	Ayes-28 Noes-0 Abstentions-0
39.	<p><b>THAT</b>, pursuant to Article 240 (8)(a) of the Constitution and section 18 of the Kenya Defence Forces Act (No. 25 of 2012), the Senate approves the deployment of the Kenya Defence Forces in South Sudan for the purpose of regional peace support operations.</p> <p><b>RESOLUTION</b>  <b>THAT, pursuant to Article 240 (8)(a) of the Constitution and section 18 of the Kenya Defence Forces Act (No. 25 of 2012), the Senate approves the deployment of the Kenya Defence Forces in South Sudan for the purpose of regional peace support operations.</b></p>	Tuesday, 15 <sup>th</sup> April 2014	Senate Majority Leader	Senate Minority Leader	Does not affect Counties	
40.	<p>THAT, this House adopts the Report of the Ad hoc Committee on legislation on royalties accruing from exploitation of natural resources in the counties laid on the Table of the House on Wednesday April 16, 2014.</p> <p><b>RESOLUTION</b>  <b>THAT, this House adopts the Report of the Ad hoc Committee on legislation on royalties accruing from exploitation of natural resources in the counties laid on the Table of the House on Wednesday April 16, 2014.</b></p>	Wednesday, 16 <sup>th</sup> April 2014	The Chairperson of the Ad hoc Committee on legislation on royalties accruing from exploitation of natural resources in the counties	Sen. Liza Chelule	Does not affect counties	
41.	<p><b>THAT</b>, pursuant to the provisions of Standing Order No. 125, the Senate resolves that the publication period of the following Bills be reduced from seven days to one day-</p> <p>(i) The Division of Revenue Bill, 2014; and</p>	Thursday, 17 <sup>th</sup> April 2014	Senate Majority Leader	The Senate Deputy Minority Leader	Does not affect counties	

	<p>(ii) The County Allocation of Revenue Bill, 2014.</p> <p><b>RESOLUTION</b>  <b>THAT, pursuant to the provisions of Standing Order No. 125, the Senate resolves that the publication period of the following Bills be reduced from seven days to one day-</b>  <b>(i) The Division of Revenue Bill, 2014; and</b>  <b>(ii) The County Allocation of Revenue Bill, 2014.</b></p>					
42.	<p><b>THAT,</b> pursuant to Standing Order 30 (3) (a), the Senate resolves to extend its sitting until the conclusion of business appearing in the Order Paper except Order No. 13 and 14.</p> <p><b>RESOLUTION</b>  <b>THAT, pursuant to Standing Order 30 (3) (a), the Senate resolves to extend its sitting until the conclusion of business appearing in the Order Paper except Order No. 13 and 14.</b></p>	Thursday, 17 <sup>th</sup> April 2014		Senate Majority Leader	Does not affect counties	
43.	<p><b>THAT,</b> pursuant to Standing Order 28 (3), this Senate adjourns until Tuesday, 3rd June, 2014.</p> <p><b>RESOLUTION</b>  <b>THAT, pursuant to Standing Order 28 (3), this Senate adjourns until Tuesday, 3rd June, 2014.</b></p>		Senate Majority Leader	Senate Minority Leader	Does not affect counties	
44.	<p><b>THAT, WHEREAS,</b> pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 29<sup>th</sup> April, 2014 the County Assembly of Embu approved a Motion "to remove from office, by impeachment," the County Governor of Embu County;</p> <p><b>AND FURTHER, WHEREAS</b> by letter dated 29<sup>th</sup> April, 2014 (Ref:CAE/SCA/1/35) and received in the Office of the Speaker of the Senate on 30<sup>th</sup> April, 2014, the Speaker of the County Assembly of Embu informed the Speaker of the Senate of the approval of the Motion by the County Assembly and further forwarded to the Speaker of the Senate documents in evidence of the proceedings of the Assembly;</p> <p><b>AND WHEREAS,</b> pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 68(1)(b) of the Senate, by resolution, may appoint a special committee comprising eleven of its Members to investigate the matter;</p> <p><b>NOW THEREFORE,</b> pursuant to section 33(3)(b) of the County</p>	Tuesday, 6 <sup>th</sup> May 2014	Senate Majority Leader	Senate Minority Leader	Affects Counties	Ayes-35 Noes-0 Abstentions-0

Governments Act, 2012 and standing order 68(1)(b), the Senate resolves to establish a Special Committee comprising the following Senators -

1. Senator Kipchumba Murkomen;
2. Senator Kimani Wamatangi;
3. Senator Zipporah Kittony;
4. Senator (Prof.) Wilfred Lesan;
5. Senator Naisula Lesuuda;
6. Senator Peter Mositet;
7. Senator James Orengo;
8. Senator Boni Khalwale;
9. Senator Boy Juma Boy;
10. Senator (Eng.) Hargura Godana; and
11. Senator Judith Sijeny

to investigate the proposed removal from office of the Governor of Embu County and to report to the Senate within ten (10) days of its appointment on whether it finds the particulars of the allegations to have been substantiated.

**RESOLUTION**

*THAT, WHEREAS, pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 29<sup>th</sup> April, 2014 the County Assembly of Embu approved a Motion "to remove from office, by impeachment," the County Governor of Embu County;*

*AND FURTHER, WHEREAS by letter dated 29<sup>th</sup> April, 2014 (Ref:CAE/SCA/1/35) and received in the Office of the Speaker of the Senate on 30<sup>th</sup> April, 2014, the Speaker of the County Assembly of Embu informed the Speaker of the Senate of the approval of the Motion by the County Assembly and further forwarded to the Speaker of the Senate documents in evidence of the proceedings of the Assembly;*

*AND WHEREAS, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 68(1)(b) of the Senate, by resolution, may appoint a special committee comprising eleven of its Members to investigate the matter;*

*NOW THEREFORE, pursuant to section 33(3)(b) of the*

	<p><i>County Governments Act, 2012 and standing order 68(1)(b), the Senate resolves to establish a Special Committee comprising the following Senators -</i></p> <ol style="list-style-type: none"> <li>1) <i>Senator Kipchumba Murkomen;</i></li> <li>2) <i>Senator Kimani Wamatangi;</i></li> <li>3) <i>Senator Zipporah Kittony;</i></li> <li>4) <i>Senator (Prof.) Wilfred Lesan;</i></li> <li>5) <i>Senator Naisula Lesuuda;</i></li> <li>6) <i>Senator Peter Mositet;</i></li> <li>7) <i>Senator James Orengo;</i></li> <li>8) <i>Senator Boni Khalwale;</i></li> <li>9) <i>Senator Boy Juma Boy;</i></li> <li>10) <i>Senator (Eng.) Hargura Godana; and</i></li> <li>11) <i>Senator Judith Sijeny</i></li> </ol> <p><i>to investigate the proposed removal from office of the Governor of Embu County and to report to the Senate within ten (10) days of its appointment on whether it finds the particulars of the allegations to have been substantiated.</i></p>					
45.	<p><b>THAT, WHEREAS</b>, pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 29th April, 2014 the County Assembly of Embu approved a Motion “to remove from office, by impeachment,” the County Governor of Embu County;</p> <p><b>AND FURTHER, WHEREAS</b> by letters; dated 29th April, 2014 (Ref: CAE/SCA/1/35 and 36) and received in the Office of the Speaker of the Senate on 30th April, 2014, and 2nd May, 2014, the Speaker of the County Assembly of Embu informed the Speaker of the Senate of the approval of the Motion by the County Assembly and further forwarded to the Speaker of the Senate documents in evidence of the proceedings of the Assembly;</p> <p><b>AND WHEREAS</b>, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 68(1)(b) the Senate, by resolution on Tuesday, 6th May, 2014 appointed a special committee comprising eleven of its Members to investigate the matter of the proposed removal from office of the Governor of Embu County and to report to the Senate within ten (10) days of its appointment on whether it finds the particulars of the allegations to have been substantiated;</p>	Tuesday, 13 <sup>th</sup> May 2014	Sen. Boni Khalwale	Sen. Kipchumba Murkomen	Affects Counties	Ayes-35 Noes-1 Abstentions-1

**AND WHEREAS**, pursuant to section 33 (4) of the County Governments Act, 2012 and standing order 68 (2), the Special Committee has investigated the matter and tabled its Report on Tuesday, 13th May, 2014;

**AND WHEREAS**, pursuant to section 33 (4) and (6) (b) of the County Governments Act, 2012 and standing order 68 (4) (b), the Special

Committee has found that the particulars of the following allegations against the Governor of Embu County have been substantiated; namely:-

- a) Gross Violation of the Public Procurement and Disposal Act, 2005;
- b) Gross Violation of the Public Finance Management Act, 2012; and
- c) Gross Violation of the Constitution of Kenya;

**NOW THEREFORE**, pursuant to section 33 (6) (b) of the County Governments Act, 2012 and standing order 68 (4) (b), the Senate after

according the Governor of Embu County an opportunity to be heard, resolves to impeach the Governor of Embu County on the following

grounds; namely:-

- a) Gross Violation of the Public Procurement and Disposal Act, 2005;
- b) Gross Violation of the Public Finance Management Act, 2012; and
- c) Gross Violation of the Constitution of Kenya.

