



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – FIFTH SESSION

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, FEBRUARY 14, 2017 AT 2.30 P.M.

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

The Deputy Speaker conveyed the following communications from the Chair-

a) Commencement of the Fifth Session of the Eleventh Parliament

“Honourable Senators, I wish to welcome you back to the Senate for this

Fifth Session which is the last session of the Eleventh Parliament. As I issue this communication, I recall the words of the Speaker during the first sitting of this Senate on 28th March, 2013 during which he stated that the tasks and responsibilities ahead of us were enormous and challenging and required exceptional commitment, focus, harmony and unity of purpose in the performance of our constitutional mandate.

I am happy to note that you have demonstrated commitment and focus in the execution of our core mandate of spearheading the implementation of devolution, which is the backbone of the Constitution of Kenya, 2010. I once again urge you, Hon. Senators, to remain committed and focused during this last Session of the Eleventh Parliament as we together continue to accomplish what Kenyans expect us, as their representatives, to do.

In this regard, Hon. Senators, please take note that we have urgent outstanding business relating to Bills at various stages and Committee reports which need our immediate action. I am sure you will continue to avail yourselves for this purpose.

Lastly Hon. Senators, please note that the Senate Business Committee, shall convene tomorrow, Wednesday, 15th February, 2017 at 12: 00 Noon, to prioritise Senate Business including the appointment of members of Sessional Committees.

I thank you and wish you all a fruitful 5th Session.”

b) The demise of Senator Boy Juma Boy, Senator for Kwale County

“Honourable Senators, it was with profound shock and sadness that I learned of the untimely death of our friend, colleague and brother, the distinguished Senator for Kwale County, the Hon. Boy Juma Boy; on February 12th 2017.

Honourable Senators, in line with the Islamic faith funeral rites, his remains were laid to rest yesterday, 13th February, 2017, at his home in Vanga, Kwale County. I note with appreciation that some of you honourable colleagues made time and travelled to Vanga to give our departed colleague a befitting send off and I had the honour and privilege to represent the Senate at the funeral. I would also like to thank all Senators for standing with the late Sen. Juma Boy’s family in various forms including through prayers.

Honourable Senators, Sen. Boy Juma Boy was first elected as a Member of Parliament in 1983 at the age of 24 years and served as the Member for Matuga Constituency for three (3) uninterrupted terms, from 1983 to 1997. Having joined politics as a successor to his late father who was the then MP for Matuga constituency, he became the youngest Member of Parliament at the time.

He rose through the party ranks to become Chief Whip in Parliament in recognition of his distinguished service and loyalty to the ruling party, KANU.

Honourable Senators, the late Sen. Boy Juma Boy was elected as the Senator for Kwale County during the general elections held on 4th March, 2013 following re-introduction of a bicameral Parliament in our country.

While serving as Senator of Kwale County, he actively represented and accomplished great milestones through articulating and fighting for the rights of his constituents and the entire Kenyan citizenry.

The late Sen. Boy Juma Boy was passionate about his county, evident in the way he championed the spirit of devolution by ensuring that funds allocated to the County were used to deliver services to the people.

Honourable Senators, the late Sen. Juma Boy was an articulate member of four Senate Committees, namely, the Standing Committees on Information and Technology, Lands and Natural Resources, the Joint Committee on Broadcasting and Library and the County Monitoring and Evaluation

Committee. His dedication to his roles as Committee Member and Senator enabled him to make significant contributions to the working and operation of these committees.

Honourable Senators, on the floor of the Senate, the late Sen. Juma Boy made passionate and witty contributions on debates in and out of the House, usually filled with humour, but geared towards achieving improved service and well-being of his electorate. This won him profound admiration and respect by all people across the political divide; old and young, educated and uneducated and by his fellow leaders. Hon. Senators may recall the Senate deliberations on the Mining Bill, 2015, just recently, during which the late Senator offered invaluable contributions and great insight to ensure that Kwale residents would also benefit from the value of huge deposits of rare earth minerals in Kwale County.

Honourable Senators, the late Sen. Juma Boy will, no doubt, be remembered and missed by all of us for his Kiswahili sanifu on the floor of the Senate. I am certain that we can all attest to the fact that he had immense oratory skills and mastery of the Kiswahili language.

Honourable Senators, the late Sen. Boy Juma was always ready and willing to work in a bipartisan manner with his colleagues on matters of public good and national interest while remaining a loyal member of his party and coalition.

