



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – SECOND SESSION**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, JULY 04, 2018 AT 2.30 P.M.**

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

The Speaker conveyed the following Communication from the Chair -

**Visiting students and teachers from Ulilinzi High School in Kibwezi, Makueni County.**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Ulilinzi High School in Kibwezi, Makueni County.

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

I thank you.”

4. **PAPERS LAID**

The following Papers were laid on the Table of the Senate-

- a) Report of the Salaries and Remuneration Commission on the Financial Statements for the year 2016/2017.
- b) Report of the Commission on Administrative Justice on the Financial Statements for the year 2016/2017.
- c) Report of the Commission on Revenue Allocation on the Second Policy and Criteria for sharing Revenue among Marginalized areas.

*(The Deputy Senate Majority Leader)*

- d) Report of the African Parliamentarians' Network Against Corruption (APNAC) Conference held in Ghana from 17<sup>th</sup> to 18<sup>th</sup> March, 2018.

*(Sen. (Dr.) Isaac Mwaura, MP)*

5. **NOTICE OF MOTION - REPORT OF THE SENATE DELEGATION TO THE AFRICAN PARLIAMENTARIANS' NETWORK AGAINST CORRUPTION (APNAC) CONFERENCE**

(Sen. (Dr.) Isaac Mwaura, MP)

**THAT**, this House notes the Report of the Senate Delegation to the African Parliamentarians' Network Against Corruption (APNAC) Conference held in Ghana from 17<sup>th</sup> – 18<sup>th</sup> March, 2018, laid on the Table of the House on Tuesday, 19<sup>th</sup> June, 2018.

6. **NOTICE OF MOTION - REPORT OF THE SENATE DELEGATION TO THE WOMEN POLITICAL LEADERS ANNUAL GLOBAL SUMMIT**

(Sen. (Dr.) Agnes Zani, MP)

**THAT**, this Senate notes the Report of the Senate Delegation to the Women Political Leaders Annual Global Summit held in Vilnius, Lithuania from 6<sup>th</sup> -8<sup>th</sup> June, 2018 laid on the Table of the House on Thursday, 21<sup>st</sup> June, 2018.

7. **STATEMENTS PURSUANT TO STANDING ORDER NO. 46 (2)(A)**

- a) The Senator for Vihiga County (Sen. George Khaniri, MP) made a statement on the state of the Kapsabet–Chavakali Road.

In the statement, the Senator drew the attention of the Senate to the fact that transport infrastructure was the gateway to basic social amenities such as educational institutions, government offices, hospitals and markets. He stated that the Kapsabet–Chavakali Road served the counties of Vihiga and Nandi and that it was a connection to Uasin Gishu, Kakamega and Kisumu counties.

Sen. Khaniri informed the Senate that, despite the huge investments made by the Government in infrastructure, this road had remained neglected even though various leaders from Western Kenya had made countless requests in previous Parliaments. The Senator further informed the Senate that numerous fatal accidents that had claimed lives had occurred on this road and that its bad state was a hindrance to the economic development of the region.

Finally, Sen. Khaniri stated that the poor state of this road had escalated the insecurity in the region and called upon the government to commence the construction of the Road within the shortest time possible.

- b) Nominated Senator (Sen. Rose Nyamunga, MP) made a statement regarding numerous cases of defilement and insecurity in Kisumu County.

In the statement, the Senator stated that the security situation in Kisumu County had deteriorated, with spiraling incidences of robbery, burglary,

defilement and killings. Sen. Nyamunga decried the increase in cases of defilement of children, stating that children were the building blocks of any nation and, therefore, the development of future generations greatly depended on them.

The Senator informed the Senate that most of the cases of defilement went unreported because the victims' parents/guardians opted for out-of-court settlement, to the detriment of the child. Sen. Nyamunga further stated that poor response by the police to distress calls, lengthy investigations which are often shoddy, leading to few convictions as well as lack of confidentiality in handling the cases and intimidation of witnesses had impacted negatively on the fight against this vice.

Finally, the Senator urged the relevant Government agencies to come up with measures that would ensure that security of the residents of Kisumu and that of their children was restored.

- c) The Senator for Isiolo County (Sen. Fatuma Dullo, MP) made a statement on insecurity situation in Isiolo County.

In the statement, the Senator decried the inter-communal disputes and violence over boundaries, land and grazing rights as well as cattle rustling that had plagued the county for several years. This had also led to violent disputes with the neighbouring counties of Samburu, Marsabit, Garissa and Wajir.

Sen. Dullo informed the Senate that the land adjudication at the Isiolo – Meru border had also led to violent clashes and described the response by the security organs as inadequate and unfortunate as it had caused loss of lives of both civilians and the security officers. The Senator further informed the Senate that the security organs had responded to the violence by burning homes as well as engaging in other acts of communal punishment, stating that these were regrettable acts that should be condemned strongly.

In conclusion, the Senator implored the National Government to uphold the rights and fundamental freedoms enshrined in the Bill of Rights; uphold the principles of national security as stated in Article 238 of the Constitution; resist the urge for retaliatory measures, ensure law breakers are dealt with in accordance with the law; guarantee security at schools in the affected areas; encourage alternative ways of dispute resolution as well as involve the County Government and political, religious and community leadership in seeking peaceful solutions.

8. **THE ENERGY BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2017)**

(The Senate Majority Leader)

Order for First Reading read;

Bill read a First time and committed to the Standing Committee on Energy.

9. **COMMITTEE OF THE WHOLE**  
**THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2017)**  
(Sen. Mutula Kilonzo Jnr., MP)  
Order deferred.
10. **COMMITTEE OF THE WHOLE**  
**THE OFFICE OF THE COUNTY ATTORNEY BILL (SENATE BILLS NO. 3 OF 2018)**  
(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)  
Order deferred.
11. **THE PUBLIC PARTICIPATION BILL (SENATE BILLS NO. 4 OF 2018)**  
(Sen. Amos Wako, MP)  
*(Second Reading)*  
***(Resumption of Debate interrupted on Tuesday, 3<sup>rd</sup> July, 2018)***  
Order deferred.
12. **THE COUNTY STATISTICS BILL (SENATE BILLS NO. 9 OF 2018)**  
(Sen. (CPA) Farhiya Ali Haji, MP)  
*(Second Reading)*  
Order deferred.
13. **THE PHYSICAL PLANNING BILL (NATIONAL ASSEMBLY BILLS NO. 34 OF 2017)**  
(The Senate Majority Leader)  
*(Second Reading)*  
Order deferred.
14. **THE IRRIGATION BILL (NATIONAL ASSEMBLY BILLS NO. 46 OF 2017)**  
(The Senate Majority Leader)  
*(Second Reading)*  
Order deferred.
15. **THE KENYA ROADS BILL (NATIONAL ASSEMBLY BILLS NO. 47 OF 2017)**  
Order for Second Reading read;  
Motion made and Question proposed;  
THAT, the Kenya Roads Bill (National Assembly Bills No. 47 of 2017) be now read a Second Time.  
*(The Senate Majority Leader)*  
Debate arising;

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

16. **SENATE ROSE** - at thirty minutes past six O'clock.

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

*The Speaker will take the Chair on  
Thursday, July 5, 2018 at 2.30 p.m.*

--x--