**RESOLUTION**

***THAT, WHEREAS, pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 29th April, 2014 the County Assembly of Embu approved a Motion "to remove from office, by impeachment," the County Governor of Embu County;***

***AND FURTHER, WHEREAS by letters; dated 29th April, 2014 (Ref: CAE/SCA/1/35 and 36) and received in the Office of the Speaker of the Senate on 30th April, 2014, and 2nd May, 2014, the Speaker of the County Assembly of Embu informed the Speaker of the Senate of the approval of the Motion by the***

*County Assembly and further forwarded to the Speaker of the Senate documents in evidence of the proceedings of the Assembly;*

*AND WHEREAS, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 68(1)(b) the Senate, by resolution on Tuesday, 6th May, 2014 appointed a special committee comprising eleven of its Members to investigate the matter of the proposed removal from office of the Governor of Embu County and to report to the Senate within ten (10) days of its appointment on whether it finds the particulars of the allegations to have been substantiated;*

*AND WHEREAS, pursuant to section 33 (4) of the County Governments Act, 2012 and standing order 68 (2), the Special Committee has investigated the matter and tabled its Report on Tuesday, 13th May, 2014;*

*AND WHEREAS, pursuant to section 33 (4) and (6) (b) of the County Governments Act, 2012 and standing order 68 (4) (b), the Special Committee has found that the particulars of the following allegations against the Governor of Embu County have been substantiated; namely:-*

- a) Gross Violation of the Public Procurement and Disposal Act, 2005;*
- b) Gross Violation of the Public Finance Management Act, 2012; and*
- c) Gross Violation of the Constitution of Kenya;*

*NOW THEREFORE, pursuant to section 33 (6) (b) of the County Governments Act, 2012 and standing order 68 (4) (b), the Senate after according the Governor of Embu County an opportunity to be heard, resolves to impeach the Governor of Embu County on the following grounds; namely:-*

- a) Gross Violation of the Public Procurement and Disposal Act, 2005;*
- b) Gross Violation of the Public Finance Management Act, 2012; and*
- c) Gross Violation of the Constitution of Kenya.*

46.	<p>THAT, pursuant to Standing Order 18 and Article 107 (1)(c) of the Constitution, the House elects Senator Peter Mositet to preside over sittings of the Senate starting with the remainder of today's sitting until revoked.</p> <p><b>RESOLUTION</b>  <b>THAT, pursuant to Standing Order 18 and Article 107 (1)(c) of the Constitution, the House elects Senator Peter Mositet to preside over sittings of the Senate starting with the remainder of today's sitting until revoked.</b></p>	Thursday, 15 <sup>th</sup> May 2014	Senate Majority Leader		Does not affect Counties	
47.	<p>THAT, WHEREAS, pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 14th May, 2014, the County Assembly of Kericho approved a Motion "to remove from office, by impeachment," the County Governor of Kericho County;</p> <p>AND FURTHER, WHEREAS by letter dated 15th May, 2014 (Ref: KCA/GOV/Vol./1) and received in the Office of the Speaker of the Senate on 16th May, 2014, the Speaker of the County Assembly of Kericho informed the Speaker of the Senate of the approval of the Motion by the County Assembly and further forwarded to the Speaker of the Senate documents in evidence of the proceedings of the Assembly;</p> <p>AND WHEREAS, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 68(1)(b) of the Senate, the Senate by resolution, may appoint a special committee comprising eleven of its Members to investigate the matter;</p> <p>NOW THEREFORE, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 68(1)(b), the Senate resolves to establish a special committee comprising the following Senators -</p> <ol style="list-style-type: none"> <li>1. Sen. Kiraitu Murungi</li> <li>2. Sen. Stephen Sang'</li> <li>3. Sen. Daniel Karaba</li> <li>4. Sen. Fatuma Dullo</li> <li>5. Sen. Beatrice Elachi</li> <li>6. Sen. Billow Kerrow</li> <li>7. Sen. Danson Mwazo Mwakulegwa</li> <li>8. Sen. Christopher Mogere Obure</li> <li>9. Sen. Abdirahman Ali Hassan</li> <li>10. Sen. Catherine Mukiite Nabwala</li> <li>11. Sen. Mutula Kilonzo Junior</li> </ol> <p>to investigate the proposed removal from office of the Governor</p>	Friday, May 23 <sup>rd</sup> 2014	Senate Majority Leader	Senate Minority Leader	Affects Counties	Ayes-26 Noes-0 Abstentions-0

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**The Senate**

**2014**

of Kericho County and to report to the Senate within ten (10) days of its appointment on whether it finds the particulars of the allegations to have been substantiated.

**RESOLUTION**

*THAT, WHEREAS, pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 14th May, 2014, the County Assembly of Kericho approved a Motion "to remove from office, by impeachment," the County Governor of Kericho County;*

*AND FURTHER, WHEREAS by letter dated 15th May, 2014 (Ref: KCA/GOV/Vol./1) and received in the Office of the Speaker of the Senate on 16th May, 2014, the Speaker of the County Assembly of Kericho informed the Speaker of the Senate of the approval of the Motion by the County Assembly*

*and further forwarded to the Speaker of the Senate documents in evidence of the proceedings of the Assembly;*

*AND WHEREAS, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 68(1)(b) of the Senate, the Senate by resolution, may appoint a special committee comprising eleven of its Members to investigate the matter;*

*NOW THEREFORE, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 68(1)(b), the Senate resolves to establish a special committee comprising the following Senators -*

- 1. Sen. Kiraitu Murungi*
- 2. Sen. Stephen Sang'*
- 3. Sen. Daniel Karaba*
- 4. Sen. Fatuma Dullo*
- 5. Sen. Beatrice Elachi*
- 6. Sen. Billow Kerrow*
- 7. Sen. Danson Mwazo Mwakulegwa*
- 8. Sen. Christopher Mogere Obure*
- 9. Sen. Abdirahman Ali Hassan*
- 10. Sen. Catherine Mukiite Nabwala*
- 11. Sen. Mutula Kilonzo Junior*

*to investigate the proposed removal from office of the Governor of Kericho County and to report to the Senate within ten (10) days of its appointment on whether it finds the particulars of the allegations to have been substantiated.*



48.	<p>THAT, aware of the critical role played by the Agricultural sector in Kenya's economy; cognizant of the fact that coconut farming is largely practiced in the coastal region; aware that coconut farming has been largely neglected and its potential not fully exploited for maximum benefits; appreciating that the crop has multiple benefits including the natural '<i>mnazi</i>' drink which has medicinal value, coconut cooking oil, coconut cream, cooking flavors, '<i>makuti</i>' roofing materials, construction poles and brooms; cognizant of the fact that it takes a very long period for the coconut tree to mature for all these benefits to be realized, occasioning delayed revenue generation to the farmer; further aware that modern farming and exploitation techniques of this crop can lead to higher yields resulting in job creation and improved economy; appreciating that the National Government is taking various measures to develop the agricultural sector in the Country; the Senate urges the National Government to take measures aimed at giving incentives to coconut farmers during the long maturity period of the crop so as to motivate and encourage farmers to plant more coconut trees.</p> <p><b><u>RESOLUTION</u></b></p> <p><b><i>THAT, aware of the critical role played by the Agricultural sector in Kenya's economy; cognizant of the fact that coconut farming is largely practiced in the coastal region; aware that coconut farming has been largely neglected and its potential not fully exploited for maximum benefits; appreciating that the crop has multiple benefits including the natural '<i>mnazi</i>' drink which has medicinal value, coconut cooking oil, coconut cream, cooking flavors, '<i>makuti</i>' roofing materials, construction poles and brooms; cognizant of the fact that it takes a very long period for the coconut tree to mature for all these benefits to be realized, occasioning delayed revenue generation to the farmer; further aware that modern farming and exploitation techniques of this crop can lead to higher yields resulting in job creation and improved economy; appreciating that the National Government is taking various measures to develop the agricultural sector in the Country; the Senate urges the National Government to take measures aimed at giving incentives to coconut farmers during the long maturity period of the crop so as</i></b></p>	Wednesday, 4 <sup>th</sup> June 2014	Sen. Elizabeth Ongoro	Sen. Catherine Mukiite	Does not affect counties	

	<i>to motivate and encourage farmers to plant more coconut trees by setting up a National Fund for this purpose.</i>					
49.	<p>THAT, aware that the number of the teenage and pre-teen parents is increasing by the day; noting with concern that majority in this category are girls from poor households and that this problem compounds the vicious circle of poverty in Kenya; recognizing the socio-economic challenges facing this special category of parents including lack of income and entrepreneurial capacity, inadequate parenting skills, low educational levels and lack of health care; appreciating that Article 45 (1) of the Constitution of Kenya recognizes the family as a fundamental unit of society that enjoys protection of the State; cognizant of the fact that the Government has a duty to cater for the youth and children of Kenya; the Senate urges the National Government and the county governments to:-</p> <p>a. put in place mechanisms that will help establish a comprehensive capacity building programme for teenage parents to ensure they practice responsible family life;</p> <p>b. come up with non-discriminatory back to school or training programmes and initiate necessary legal and policy framework that will identify persons within this group to benefit from the programmes; and</p> <p>c. guarantee funding and sustainability of the initiative and other child welfare programmes aimed at benefiting teenage parents.</p> <p><b>RESOLUTION</b></p> <p><i>THAT, aware that the number of the teenage and pre-teen parents is increasing by the day; noting with concern that majority in this category are girls from poor households and that this problem compounds the vicious circle of poverty in Kenya; recognizing the socio-economic challenges facing this special category of parents including lack of income and entrepreneurial capacity, inadequate parenting skills, low educational levels and lack of health care; appreciating that Article 45 (1) of the Constitution of Kenya recognizes the family as a fundamental unit of society that enjoys protection of the State; cognizant of the fact that the Government has a duty to cater for the youth and children of Kenya; the Senate urges the National Government and the county governments to:-</i></p> <p><i>a. put in place mechanisms that will help establish a</i></p>	Wednesday, 4 <sup>th</sup> June 2014	Sen. Elizabeth Ongoro	The Senate Majority Leader	Does not affect counties	

	<p><i>comprehensive capacity building programme for teenage parents to ensure they practice responsible family life;</i></p> <p><i>b. come up with non-discriminatory back to school or training programmes and initiate necessary legal and policy framework that will identify persons within this group to benefit from the programmes; and</i></p> <p><i>c. guarantee funding and sustainability of the initiative and other child welfare programmes aimed at benefiting teenage parents.</i></p>					
50.	<p>THAT, aware that, health services have been devolved in accordance with the Fourth Schedule to the Constitution and that medical doctors and other health practitioners in the public sector have been transferred or are being transferred to the counties; concerned that there is an acute shortage of medical professionals, especially consultants, in the counties, and particularly in rural counties; further concerned that public health personnel, particularly doctors, are apprehensive that their terms of service, including training, pension, remuneration, professional advancement and welfare are not assured and as a result are seeking for employment in private medical institutions in urban centres; cognizant of the grave danger their departure poses to the health sector; the Senate calls upon the National and County Governments to urgently address the concerns of medical practitioners to avert the looming breakdown of health services in counties.</p> <p><b>RESOLUTION</b></p> <p><i>THAT, aware that, health services have been devolved in accordance with the Fourth Schedule to the Constitution and that medical doctors and other health practitioners in the public sector have been transferred or are being transferred to the counties; concerned that there is an acute shortage of medical professionals, especially consultants, in the counties, and particularly in rural counties; further concerned that public health personnel, particularly doctors, are apprehensive that their terms of service, including training, pension, remuneration, professional advancement and welfare are not assured and as a result are seeking for employment in private medical institutions in urban centres; cognizant of the grave danger their departure poses to the health sector; the Senate calls upon the National and County Governments to urgently address the concerns of medical</i></p>	<p>Wednesday, 4<sup>th</sup> June 2014</p>	<p>Sen. Henry Ole Ndiema</p>	<p>Sen (Dr.) Boni Khalwale</p>		<p>Does i affect counties</p>