We thank God for the gift of Sen. Boy Juma Boy's life and pray that he will grant the family and friends of the late Senator and the great people of Kwale County comfort during this very difficult time.

May the soul of the late Sen. Boy Juma Boy rest in eternal peace.

I thank you and request that we all rise for a minute of silence in honour of our departed colleague."

Thereafter, Senators eulogized their departed colleague, the late Sen. Boy Juma Boy.

4. **ADJOURNMENT MOTION PURSUANT TO THE PROVISIONS OF STANDING ORDER 33 TO DISCUSS A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE RELATING TO THE ONGOING STRIKES BY MEDICAL DOCTORS AND UNIVERSITY LECTURERS**

Raising a point of order, the Nominated Senator (Sen. (Dr.) Agnes Zani) sought leave to move a Motion of the adjournment of the Senate to discuss a definite matter of urgent national importance relating to the ongoing strikes by medical doctors and university lecturers.

And there being the requisite number of Senators rising in support of the claim;

Thereupon, the Deputy Speaker directed that the Motion be moved upon conclusion of Motion appearing at Order No. 9 on the day's Order Paper.

5. **NOTICE OF MOTION** - (The Senate Majority Leader)

THAT, pursuant to Standing Order 176(1), the Senate approves the following Senators to be Members of the Senate Business Committee:-

1. Sen. David Ekwere Ethuro - Speaker of the Senate - Chairperson
2. Sen.(Prof.) Kithure Kindiki - Senate Majority Leader
3. Sen. Moses Masika Wetang'ula - Senate Minority Leader
4. Sen. Beatrice Elachi – Senate Majority Whip
5. Sen. Johnson Nduya Muthama – Senate Minority Whip
6. Sen. Onesmus Kipchumba Murkomen
7. Sen. Beth Mugo
8. Sen. Kiraitu Murungi
9. Sen. (Prof.) John Lonyangapuo
10. Sen. James Orengo
11. Sen. Janet Ong'era
12. Sen. (Dr.) Agnes Zani.

6. **MOTION – APPROVAL OF MEMBERS TO THE SENATE BUSINESS COMMITTEE**

(The Senate Majority Leader)

Motion made and question proposed;

THAT, pursuant to Standing Order 176(1), the Senate approves the following Senators to be Members of the Senate Business Committee:-

1. Sen. David Ekwere Ethuro - Speaker of the Senate - Chairperson
2. Sen.(Prof.) Kithure Kindiki - Senate Majority Leader
3. Sen. Moses Masika Wetang'ula - Senate Minority Leader
4. Sen. Beatrice Elachi – Senate Majority Whip
5. Sen. Johnson Nduya Muthama – Senate Minority Whip
6. Sen. Onesmus Kipchumba Murkomen
7. Sen. Beth Mugo
8. Sen. Kiraitu Murungi
9. Sen. (Prof.) John Lonyangapuo
10. Sen. James Orengo
11. Sen. Janet Ong'era
12. Sen. (Dr.) Agnes Zani

(Senate Majority Leader)

Debate arising;

And there being no other Senator wishing to contribute;

Before the Question was put, and pursuant to Standing Order No. 72, the Temporary Speaker (Sen. (Dr.) Machage) informed the House that the Motion did not affect counties.

Question put and **agreed to.**

RESOLVED ACCORDINGLY

THAT, pursuant to Standing Order 176(1), the Senate approves the following Senators to be Members of the Senate Business Committee:-

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2. Sen.(Prof.) Kithure Kindiki - Senate Majority Leader
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8. Sen. Kiraitu Murungi
9. Sen. (Prof.) John Lonyangapuo
10. Sen. James Orengo
11. Sen. Janet Ong'era
12. Sen. (Dr.) Agnes Zani

7. **ADJOURNMENT MOTION PURSUANT TO THE PROVISIONS OF
STANDING ORDER 33 TO DISCUSS A DEFINITE MATTER OF URGENT
NATIONAL IMPORTANCE RELATING TO THE ONGOING STRIKES BY
MEDICAL DOCTORS AND UNIVERSITY LECTURERS**

Motion made and Question proposed-

THAT, the Senate do now adjourn.

(Sen. (Dr.) Agnes Zani)

Debate arising;

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

8. **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
Wednesday, February 15, 2017 at 2.30 p.m.*

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