	<i>practitioners to avert the looming breakdown of health services in counties.</i>					
51.	<p><b>THAT</b>, pursuant to Article 107 (1) (c) of the Constitution and Standing Order 18, the House elects Sen. Mutula Kilonzo Junior to preside over the sittings of the Senate for the remainder of the sitting day.</p> <p><b>RESOLUTION</b></p> <p><b>THAT</b>, pursuant to Article 107 (1) (c) of the Constitution and Standing Order 18, the House elects Sen. Mutula Kilonzo Junior to preside over the sittings of the Senate for the remainder of the sitting day.</p>		Sen. Beatrice Elachi		Does not affect counties	
52.	<p><b>THAT</b>, aware that learners with special needs and disabilities in Kenya are faced with serious challenges including inadequate educational institutions, facilities and specialized teachers to cover all levels of learning; noting that the UN Convention on Rights of Persons with Disabilities became part of Kenyan law in 2008; appreciating that Article 54 (1) (b) of the Constitution gives persons with disabilities the right to access educational institutions and facilities that are integrated into society to the extent compatible with interests of such persons; further appreciating that Article 53 (1) (b) of the Constitution provides for free and compulsory basic education to every child; noting that the Basic Education Act, 2013 emphasizes the need to provide equal opportunities for education to all children including those with special needs and disabilities; the Senate urges the National and County Governments to take immediate measures to mainstream education and training for learners with special needs and disabilities by establishing and equipping at least one institution for children with special needs and disabilities in every county.</p> <p><b>RESOLUTION</b></p> <p><i>THAT, aware that learners with special needs and disabilities in Kenya are faced with serious challenges including inadequate educational institutions, facilities and specialized teachers to cover all levels of learning; noting that the UN Convention on Rights of Persons with Disabilities became part of Kenyan law in 2008; appreciating that Article 54 (1) (b) of the Constitution gives persons with disabilities the right to access</i></p>	Thursday, 12 <sup>th</sup> June 2014	Sen. Daniel Karaba	Sen. Boni Khalwale	Does not affect counties	

	<p><i>educational institutions and facilities that are integrated into society to the extent compatible with interests of such persons; further appreciating that Article 53 (1) (b) of the Constitution provides for free and compulsory basic education to every child; noting that the Basic Education Act, 2013 emphasizes the need to provide equal opportunities for education to all children including those with special needs and disabilities; the Senate urges the National and County Governments to take immediate measures to mainstream education and training for learners with special needs and disabilities by establishing and equipping at least one institution for children with special needs and disabilities in every county.</i></p>					
53.	<p><b>THAT</b>, aware that pursuant to Article 6(2) of the Constitution, the National and County levels of government are distinct and interdependent and that they conduct their mutual relations on the basis of consultation and cooperation; recognizing that the respective functions and powers of National and County Governments are provided for in Article 186 and the Fourth Schedule of the Constitution, and that under paragraphs 6 and 7 of Part 1 of the Fourth Schedule, national security is a function of the national government; further recognizing that Article 187 of the Constitution provides for the transfer of functions and powers from one level of government to the other; cognizant that Nairobi city is the main gateway to Kenya; concerned, however that the threat of terrorism continues to be a major challenge to Nairobi city and the country at large which adversely affects Kenya's image internationally and hampers investment; recognizing that Article 247 of the Constitution allows for establishment of police formations to supplement the National Police Service; the Senate urges the National Government to:</p> <p>a) enter into agreements with the County Government of Nairobi with a view to transforming its City Inspectorate Department into a modern Metropolitan Security Agency capable of detecting and combating criminal activities; and,</p> <p>b) initiate legislation to provide for a legal framework for the complementary roles of the proposed Nairobi Metropolitan Security Agency to supplement the role of National</p>		Sen(Prof. Kithure Kindiki)	Sen. Otieno Kajwang	Affects counties	Ayes-25 Noes-0 Abstentions-0

	<p>Security Agencies in Nairobi and its environs.</p> <p><b><u>Resolution</u></b>  <i>THAT, aware that pursuant to Article 6(2) of the Constitution, the National and County levels of government are distinct and interdependent and that they conduct their mutual relations on the basis of consultation and cooperation; recognizing that the respective functions and powers of National and County Governments are provided for in Article 186 and the Fourth Schedule of the Constitution, and that under paragraphs 6 and 7 of Part 1 of the Fourth Schedule, national security is a function of the national government; further recognizing that Article 187 of the Constitution provides for the transfer of functions and powers from one level of government to the other; cognizant that Nairobi city is the main gateway to Kenya; concerned, however that the threat of terrorism continues to be a major challenge to Nairobi city and the country at large which adversely affects Kenya's image internationally and hampers investment; recognizing that Article 247 of the Constitution allows for establishment of police formations to supplement the National Police Service; the Senate urges the National Government to:</i></p> <p><i>a) enter into agreements with the County Government of Nairobi with a view to transforming its City Inspectorate Department into a modern Metropolitan Security Agency capable of detecting and combating criminal activities; and,</i></p> <p><i>b) initiate legislation to provide for a legal framework for the complementary roles of the proposed Nairobi Metropolitan Security Agency to supplement the role of National Security Agencies in Nairobi and its environs.</i></p>				
54.	<p>THAT, aware that the fourth Schedule of the Constitution of Kenya assigns the role of regulating universities, tertiary educational institutions and other institutions of research and higher learning to the national government; noting that section</p>	<p>Thursday, 19<sup>th</sup> June 2014</p>	<p>Sen. Halima Abdille on behalf of Sen. Daniel</p>		

	<p>5 of the Universities Act, 2013 mandates the Commission for University Education to oversee the establishment and accreditation of universities and to ensure the maintenance of standards for courses of study and examinations in the universities; concerned at the rate at which institutions of higher learning are mushrooming across the country; aware that the growth of universities in Kenya has led to the regrettable demise of some reputable middle-level colleges; cognizant of the fact that the standards and quality of facilities available, courses offered and examinations administered by some of these institutions are substandard; recognizing that Kenya's Vision 2030 underscores the critical role of education in the country's socio-economic development, and that its realization is threatened by the low quality education provided by some of these institutions; the Senate urges the National Government to take immediate measures to develop clear policy guidelines on accreditation of institutions of higher learning in line with the Universities Act, 2013 and other relevant laws in order to ensure provision of globally competitive education, training and research for sustainable development.</p>		Karaba			
55.	<p><b>THAT</b>, cognizant that the core mandate of the National AIDS Control Council(NACC) is to develop strategies, policies and guidelines relevant to prevention and control of HIV and AIDS in Kenya; noting that the operational structure of NACC has not been aligned to the Constitution of Kenya, 2010; acknowledging the objects of devolution as set out under Article 174 of the Constitution; recognizing that under the Fourth Schedule to the constitution the health function has been devolved except for the health policy and referral hospitals; concerned that an estimated 1.2million Kenyans are infected with HIV/AIDS with approximately 100,000 persons being infected annually; recognizing the need to achieve an "AIDS" free society' by stepping up the fight against the pandemic at the County level, the senate urges the National Government to set up National AIDS Control Council (NACC) County offices in all the County headquarters with the National headquarters providing overall co-ordination and that the resources allocated for the fight against HIV/AIDS be disbursed and managed at the County level.</p>	Tuesday, 21 <sup>st</sup> June 2014	Sen. Sammy Leshore			

56.	THAT, this House adopts the Report of the Standing Committee on Energy, Roads and Transportation on the benchmarking visit to New Zealand, Australia and the United Arab Emirates – February 22nd – 4th March, 2014, laid on the Table of the House on Tuesday, 1st July, 2014.	Tuesday, 1 <sup>st</sup> July 2014	Chairperson of the Standing Committee on Energy			
57.	<b>THAT</b> , the Senate adopts the Report of the Standing Committee on Agriculture, Lands and Natural Resources on the Study Tour to Spain between 28th March- 6th April, 2014	Thursday, 10 <sup>th</sup> July 2014	The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries			
58.	<b>THAT</b> , noting that the crime of genocide entails the deliberate killing of a large group of people, especially those of a particular nation or ethnic group; concerned further that there is evidence that the crime of genocide may be occurring in our neighbouring Republic of South Sudan; aware that the Republic of Kenya is of strategic and economic importance to all countries of the East African Region; noting that the Republics of Kenya and Uganda are hosting a majority of the kith and kin of the military generals and other combatants of the protagonist sides to the conflict who are suspected of perpetrating genocide in South Sudan; the Senate urges the National Government to take immediate action against those suspected to be perpetrating genocide in South Sudan by imposing sanctions against them, including but not limited to freezing of their bank accounts, deportation of their families and such other action as will force the protagonists to stop the genocide and settle their disputes in a peaceful manner.	Thursday, 10 <sup>th</sup> July 2014	Sen. (Dr.) Boni Khalwale			
59.	<b>THAT</b> , the Senate notes and adopts the report of the Ad Hoc Committee on the establishment of the Public Compensation Bureau laid on the Table of the House on Wednesday 16th July, 2014. <b>RESOLUTION</b> <b>THAT, the Senate notes and adopts the report of the Ad Hoc Committee on the establishment of the Public Compensation Bureau laid on the Table of the House on Wednesday 16th July, 2014.</b>	Wednesday, 16 <sup>th</sup> July 2014	The Chairperson of the Ad Hoc Committee on the Public Compensation Bureau	Sen. Fatuma Dullo		Does it affect counties
60.	<b>THAT</b> , this House adopts the Annual Report of the Standing Committee on Energy, Roads and Transportation for the period between May, 2013 to April, 2014 laid on the Table of the	Wednesday, 16 <sup>th</sup> July 2014	The Chairperson of the			



	House on Wednesday 16th July, 2014.		Standing Committee on Energy, Roads and Transportation			
61.	<p><b>THAT</b>, the thanks of the Senate be recorded for the Address by the President of the Senate of Rwanda, the Rt. Hon. (Dr.) Jean Damascene Ntawukuliryayo delivered on Tuesday, 22nd July, 2014.</p> <p><b>Resolution</b></p> <p><b>THAT, the thanks of the Senate be recorded for the Address by the President of the Senate of Rwanda, the Rt. Hon. (Dr.) Jean Damascene Ntawukuliryayo delivered on Tuesday, 22nd July, 2014.</b></p>	Tuesday, 22nd July 2014	The Senate Majority Leader	Sen. (Prof.) Anyang' Nyongo	Does not affect counties	
62.	<p><b>THAT</b>, the Senate approves the Report of the Mediation Committee on the Division of Revenue Bill (National Assembly Bill No. 15 of 2014) laid on the Table of the Senate on Tuesday, 22nd July, 2014.</p> <p><b>Resolution</b></p> <p><b>THAT, the Senate approves the Report of the Mediation Committee on the Division of Revenue Bill (National Assembly Bill No. 15 of 2014) laid on the Table of the Senate on Tuesday, 22nd July, 2014.</b></p>	Tuesday, 22nd July 2014	The Vice-Chairperson of the Mediation Committee	Sen. Mutula Kilonzo Junior	Affects counties	Ayes-30 Noes-0 Abstentions-0
63.	<b>THAT</b> , the Senate adopts the Report of the Ad Hoc Committee on Legislation on <i>Harambee</i> laid on the Table of the Senate on Tuesday, 19th June, 2014.	Tuesday, 22nd July 2014	The Chairperson of the <i>Ad Hoc</i> Committee on Legislation on <i>Harambee</i>			
64.	THAT, this House adopts the Report of the Standing Committee on Agriculture, Livestock and Fisheries on the status of food security in Baringo County laid on the Table of the Senate on Thursday, 24th July, 2014.	Thursday, 24th July 2014	The Vice-Chairperson of the Standing Committee on Agriculture, Livestock and Fisheries			
65.	<b>THAT, WHEREAS</b> , pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 23rd July, 2014 the County Assembly of Machakos approved a	Thursday, 31st August	The Senate Majority Leader	The Senate Minority Leader	Affects counties	Ayes-31 Noes-0 Abstentions-0

	<p>Motion <i>"to remove from office, by impeachment,"</i> the Deputy Governor of Machakos County;</p> <p><b>AND FURTHER, WHEREAS</b> by letter dated 24<sup>th</sup> July 2014 (Ref:MKSCA/ADM/IMPDG/Vol 1/6 and received in the Office of the Speaker of the Senate on 25<sup>th</sup> July, 2014, the Speaker of the County Assembly of Machakos informed the Speaker of the Senate of the approval of the Motion by the County Assembly and further forwarded to the Speaker of the Senate documents in evidence of the proceedings of the Assembly;</p> <p><b>AND WHEREAS</b>, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 68(1)(b) of the Senate, by resolution, may appoint a special committee comprising eleven of its Members to investigate the matter;</p> <p><b>NOW THEREFORE</b>, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 68(1)(b), the Senate resolves to establish a Special Committee comprising the following Senators -</p> <ol style="list-style-type: none"> <li>1. Sen. Lenny Kivuti;</li> <li>2. Sen. Mutahi Kagwe;</li> <li>3. Sen. Sammy Leshore;</li> <li>4. Sen. Abu Chiaba;</li> <li>5. Sen. Martha Wangari;</li> <li>6. Sen. Njoroge Ben;</li> <li>7. Sen. (Prof.) Peter Anyang' Nyong'o;</li> <li>8. Sen. Kennedy Mong'are Okong'o;</li> <li>9. Sen. (Dr.) Agnes Zani;</li> <li>10. Sen. Daisy Kanainza; and</li> <li>11. Sen. Hassan Omar Hassan</li> </ol> <p>to investigate the proposed removal from office of the Deputy Governor of Machakos County and to report to the Senate within ten (10) days of its appointment on whether it finds the</p>	2014				s-0
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particulars of the allegations to have been substantiated.

**RESOLUTION**

*THAT, WHEREAS, pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 23<sup>rd</sup> July, 2014 the County Assembly of Machakos approved a Motion "to remove from office, by impeachment," the Deputy Governor of Machakos County;*

*AND FURTHER, WHEREAS by letter dated 24<sup>th</sup> July 2014 (Ref:MKSCA/ADM/IMPDG/Vol 1/6 and received in the Office of the Speaker of the Senate on 25<sup>th</sup> July, 2014, the Speaker of the County Assembly of Machakos informed the Speaker of the Senate of the approval of the Motion by the County Assembly and further forwarded to the Speaker of the Senate documents in evidence of the proceedings of the Assembly;*

*AND WHEREAS, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 68(1)(b) of the Senate, by resolution, may appoint a special committee comprising eleven of its Members to investigate the matter;*

*NOW THEREFORE, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 68(1)(b), the Senate resolves to establish a Special Committee comprising the following Senators -*

- 1) Sen. Lenny Kivuti;*
- 2) Sen. Mutahi Kagwe;*
- 3) Sen. Sammy Leshore;*
- 4) Sen. Abu Chiaba;*
- 5) Sen. Martha Wangari;*
- 6) Sen. Njoroge Ben;*
- 7) Sen. (Prof.) Peter Anyang' Nyong'o;*
- 8) Sen. Kennedy Mong'are Okong'o;*
- 9) Sen. (Dr.) Agnes Zani;*

	<p>10) Sen. Daisy Kanainza; and</p> <p>11) Sen. Hassan Omar Hassan</p> <p><i>to investigate the proposed removal from office of the Deputy Governor of Machakos County and to report to the Senate within ten (10) days of its appointment on whether it finds the particulars of the allegations to have been substantiated.</i></p>					
66.	<p><b>THAT</b>, pursuant to Standing Order 28 (4), the Senate resolves to alter its calendar (Regular Sessions) for the Second session for the recess to commence on 11<sup>th</sup> August, 2014 and end on 23<sup>rd</sup> September, 2014.</p>	Thursday, 31 <sup>st</sup> July 2014	The Senate Majority Leader	The Senate Minority Leader	Does not affect counties	
67.	<p><b>THAT</b>, This House adopts the report of the Standing Committee on Finance, Commerce and Budget and pursuant to the provisions of Section 17 (7) of the Public Finance Management Act, the Senate approves the County Government Cash Disbursement Schedule for the Fiscal Year 2014/2015, laid on the Table of the House on Wednesday, 6<sup>th</sup> August, 2014.</p> <p><b><u>RESOLUTION</u></b></p> <p><b><i>THAT, This House adopts the report of the Standing Committee on Finance, Commerce and Budget and pursuant to the provisions of Section 17 (7) of the Public Finance Management Act, the Senate approves the County Government Cash Disbursement Schedule for the Fiscal Year 2014/2015, laid on the Table of the House on Wednesday, 6<sup>th</sup> August, 2014.</i></b></p>	Wednesday, 6 <sup>th</sup> August 2014	The Chairperson of the Standing Committee on Finance, Commerce and Budget	Sen. Mutula Kilonzo Junior	Affects counties	Ayes-30 Noes-0 Abstentions-0
68.	<p><b>THAT WHEREAS</b>, pursuant to Article 96(1) of the Constitution, the Senate <i>"represents the Counties and serves to protect the interests of their counties and their governments"</i>;</p> <p><b>AND WHEREAS</b>, pursuant to Article 96(3) of the Constitution, the Senate <i>"exercises oversight over national revenue allocated to the county governments"</i>;</p> <p><b>AND FURTHER WHEREAS</b>, the County Public Accounts Committee is mandated under standing order 212(3) of the Senate Standing Orders to among other things-</p>	Thursday, 7 <sup>th</sup> August 2014	The Chairperson, Sessional Committee on County Public Accounts and Investments	Sen. Hassan Omar	Affects counties	Ayes-31 Noes-0 Abstentions-0

- (1) exercise oversight over national revenue allocated to County Governments pursuant to Article 96(3);
- (2) examine reports of the Controller of Budget on the implementation of the budgets of County Governments pursuant to Article 228(6) of the Constitution; and
- (3) examine reports of the Auditor-General of the annual accounts of County Governments pursuant to Article 229(7) and (8) of the Constitution;

**AND PURSUANT TO** Article 125 of the Constitution, the Senate Public Accounts Committee invited the following Governors, in their capacities, in accordance with Article 179(4) of the Constitution, as the chief executive officers of their respective Counties, to appear before it to respond to audit queries raised by the Auditor-General pursuant to Article 229 of the Constitution-

- (1) Governor Isaac Ruto of Bomet County;
- (2) Governor Jack Ranguma of Kisumu County;
- (3) Governor William Kabogo of Kiambu County; and
- (4) Governor Mwangi wa Iria of Murang'a County;

**AND WHEREAS**, despite invitation by the Committee, the said Governors, who were duly invited, have, failed and or refused to appear before the Committee to answer the audit queries raised by the Auditor-General with respect to whether or not public monies have been applied lawfully and in an effective manner by the respective County Governments;

**NOW THEREFORE**, the Senate resolves that pursuant to Article 228(4) and (5) of the Constitution, the Controller of Budget should not authorize any withdrawal of public funds by the following County Governments until the County Governments have responded to the audit queries to the satisfaction of the Senate-

- (1) The County Government of Bomet;
- (2) The County Government of Kisumu;
- (3) The County Government of Kiambu; and
- (4) The County Government of Murang'a,

**RESOLUTION**

*THAT WHEREAS, pursuant to Article 96(1) of the Constitution, the Senate “represents the Counties and serves to protect the interests of their counties and their governments”;*

*AND WHEREAS, pursuant to Article 96(3) of the Constitution, the Senate “exercises oversight over national revenue allocated to the county governments”;*

*AND FURTHER WHEREAS, the County Public Accounts Committee is mandated under standing order 212(3) of the Senate Standing Orders to among other things-*

*(1) exercise oversight over national revenue allocated to County Governments pursuant to Article 96(3);*

*(2) examine reports of the Controller of Budget on the implementation of the budgets of County Governments pursuant to Article 228(6) of the Constitution; and*

*(3) examine reports of the Auditor-General of the annual accounts of County Governments Article 229(7) and (8);*

*AND PURSUANT TO Article 125 of the Constitution, the Senate Public Accounts Committee invited the following Governors, in their capacities, in accordance with Article 179(4) of the Constitution, as the chief executive officers of their respective Counties, to appear before it to respond to audit queries raised by the Auditor-General pursuant to Article 229 of the Constitution-*

- 1. Governor Isaac Ruto of Bomet County;*
- 2. Governor Jack Ranguma of Kisumu County;*
- 3. Governor William Kabogo of Kiambu County; and*
- 4. Governor Mwangi wa Iria of Murang’a County;*

*AND WHEREAS, despite invitation by the Committee, the said Governors, who were duly invited, have, failed and or refused to appear before the Committee to answer the audit queries raised by the Auditor-General with respect to whether or not public monies have been applied lawfully and in an effective manner by the respective County Governments;*

	<p><b><u>NOW THEREFORE</u></b>, the Senate resolves that pursuant to Article 228(4) and (5) of the Constitution, the Controller of Budget should not authorize any withdrawal of public funds by the following County Governments until the County Governments have responded to the audit queries to the satisfaction of the Senate-</p> <ol style="list-style-type: none"> <li>1. The County Government of Bomet;</li> <li>2. The County Government of Kisumu;</li> <li>3. The County Government of Kiambu; and</li> <li>4. The County Government of Murang'a</li> </ol> <p>and the National Treasury pursuant to Article 225 of the Constitution and section 96 of the Public Finance Management Act, 2012 shall stop the transfer of funds to the said County Governments.</p>					
69.	<p><b>THAT</b>, aware that Kenya is known for its splendid performance in athletics; noting that athletics is part of Brand Kenya; appreciating that the Kenyan athletes are good ambassadors and have done the country proud; noting further that the Kenya team took part in the recently concluded Commonwealth Games in Glasgow, Scotland and were ranked number nine overall; appreciating that the team put up a good performance and won a total of twenty five medals, of which, ten were gold, ten silver and five bronze; appreciating that it was the first time for Kenya to win a gold medal in the field events; cognizant of the fact that such performance will inspire upcoming athletes; the Senate records its commendation to the Kenya team for the sterling performance in the Commonwealth Games held in Glasgow, Scotland.</p> <p><b><u>RESOLUTION</u></b></p> <p><b>THAT</b>, aware that Kenya is known for its splendid performance in athletics; noting that athletics is part of Brand Kenya; appreciating that the Kenyan athletes are good ambassadors and have done the country proud; noting further that the Kenya team took part in the recently concluded Commonwealth Games in Glasgow, Scotland and were ranked number nine overall; appreciating that the team put up a good performance and won a total of twenty five medals, of which, ten were gold, ten silver and five bronze; appreciating that it was</p>	Thursday, August 7 <sup>th</sup> 2014	Sen. Martha Wangari	Se. Kennedy Okong'o	Does not affect counties	

	<i>the first time for Kenya to win a gold medal in the field events; cognizant of the fact that such performance will inspire upcoming athletes; the Senate records its commendation to the Kenya team for the sterling performance in the Commonwealth Games held in Glasgow, Scotland.</i>					
70.	<p><b>THAT</b>, pursuant to Standing Order 28 (3), the Senate do now adjourn until Tuesday, 23<sup>rd</sup> September, 2014.</p> <p><u><b>Resolution</b></u>  <b>THAT, pursuant to Standing Order 28 (3), the Senate do now adjourn until Tuesday, 23<sup>rd</sup> September, 2014.</b></p>	Thursday, 7 <sup>th</sup> August 2014	The Senate Majority Whip	The Senate Minority Whip	Does not affect counties	
71.	<p><b>THAT WHEREAS</b>, pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 23<sup>rd</sup> July, 2014 the County Assembly of Machakos approved a Motion <i>“to remove from office, by impeachment,”</i> the Deputy Governor of Machakos County;</p> <p><b>AND FURTHER, WHEREAS</b> by letter dated 24<sup>th</sup> July 2014 (Ref:MKSCA/ADM/IMPDG/Vol 1/6)and received in the Office of the Speaker of the Senate on 25<sup>th</sup> July, 2014, the Speaker of the County Assembly of Machakos informed the Speaker of the Senate of the approval of the Motion by the County Assembly and further forwarded to the Speaker of the Senate documents in evidence of the proceedings of the Assembly;</p> <p><b>AND WHEREAS</b>, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 68(1)(b), the Senate, by resolution, may appoint a special committee comprising eleven of its Members to investigate the matter;</p> <p><b>AND WHEREAS</b>, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 68(1)(b), the Senate, by resolution on 5<sup>th</sup> August, 2014 appointed a special committee comprising eleven of its Members to investigate the matter of the proposed removal from office of the Deputy Governor of Machakos County and to report to the Senate within ten (10) days of its appointment on whether it finds the particulars of the allegations to have been substantiated;</p> <p><b>AND WHEREAS</b>, pursuant to section 33 (4) of the County</p>	Friday, 15 <sup>th</sup> August 2014	The Chairperson of the Special Committee on the Proposed Removal from Office of the Deputy Governor of Machakos County	Sen. Kennedy Okong'o	Affects counties	<p><u><b>Charge 1</b></u>  Gross Violation the National Cohesion and Integratic Act  Ayes-5  Noes-17  Abstentions-3</p> <p><u><b>Charge 2</b></u>  Abuse of Office  Ayes-6  Noes-17  Abstentions-2</p>



	<p>Governments Act, 2012 and standing order 68 (2), the Special Committee has investigated the matter and tabled its Report on Friday, 15<sup>th</sup> August, 2014;</p> <p><b>AND WHEREAS</b>, pursuant to section 33 (4) and (6) (b) of the County Governments Act, 2012 and standing order 68 (4) (b), the Special Committee has found that the particulars of the following allegations against the Deputy Governor of Machakos County have been substantiated; namely:-</p> <p>a) Gross Violation of the National Cohesion and Integration Act; and</p> <p>b) Abuse of office;</p> <p><b>NOW THEREFORE</b>, pursuant to section 33 (6) (b) of the County Governments Act, 2012 and standing order 68 (4) (b), the Senate, after according the Deputy Governor of Machakos County an opportunity to be heard, resolves to impeach the Deputy Governor of Machakos County on the following grounds; namely:-</p> <p>a) Gross Violation of the National Cohesion and Integration Act; and</p> <p>b) Abuse of office.</p>					
72.	<p>THAT, pursuant to Standing Order 30 (3) (a) and (4), the Senate resolves to extend its sitting time until the conclusion of the Business appearing in today's Supplementary Order Paper.</p> <p><b>RESOLUTION</b>  <b>THAT, pursuant to Standing Order 30 (3) (a) and (4), the Senate resolves to extend its sitting time until the conclusion of the Business appearing in today's Supplementary Order Paper.</b></p>		The Senate Majority Whip			
73.	<p>THAT, the amendment by the National Assembly to the County Allocation of Revenue Bill (Senate Bill No. 13 of 2014) be now considered.</p> <p><b>RESOLUTION</b>  <b>THAT, the amendment by the National Assembly to the County Allocation of Revenue Bill (Senate Bill No. 13 of 2014) be now considered.</b></p>	Tuesday, 2 <sup>nd</sup> September 2014	The Deputy Senate Majority Leader	The Senate Minority Chief Whip	Affects counties	Ayes-29 Noes-0 Abstentions-1

74.	<b>THAT</b> , the Senate adopts the report of the 7 <sup>th</sup> African Evaluation Association Conference held in Yaounde, Cameroon, between 3 <sup>rd</sup> – 4 <sup>th</sup> March, 2014 laid on the Table of the Senate on Tuesday, 23 <sup>rd</sup> September, 2014.	Tuesday, 23 <sup>rd</sup> September 2014	Sen. (Dr) Wilfed Machage			
75.	<b>THAT</b> , the Senate adopts the report of the Annual Investment Meeting held in Dubai, UAE between 8 <sup>th</sup> – 11 <sup>th</sup> April, 2014 laid on the Table of the Senate on Tuesday, 23 <sup>rd</sup> September, 2014.	Tuesday, 23 <sup>rd</sup> September 2014	Sen. (Eng) Muriuki Karue			
76.	<b>THAT</b> , aware that county transport is one of the devolved functions under the Fourth Schedule to the Constitution; noting that Article 54 (1) (c) of the Constitution entitles persons with disability to reasonable access to all places, public transport and information; further aware that under Article 27(1) of the Constitution, every person is equal before the law and has the right to equal protection and equal benefit of the law; concerned that people with disability continue to be discriminated against in the construction of foot bridges across the country; noting that if the situation is not urgently remedied, the lives of people with disability who cannot cross roads without assistance will continue to be in danger; the Senate urges all county governments to construct wheelchair accessible footbridges on major county roads for use by people with disability.	Tuesday, 30 <sup>th</sup> September 2014	Sen. Joy Gwendu			
77.	THAT, aware that Isiolo County is one of the forty seven (47) county governments established by the Constitution of Kenya; cognizant of the fact that a county government comprises of a county executive and a county assembly; further aware that on 4 <sup>th</sup> June, 2014, the Isiolo County Assembly resolved to impeach their Speaker; noting that on 16 <sup>th</sup> June, 2014 the High Court of Kenya sitting in Meru reinstated the Speaker of Isiolo County Assembly, temporarily; further noting that the Isiolo County Assembly appealed against the said decision of the High Court, an appeal which has since been declined; concerned that the working relationship between the Speaker and most Members of the County Assembly of Isiolo has deteriorated, adversely affecting the Assembly in the discharge of its statutory mandate; noting that pursuant to Article 96 (1) of the Constitution of Kenya, the Senate represents the counties, and serves to protect the interests of the counties and their governments; the Senate directs the Sessional Committee on Devolved Government to expeditiously inquire into the	Wednesday, 1 <sup>st</sup> October 2014	Sen. Fatuma Dullo	Sen. Hargura Godana		

	matter with a view to solving the wrangles in the County Assembly and report within three (3) weeks.					
78.	<b>THAT</b> , the Senate adopts the reports of the ACP-EU Joint Parliamentary Assembly meetings held in 2013; the 35 <sup>th</sup> session of the ACP Parliamentary Assembly and the 27 <sup>th</sup> session of the ACP-EU Joint Parliamentary Assembly held in Strasbourg, France from 12 <sup>th</sup> to 19 <sup>th</sup> March, 2014 laid on the Table of the Senate on Wednesday, 1 <sup>st</sup> October, 2014.	Wednesday, 1 <sup>st</sup> October 2014	Sen. Kembi-Gitura			
79.	<b>Henry ndiema health 1st</b>					
80.	THAT, pursuant to Standing Order 28 (4) and 53 (b) of the Senate Standing Orders, and following the challenges in the management and operations in Makueni and Isiolo county governments, the Senate resolves to alter its calendar (Regular Sessions) for an adjournment commencing today, Thursday 2nd October, 2014 to resume on Tuesday 21st October, 2014 to allow the Senate to intervene in the reconciliation process in the two counties.	Thursday, 2 <sup>nd</sup> October 2014	The Senate Majority Leader	Sen. Boni Khalwale	Does not affect counties	
81.	<b>THAT</b> , pursuant to the provisions of Standing Order 24 (6), the Thanks of the Senate be recorded for the Address of H.E the President delivered on Monday, 6 <sup>th</sup> October, 2014 during the special sitting of Parliament. <b>RESOLUTION</b> <b>THAT, pursuant to the provisions of Standing Order 24 (6), the Thanks of the Senate be recorded for the Address of H.E the President delivered on Monday, 6<sup>th</sup> October, 2014 during the special sitting of Parliament.</b>	Tuesday, 21 <sup>st</sup> October 2014	The Senate Majority Leader	Sen. Billow Kerrow	Does not affect counties	
82.	<b>THAT</b> , aware that pursuant to Article 96 (1) of the Constitution of Kenya, the Senate represents the counties, and serves to protect the interests of the counties and their governments; further aware that several adverse orders restraining the Senate from executing its role have been issued by the courts; appreciating the need for the Senate to execute its constitutional mandate without interference; further appreciating the wealth of experience and knowledge possessed by Senators in various fields; the Senate resolves to establish an Ad Hoc Committee, with effect from 2 <sup>nd</sup> September, 2014, comprising the following Senators to closely monitor court	Tuesday, 21 <sup>st</sup> October 2014	Sen Mutula Kilonzo Jr	Sen. Stephen Sang	Does not affect counties	

	<p>cases involving the Senate or which have an impact on the Constitutional mandate of the Senate, and apprise the House from time to time and in any event report to the Senate within six months-</p> <ol style="list-style-type: none"> <li>1. Sen. Amos Wako - Chairperson</li> <li>2. Sen. Kembi-Gitura</li> <li>3. Sen. (Prof.) Kithure Kindiki</li> <li>4. Sen. Moses Wetang'ula</li> <li>5. Sen. Kiraitu Murungi</li> <li>6. Sen. Fatuma Dullo</li> <li>7. Sen. Mutula Kilonzo Jr.</li> <li>8. Sen. Stephen Sang'</li> <li>9. Sen. (Dr.) Boni Khalwale</li> <li>10. Sen. Hassan Omar</li> <li>11. Sen. Judith Sijeny</li> <li>12. Sen. Kipchumba Murkomen</li> <li>13. Sen. Ekwee Ethuro; Speaker of the Senate (Ex - officio)</li> </ol> <p><b>RESOLUTION</b>  <i>THAT, aware that pursuant to Article 96 (1) of the Constitution of Kenya, the Senate represents the counties, and serves to protect the interests of the counties and their governments; further aware that several adverse orders restraining the Senate from executing its role have been issued by the courts; appreciating the need for the Senate to execute its constitutional mandate without interference; further appreciating the wealth of experience and knowledge possessed by Senators in various fields; the Senate resolves to establish an Ad Hoc Committee, with effect from 2<sup>nd</sup> September, 2014, comprising the following Senators to closely monitor court cases involving the Senate or which have an impact on the Constitutional mandate of the Senate, and apprise the House from time to time and in any event report to the Senate within six months-</i></p> <ol style="list-style-type: none"> <li>1. Sen. Amos Wako - Chairperson</li> <li>2. Sen. Kembi-Gitura</li> </ol>				
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	<p>3. <i>Sen. (Prof.) Kithure Kindiki</i></p> <p>4. <i>Sen. Moses Wetang'ula</i></p> <p>5. <i>Sen. Kiraitu Murungi</i></p> <p>6. <i>Sen. Fatuma Dullo</i></p> <p>7. <i>Sen. Mutula Kilonzo Jr.</i></p> <p>8. <i>Sen. Stephen Sang'</i></p> <p>9. <i>Sen. (Dr.) Boni Khalwale</i></p> <p>10. <i>Sen. Hassan Omar</i></p> <p>11. <i>Sen. Judith Sijeny</i></p> <p>12. <i>Sen. Kipchumba Murkomen</i></p> <p>13. <i>Sen. James Orengo</i></p> <p>14. <i>Sen. Beatrice Elachi</i></p> <p>15. <i>Sen. (Dr.) Agnes Zani</i></p> <p>16. <i>Sen. Ekwee Ethuro; Speaker of the Senate</i> (Ex – officio)</p>					
83.	<p>THAT, this House adopts the Report of the Sessional Committee on Implementation on the status of the Implementation of the Resolutions of the Senate laid on the floor of the House today Tuesday 21<sup>st</sup> October, 2014.</p>	<p>Tuesday, 21<sup>st</sup> October 2014</p>	<p>The Chairperson, Sessional Committee on Implementation</p>			
84.	<p>THAT, aware that devolution is the transfer of functions, resources and power to the sub-national levels of government in order to promote participation, democracy and sustainable development for the benefit of all citizens of Kenya; denoting that pre-primary education, village polytechnics, homecraft centres and childcare facilities are devolved functions; concerned that the department of Education still upholds the historical classification of secondary schools into national, provincial and district; cognizant of the fact that such categorization has implications in terms of funding,</p>	<p>Thursday, 23<sup>rd</sup> October 2014</p>	<p>Sen. (Dr.) Agnes Zani</p>			

	administration and eventually academic performance; appreciating that in a devolved system, counties will play a big role in the educational outcomes of their counties and that the current classification limits choices and admissions besides lack of consistency in the types of schools nationally; the Senate urges the Department of Education to take immediate action to review the categorization of secondary schools as national, provincial or district schools and instead rename all secondary schools as county schools.					
85.	<p><b>THAT</b>, recognizing the role played by Prof. Ali Mazrui in the pre and post-independence history of Africa; noting that Prof. Mazrui who was born in Mombasa rose to be one of the most respected scholars and political writers who has labored to improve the African situation as a distinguished academic and scholar on African and Islamic studies, in the process indelibly putting Kenya on the global scholarly map; recognizing that due to his exemplary credentials and attributes, he was honored with numerous national and international leadership positions and awards; regretting that Prof. Mazrui passed away on 13<sup>th</sup> October, 2014 in the United States of America; the Senate joins the family, friends, the Kenyan people and the international community in eulogizing and paying tribute to the academic icon, nationalist and Pan-Africanist who has left a remarkable and lasting legacy in the world.</p> <p><b>RESOLUTION</b></p> <p><b><i>THAT, recognizing the role played by Prof. Ali Mazrui in the pre and post-independence history of Africa; noting that Prof. Mazrui who was born in Mombasa rose to be one of the most respected scholars and political writers who has labored to improve the African situation as a distinguished academic and scholar on African and Islamic studies, in the process indelibly putting Kenya on the global scholarly map; recognizing that due to his exemplary credentials and attributes, he was honored with numerous national and international leadership positions and awards; regretting that Prof. Mazrui passed away on 13<sup>th</sup> October, 2014 in the United States of America; the Senate joins the family, friends, the Kenyan people and the international community in eulogizing and paying tribute to the academic icon, nationalist and Pan-Africanist who has left a remarkable and lasting legacy in the world.</i></b></p>	Thursday, 23 <sup>rd</sup> October 2014	Sen. Moses Wateng'ula	Sen. (Prof.) Kithure Kindiki	Does not affect counties	

86.	THAT, this House adopts the Report of the Standing Committee on Health on the 67 <sup>th</sup> World Health Assembly held in Geneva, Switzerland on May 19-24, 2014 laid on the Table on Tuesday, 4 <sup>th</sup> November, 2014.	Tuesday, 4 <sup>th</sup> November 2014	Sen. (Dr.) Mohammed Kuti			
87.	<b>THAT</b> , noting the constitutional role of the Senate in the protection of the interests of counties and their governments and in the implementation of the devolved system of Government pursuant to Article 96 of the Constitution; aware that the 47 counties are based on the delineation of administrative districts as created under the Provinces and Districts Act of 1992; further aware that there existed deep-rooted and historical boundary disputes between the districts which were inherited by the resultant counties; aware that there are existing boundary disputes between various counties, which raise questions on the exact boundaries between the counties; recognizing the provisions of Article 188 of the Constitution of Kenya that mandates Parliament to approve alteration of county boundaries on the recommendation of an independent commission set up for that purpose; the Senate urges the Sessional Committee on Devolved Government to initiate and prioritize the drafting of legislation within ninety days to provide for the establishment of an independent commission to inquire into, examine and identify the boundaries of counties, taking into account the criteria set out in Article 188 (2) of the Constitution and to recommend appropriate changes to Parliament so as to comprehensively deal and resolve the inter-county boundary disputes to enhance national cohesion and stability.	Wednesday, 5 <sup>th</sup> November 2014	Sen. Mutula Kilonzo Jr.			
88.	<b>THAT</b> , this House adopts the Report of the Standing Committee on Legal Affairs and Human Rights on the retreat with Chairpersons of counterpart Committees of the County Assemblies held from 7 <sup>th</sup> to 10 <sup>th</sup> May, 2014 laid on the Table of the House today, Thursday, 6 <sup>th</sup> November, 2014.	Thursday, 6 <sup>th</sup> November 2014	Sen. Stephen Sang			
89.	<b>THAT</b> , this House adopts the Report of the Standing Committee on Legal Affairs and Human Rights on the Annual Report (2012/2013) of the Commission on Administrative Justice laid on the Table of the House	Thursday, 6 <sup>th</sup> November 2014	Sen. Stephen Sang			

	today, Thursday, 6 <sup>th</sup> November, 2014.					
90.	<b>THAT</b> , this House adopts the Report of the Standing Committee on Legal Affairs and Human Rights on the Annual Report (2012/2013) of the Judiciary and State of Administration of Justice laid on the Table of the House today, Thursday, 6 <sup>th</sup> November, 2014.	Thursday, 6 <sup>th</sup> November 2014	Sen. Stephen Sang			
91.	<b>THAT</b> , this House adopts the Report of the Sessional Committee on Delegated Legislation on the National Construction Authority Regulation, 2014, laid on the Table of the House today, Thursday, 6 <sup>th</sup> November, 2014.	Thursday, 6 <sup>th</sup> November 2014	Sen. Stephen Sang			
92.	<p><b>THAT:</b></p> <p><b>WHEREAS</b> Article 93 provides for the establishment of the Parliament of Kenya consisting of the National Assembly and the Senate;</p> <p><b>AND WHEREAS</b> Article 94 provides for the role of Parliament and, in particular, provides at Article 94(1) that the legislative authority of the Republic is derived from the people and, at the national level, is vested in and exercised by Parliament;</p> <p><b>AND WHEREAS</b> Articles 95 and 96 of the Constitution provide for the specific roles of the National Assembly and the Senate;</p> <p><b>AND WHEREAS</b> Article 96 of the Constitution provides that the Senate represents the Counties and serves to protect the interests of the Counties and their Governments and further participates in the law-making function of Parliament by considering, debating and approving Bills concerning Counties as provided in Part 4 of Chapter Eight of the Constitution;</p> <p><b>COGNIZANT</b> that pursuant to Article 3 of the Constitution every person has an obligation to respect, uphold and defend the Constitution.</p>	Tuesday, 11 <sup>th</sup> November 2014	Senate Majority Leader	Senate Minority Leader	Does not affect counties	



**FURTHER COGNIZANT** that Article 163(6) of the Constitution provides that the Supreme Court may give an advisory opinion at the request of the national Government, any State organ, or any County Government with respect to any matter concerning County Government;

**RECALLING** that the Supreme Court of Kenya in Supreme Court Advisory Opinion No. 2 of 2013 reaffirmed the central role of Senate in the legislative process and in particular with respect to Bills that concern County Governments and further pronounced itself on the manner in which, pursuant to Article 110(3) of the Constitution, the Speakers of the two Houses are to jointly resolve the question as to whether a Bill is a Bill concerning counties and, if it is, whether it is a special or an ordinary Bill;

**AND WHEREAS** despite the Supreme Court's Advisory Opinion, the National Assembly has failed to adhere to the requirements of Article 110(3) of the Constitution-

(a) in respect of forty-six (46) Bills originating in the National Assembly, by publishing and considering the Bills and where such Bills have been passed by the National Assembly, by proceeding to secure presidential assent to the Bills without seeking the concurrence of the Speaker of the Senate in terms of Article 110(3) of the Constitution; and

(b) in respect of twenty-one (21) Bills originating in the National Assembly, by proceeding to consider the Bills in circumstances where the concurrence process under Article 110(3) has been initiated but has not been concluded and in disregard of the proposals by the Speaker of the Senate, in accordance with the directions given in the Advisory Opinion of the Supreme Court, for the establishment of a Joint Committee to advise the Speakers on the nature of the Bills, and thereafter, where such Bills have been passed by the National Assembly, by proceeding to secure presidential assent to the Bills;

**OBSERVING** that in the case of twenty-six Bills originating in the Senate, the Speaker of the Senate has sought the

concurrence of the Speaker of the National Assembly in terms of Article 110(3) of the Constitution, and the Speaker of the National Assembly has either not responded to the Speaker of the Senate or where there has been a response, has on each occasion stated that the Bills do not concern County Governments even though the Bills manifestly affect the functions and powers of the County Governments in terms of Article 110(1)(a) of the Constitution and of the Advisory Opinion of the Supreme Court;

**CONCERNED** that owing to the unlimited legislative mandate of the National Assembly, the National Assembly may have no incentive to observe or to reasonably engage in the concurrence process under Article 110(3) of the Constitution thus resulting in a legislative process that disregards the Senate and that is virtually unicameral;

**FURTHER CONCERNED** that the continued exclusion of the Senate in the legislative process adversely impacts the Senate's ability to represent the Counties and to protect the interests of the Counties and their Governments in the legislative process in the national Parliament and that this could eventually result in the weakening and eventual dismantling of the devolved system of government which is the cornerstone of the Constitution of Kenya, 2010;

**OBSERVING** that this situation has continued to persist since the constitution of the two Houses of Parliament after the last General Elections;

**DESIROUS** that there should be a conclusive determination on the manner in which legislation should be processed between the two Houses and on the concurrence process under Article 110(3) of the Constitution, including the procedure to be observed where there is no concurrence between the two Speakers;

**NOTING ALSO** that the intervention of the Courts has on several occasions been sought by various parties on matters that are actively before the Senate and which are within the constitutional jurisdiction of the Senate;

**OBSERVING** that where such intervention has been sought, the Courts have proceeded to issue orders whose

effect has been to stop the Senate from executing its constitutional mandate;

**AND NOTING** that similar court orders have also been sought and issued against a number of County Assemblies resulting, in some cases, in a situation where the affected County Assemblies have been unable to hold their sittings thus affecting the execution of the functions and powers of the entire County Governments;

**CONCERNED** that the issuance of such Court orders has the potential of crippling the legislative arm of Government both at the national and county levels; further undermining the implementation of the devolved system of Government;

**NOW THEREFORE THE SENATE RESOLVES** to immediately seek an Advisory Opinion from the Supreme Court on, among others, the following matters-

(1) the constitutional status of Acts of Parliament which have been passed by one House of Parliament and assented to in contravention of Article 110(3) of the Constitution;

(2) the appropriate way forward when there is a lack of concurrence by the two Speakers of Parliament on any particular Bill;

(3) the appropriate jurisdiction of the courts over the Senate and the national Parliament in general as well as over the county legislative assemblies when these are exercising the constitutional mandates;

**AND CONSEQUENTLY FURTHER RESOLVES** that the necessary administrative measures be put in place to ensure that the Senate is appropriately represented in this matter at the Supreme Court.

**RESOLUTION  
THAT:**

*WHEREAS Article 93 provides for the establishment of*

*the Parliament of Kenya consisting of the National Assembly and the Senate;*

*AND WHEREAS Article 94 provides for the role of Parliament and, in particular, provides at Article 94(1) that the legislative authority of the Republic is derived from the people and, at the national level, is vested in and exercised by Parliament;*

*AND WHEREAS Articles 95 and 96 of the Constitution provide for the specific roles of the National Assembly and the Senate;*

*AND WHEREAS Article 96 of the Constitution provides that the Senate represents the Counties and serves to protect the interests of the Counties and their Governments and further participates in the law-making function of Parliament by considering, debating and approving Bills concerning Counties as provided in Part 4 of Chapter Eight of the Constitution;*

*COGNIZANT that pursuant to Article 3 of the Constitution every person has an obligation to respect, uphold and defend the Constitution.*

*FURTHER COGNIZANT that Article 163(6) of the Constitution provides that the Supreme Court may give an advisory opinion at the request of the national Government, any State organ, or any County Government with respect to any matter concerning County Government;*

*RECALLING that the Supreme Court of Kenya in Supreme Court Advisory Opinion No. 2 of 2013 reaffirmed the central role of Senate in the legislative process and in particular with respect to Bills that concern County Governments and further pronounced itself on the manner in which, pursuant to Article 110(3) of the Constitution, the Speakers of the two Houses are to jointly resolve the question as to whether a Bill is a Bill concerning counties and, if it is, whether it is a special or an ordinary Bill;*

*AND WHEREAS despite the Supreme Court's Advisory*

*Opinion, the National Assembly has failed to adhere to the requirements of Article 110(3) of the Constitution-*

*(c) in respect of forty-six (46) Bills originating in the National Assembly, by publishing and considering the Bills and where such Bills have been passed by the National Assembly, by proceeding to secure presidential assent to the Bills without seeking the concurrence of the Speaker of the Senate in terms of Article 110(3) of the Constitution; and*

*(d) in respect of twenty-one (21) Bills originating in the National Assembly, by proceeding to consider the Bills in circumstances where the concurrence process under Article 110(3) has been initiated but has not been concluded and in disregard of the proposals by the Speaker of the Senate, in accordance with the directions given in the Advisory Opinion of the Supreme Court, for the establishment of a Joint Committee to advise the Speakers on the nature of the Bills, and thereafter, where such Bills have been passed by the National Assembly, by proceeding to secure presidential assent to the Bills;*

*OBSERVING that in the case of twenty-six Bills originating in the Senate, the Speaker of the Senate has sought the concurrence of the Speaker of the National Assembly in terms of Article 110(3) of the Constitution, and the Speaker of the National Assembly has either not responded to the Speaker of the Senate or where there has been a response, has on each occasion stated that the Bills do not concern County Governments even though the Bills manifestly affect the functions and powers of the County Governments in terms of Article 110(1)(a) of the Constitution and of the Advisory Opinion of the Supreme Court;*

*CONCERNED that owing to the unlimited legislative mandate of the National Assembly, the National Assembly may have no incentive to observe or to*

*reasonably engage in the concurrence process under Article 110(3) of the Constitution thus resulting in a legislative process that disregards the Senate and that is virtually unicameral;*

*FURTHER CONCERNED that the continued exclusion of the Senate in the legislative process adversely impacts the Senate's ability to represent the Counties and to protect the interests of the Counties and their Governments in the legislative process in the national Parliament and that this could eventually result in the weakening and eventual dismantling of the devolved system of government which is the cornerstone of the Constitution of Kenya, 2010;*

*OBSERVING that this situation has continued to persist since the constitution of the two Houses of Parliament after the last General Elections;*

*DESIROUS that there should be a conclusive determination on the manner in which legislation should be processed between the two Houses and on the concurrence process under Article 110(3) of the Constitution, including the procedure to be observed where there is no concurrence between the two Speakers;*

*NOTING ALSO that the intervention of the Courts has on several occasions been sought by various parties on matters that are actively before the Senate and which are within the constitutional jurisdiction of the Senate;*

*OBSERVING that where such intervention has been sought, the Courts have proceeded to issue orders whose effect has been to stop the Senate from executing its constitutional mandate;*

*AND NOTING that similar court orders have also been sought and issued against a number of County Assemblies resulting, in some cases, in a situation where the affected County Assemblies have been unable to hold their sittings thus affecting the execution of the functions and powers of the entire County Governments;*

*CONCERNED that the issuance of such Court orders has the potential of crippling the legislative arm of Government both at the national and county levels; further undermining the implementation of the devolved system of Government;*

*NOW THEREFORE THE SENATE RESOLVES to immediately seek an Advisory Opinion from the Supreme Court on, among others, the following matters-*

*(4) the constitutional status of Acts of Parliament which have been passed by one House of Parliament and assented to in contravention of Article 110(3) of the Constitution;*

*(5) the appropriate way forward when there is a lack of concurrence by the two Speakers of Parliament on any particular Bill;*

*(6) the appropriate jurisdiction of the courts over the Senate and the national Parliament in general as well as over the county legislative assemblies when these are exercising the constitutional mandates;*

*AND CONSEQUENTLY FURTHER RESOLVES that the necessary administrative measures be put in place to ensure that the Senate is appropriately represented in this matter at the Supreme Court.*

93.

THAT, this House adopts the Report by the Standing Committee on Information, Communication and Technology on the study visit to the United Arab Emirates between 20<sup>th</sup> – 25<sup>th</sup> January, 2014 and the 7<sup>th</sup> Annual Global Education Forum held in the United Arab Emirates between 2<sup>nd</sup> – 7<sup>th</sup> March, 2014 laid on the Table of the House on Wednesday, 19<sup>th</sup> November, 2014.

Thursday,  
November  
20, 2014

(The  
Chairpers  
on,  
Standing  
Committe  
e on  
Informati  
on,

			Communi cation and Technolo gy)			
94.	<p><b>THAT</b>, noting that there have been numerous incidents of terrorist attacks across the country in the last three years including the most recent at Arabiya town on Saturday, 22<sup>nd</sup> November, 2014 in Mandera County which have resulted in the loss of hundreds of innocent lives, injuries and massive destruction of property contrary to the principles and objects set out in Articles 238 and 239 of the Constitution; aware that Pursuant to Article 239 (1) of the constitution, the national security organs are the Kenya Defence Forces, the National Intelligence Service and the National Police Service whose primary object is to promote and guarantee national security; recognizing that most of the attacks could have been averted with proper co-ordination between and among the security organs; concerned that the multiple attacks are signs of leadership, institutional and structural flaws within the organs hampering their capacity to effectively deal with threats and cases of terrorism and other criminal activities; the Senate calls upon H.E the President to institute legislative and other measures to counter terrorist activities and overhaul and streamline the framework and operations of national security organs in the country including initiating where necessary, the process of removal of the respective head of an organ.</p> <p><b>RESOLUTION</b>  <i>THAT, noting that there have been numerous incidents of terrorist attacks across the country in the last three years including the most recent at Arabiya town on Saturday, 22<sup>nd</sup> November, 2014 in Mandera County which have resulted in the loss of hundreds of innocent lives, injuries and massive destruction of property contrary to the principles and objects set out in Articles 238 and 239 of the Constitution; aware that Pursuant to Article 239 (1) of the constitution, the national security organs are the Kenya Defence Forces, the National Intelligence Service and the National Police Service whose primary object is to promote and guarantee national security; recognizing that most of the attacks could have been averted with proper co-ordination between and among the security</i></p>	Tuesday 25 <sup>th</sup> November, 2014	Sen. Billow Kerrow			



	organs; concerned that the multiple attacks are signs of leadership, institutional and structural flaws within the organs hampering their capacity to effectively deal with threats and cases of terrorism and other criminal activities; the Senate calls upon H.E the President to institute legislative and other measures to counter terrorist activities and overhaul and streamline the framework and operations of national security organs in the country including initiating where necessary, the process of removal of the respective head of an organ.					
95.	<p>THAT, pursuant to Standing Order 247, the Senate approves the Report of the Rules and Business Committee on the Review of the Standing Orders laid on the Table of the Senate on Tuesday, 25<sup>th</sup> November, 2014.</p> <p><b>RESOLUTION</b>  <b>THAT, pursuant to Standing Order 247, the Senate approves the Report of the Rules and Business Committee on the Review of the Standing Orders laid on the Table of the Senate on Tuesday, 25<sup>th</sup> November, 2014.</b></p>	Tuesday 25 <sup>th</sup> November, 2014	Sen. Beatrice Elachi on behalf of the Senate Majority Leader)		Does not affect counties	
96.	<p>THAT, pursuant to Standing Order No.16, the Senate approves the nomination of Sen. Peter Mositet to be a Member of the Chairpersons Panel and further pursuant to Article 107(1) (c) of the Constitution, to be elected to preside at any sitting of the Senate in the absence of the Speaker and the Deputy Speaker.</p> <p><b>RESOLUTION</b>  <b>THAT, pursuant to Standing Order No.16, the Senate approves the nomination of Sen. Peter Mositet to be a Member of the Chairpersons Panel and further pursuant to Article 107(1) (c) of the Constitution, to be elected to preside at any sitting of the Senate in the absence of the Speaker and the Deputy Speaker</b></p>	Tuesday 25 <sup>th</sup> November, 2014	Sen. Beatrice Elachi on behalf of the Senate Majority Leader)		Does not affect counties	
97.	THAT, the Senate adopts the report of the Standing Committee on Health on the level of preparedness of the Busia and Malaba border points in response to the global Ebola crisis laid on the Table of the House on 2 <sup>nd</sup> December, 2014.	Tuesday December 2, 2014	(Chairperson, Standing Committee on Health)			
98.	THAT, pursuant to Standing Order 30 (3) (b), the Senate resolves to meet on Wednesday, 3 <sup>rd</sup> December, 2014 at 9.30 a.m. to transact business.	Tuesday December 2, 2014	(Sen. Lenny Kivuti, on behalf of the Senate		Does not affect counties	

			Majority Leader)			
99.	<p><b>THAT</b>, this Senate adopts the Report of the Kenya delegation to the 131<sup>st</sup>, 130<sup>th</sup> and 129<sup>th</sup> Assemblies of the Inter-Parliamentary Union (IPU) and related meetings held in Geneva, Switzerland from 12<sup>th</sup> to 16<sup>th</sup> October, 2014; 16<sup>th</sup> to 20<sup>th</sup> March, 2014; and 7<sup>th</sup> to 9<sup>th</sup> October, 2013 laid on the Table of the Senate on Wednesday 3<sup>rd</sup> December, 2014.</p>	Wednesday December 3, 2014	(The Senate Majority Leader)			
100.	<p>THAT, pursuant to Standing Order Nos. 177 (1) and 178, the Senate approves the nomination by the Rules and Business Committee of-</p> <ul style="list-style-type: none"> <li>a) Sen. G.G. Kariuki to the Standing Committee on Finance, Commerce and Budget;</li> <li>b) Sen. Ben Njoroge to the Standing Committee on Labour and Social Welfare to replace Sen. G.G. Kariuki; and</li> <li>c) Sen. Hosea Onchwangi to the Sessional Committee on Implementation to replace Sen. Ben Njoroge</li> </ul> <p><b>RESOLUTION</b></p> <p><b>THAT</b>, pursuant to Standing Order Nos. 177 (1) and 178, the Senate approves the nomination by the Rules and Business Committee of-</p> <ul style="list-style-type: none"> <li>a) Sen. G.G. Kariuki to the Standing Committee on Finance, Commerce and Budget;</li> <li>b) Sen. Ben Njoroge to the Standing Committee on Labour and Social Welfare to replace Sen. G.G. Kariuki; and</li> <li>c) Sen. Hosea Onchwangi to the Sessional Committee on Implementation to replace Sen. Ben Njoroge</li> </ul>	Thursday December 3, 2014	(The Senate Majority Leader)			
101.	<p><b>THAT:</b></p> <p><b>WHEREAS</b> on 8<sup>th</sup> December, 2014, the Security Laws (Amendment) Bill, National Assembly Bills No. 39 of 2014 was published;</p> <p><b>AND WHEREAS</b> the Bill sought to make amendments to the following array of laws relating to security-</p> <ul style="list-style-type: none"> <li>(1) The Public Order Act (Cap. 56);</li> <li>(2) The Penal Code (Cap. 63);</li> <li>(3) The Extradition (Contiguous and Foreign</li> </ul>	Tuesday December 30 <sup>th</sup> 2014	The Senate Minority Leader			

- Countries) Act (Cap. 76);
- (4) The Criminal Procedure Code (Cap. 75);
  - (5) The Registration of Persons Act (Cap. 107);
  - (6) The Evidence Act (Cap. 80);
  - (7) The Prisons Act (Cap. 90);
  - (8) The Firearms Act (Cap. 114);
  - (9) The Radiation Protection Act (Cap. 243);
  - (10) The Rent Restriction Act (Cap. 296);
  - (11) The Kenya Airports Authority Act (Cap. 395);
  - (12) The Traffic Act (Cap. 403);
  - (13) The Investment Promotion Act (Cap. 485);
  - (14) The Labour Institutions Act (No. 12 of 2012);
  - (15) The National Transport and Safety Authority Act (No. 33 of 2012);
  - (16) The Refugees Act (No. 12 of 2006);
  - (17) The National Intelligence Service Act (No. 28 of 2012);
  - (18) The Prevention of Terrorism Act (No. 30 of 2012);
  - (19) The Kenya Citizenship and Immigration Act (No. 12 of 2011);
  - (20) The National Police Service Act (No. 11A of 2011); and
  - (21) The Civil Aviation Act (No. 21 of 2013).

**AND WHEREAS** the Bill was introduced in the National Assembly and read a First Time on Tuesday, 9<sup>th</sup> December, 2014;

**AND FURTHER WHEREAS** the Bill was passed by the National Assembly on Thursday, 18<sup>th</sup> December, 2014, assented to on Friday, 19<sup>th</sup> December, 2014 and thereafter published in the Kenya *Gazette* Supplement No. 167 on 22<sup>nd</sup> December, 2014 as Act No. 19 of 2014;

**COGNIZANT THAT** Article 110(3) of the Constitution requires that before either House considers a Bill, the Speakers of the National Assembly and the Senate shall jointly resolve any question as to whether it is a Bill concerning counties and, if it is, whether it is a special or an ordinary Bill;

**FURTHER COGNIZANT THAT** Article 96 of the Constitution provides that the Senate represents the Counties and serves to protect the interests of the Counties and their Governments and further participates in the law-

making function of Parliament by considering, debating and approving Bills concerning Counties as provided in Part 4 of Chapter Eight of the Constitution;

**RECALLING** that the Supreme Court of Kenya in Supreme Court Advisory Opinion No. 2 of 2013 reaffirmed the central role of Senate in the legislative process and in particular with respect to Bills that concern County Governments and further pronounced itself on the manner in which, pursuant to Article 110(3) of the Constitution, the Speakers of the two Houses are to jointly resolve the question as to whether a Bill is a Bill concerning counties and, if it is, whether it is a special or an ordinary Bill;

**AND NOTING IN PARTICULAR** that on legislation relating to security the Supreme Court of Kenya in Supreme Court Advisory Opinion No. 2 of 2013 cited, with approval, the *Final Report of the Task Force on Devolved Government Vol. 1: A Report on the Implementation of Devolved Government in Kenya* [page. 18] which stated, *inter alia*, that “*although security and policing are national functions, how security and policing services are provided affects how county governments discharge their agricultural functions. As such, a bill on security and policing would be a bill concerning counties*”

**AND WHEREAS** despite the Supreme Court's Advisory Opinion, the National Assembly failed to adhere to the requirements of Article 110(3) and (4) of the Constitution in respect to the Security Laws (Amendment) Bill, National Assembly Bills No. 39 of 2014 by considering the Bill and proceeding to secure presidential assent to the Bill without seeking the concurrence of the Speaker of the Senate in terms of Article 110(3) and without referring the Bill to the Senate in terms of Article 110(4) of the Constitution;

**CONCERNED** that the exclusion of the Senate in the consideration and enactment of legislation that relates to security adversely impacts the Senate's ability to represent the Counties and to protect the interests of the Counties and their Governments in security matters which are of great concern to the Counties and to the County Governments and which affect the functions and powers of County Governments;

**FURTHER CONCERNED** that the continued exclusion of the Senate in the legislative process in the national Parliament could eventually result in the weakening and eventual dismantling of the devolved system of government which is the cornerstone of the Constitution of Kenya, 2010;

**RECALLING** the resolution of the Senate of **Thursday, 13<sup>th</sup> November, 2014** on the processing of legislation between the two Houses;

**OBSERVING** that despite the resolution of the Senate, the unconstitutional and unprocedural processing of legislation continues to persist as evidenced by the consideration and passage by the National Assembly of the Security Laws (Amendment) Bill, National Assembly Bills No. 39 of 2014;

**NOW THEREFORE THE SENATE RESOLVES-**

1. That the Security Laws (Amendment) Act, No. 19 of 2014 is unconstitutional and therefore null and void as the consideration and passage of the Bill violated Article 110(3) and (4) of the Constitution;
2. That the Security Laws (Amendment) Act, No. 19 of 2014 be included in the compendium of Bills set out in the Resolution of the Senate of **Thursday, 13<sup>th</sup> November, 2014** in respect of which the Senate is seeking an Advisory Opinion from the Supreme Court on the constitutional status of Acts of Parliament which have been passed by one House of Parliament and assented to in contravention of Article 110(3) of the Constitution.

The Senate Majority Leader raised a point of order objecting the consideration by the Senate of the proposed Motion on grounds that the matters contemplated therein were *sub judice*, in terms of Standing Order 92 (1) and (2) and consequently provided evidence to that effect in accordance with Standing Order 92 (4).

