



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – SECOND SESSION

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, SEPTEMBER 19, 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 Deputy Speaker.
3. **COMMUNICATIONS FROM THE CHAIR**

The Deputy Speaker conveyed the following communications from the Chair:-

a) On the sitting of the Senate in Uasin Gishu County

“Honourable Senators,

I have the following Communication to make, regarding the inaugural sittings of the Senate outside Nairobi.

Honourable Senators,

You may recall that on the 21st June, 2018, the Senate, pursuant to Article 126 (1) of the Constitution and standing order 31 (1) of the Senate Standing Orders, resolved that its plenary and committees sittings for the week 24th to 28th September, 2018, be held in Uasin Gishu County.

The inaugural sittings of the Senate outside Nairobi will accord this House the opportunity to showcase and entrench the place of the Senate as the institution mandated to represent and protect the interests of counties and their governments as highlighted in Article 96 of the Constitution.

These sittings will also provide Senators with the opportunity to interact directly with the county governments and the citizens, to understand their challenges and identify opportunities in which the Senate may initiate legislation or take other measures to ensure that devolution succeeds.

In preparation of the sittings, the Senate has been working closely with the Uasin Gishu County Government (both the Executive and the Assembly) to ensure that the plenary and committee sittings of the Senate run smoothly. A programme of activities has been prepared and includes events such as committee sittings; Senate plenary; public hearings and site inspections/visits. The detailed programme of Business to be transacted during the week will be outlined tomorrow, Thursday the 20th September, 2018, by the Senate Majority Leader during the Statement on the Business of Senate for the coming week.

I urge all Honourable Senators to purpose to attend the plenary sessions, Committee sittings and other activities scheduled to be held during the week. This will no doubt set a benchmark for how subsequent sittings of the Senate in other regions outside Nairobi will be undertaken.

Logistical arrangements are at advanced stages for your participation in this auspicious event. For those Senators that have not provided their preferred travel time, please do so by contacting the Office of the Clerk of the Senate.

I thank you.”

b) Visiting Students and Teachers from St. Paul’s Kyamuthei Secondary School, Makueni County.

“Honorable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, of visiting students and teachers from St. Paul’s Kyamuthei Secondary School, Makueni County Assembly.

On behalf of the Senate and on my own behalf, I welcome you to the Senate and wish you well for the remainder of your stay.

I thank you.”

4. **PETITION**

Pursuant to Standing Order 226 (1) and 230, the Deputy Speaker reported to the Senate that a petition had been received from Rev. David Muganda concerning Kibera Internally Displaced Persons (IDPs) residing in Kibra Sub County, Nairobi City County.

Pursuant to Standing Order 231, the Deputy Speaker invited Senators to comment on the Petition and, subsequently, committed the Petition to the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration, pursuant to Standing Order 232 (1).

5. **MOTION – APPROVAL OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE COUNTY GOVERNMENTS CASH DISBURSEMENT SCHEDULE FOR FISCAL YEAR 2018/19**

Motion made and Question proposed:

THAT, pursuant to Standing Order 183, the Senate approves the Report of the Standing Committee on Finance and Budget on the County Governments Cash Disbursement Schedule for Fiscal Year 2018/2019, laid on the Table of the House on Thursday, 13th September, 2018.

(Chairperson, Standing Committee on Finance and Budget - 18.09.18)

Debate interrupted on Tuesday, 18th September, 2018 resumed;

There being no other Senator wishing to contribute;

The Mover replied;

Before the Question was put and pursuant to Standing Order 79, the Temporary Speaker (Sen. Judith Pareno) informed the House that the Motion affected Counties;

Raising a point of order pursuant to Standing Order 61(3), the Chairperson, Standing Committee on Finance and Budget requested the Temporary Speaker (Sen. Judith Pareno) to defer putting of the Question to a later date;

Thereupon, the Temporary Speaker (Sen. Judith Pareno), acceding to the request, nominated Thursday, 20th September, 2018 as the day when the question shall be put.

6. **COMMITTEE OF THE WHOLE**
THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2017)

(Sen. Mutula Kilonzo Jnr., MP)

Order deferred.

7. **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.

8. **COMMITTEE OF THE WHOLE**
THE FOOD SECURITY BILL (SENATE BILLS NO. 12 OF 2017)

(The Senate Majority Leader)

Order deferred.

9. **COMMITTEE OF THE WHOLE**

THE OFFICE OF THE COUNTY PRINTER BILL (SENATE BILLS NO. 7 OF 2018)

(Sen. Petronila Were Lokorio)

Order deferred.

10. **MOTION – REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON FINANCIAL OPERATIONS OF THE NAKURU COUNTY EXECUTIVE FOR 2013/2014**

Motion made and Question proposed:

THAT, this House adopts the Report of the Sessional Committee on the County Public Accounts and Investments on the inquiry into the Financial operations of Nakuru County Executive for the Financial year 2013/2014 (1st July 2013 - 30th June, 2014) laid on the Table of the House on Tuesday, 19th June, 2018.

(Chairperson, Sessional Committee on County Public Accounts and Investments)

Debate arising;

There being no other Senator wishing to contribute;

TheMover Replied;

Before the Question was put and pursuant to Standing Order 79, the Temporary Speaker (Sen. Judith Pareno) informed the House that the Motion affected Counties;

Raising a point of order pursuant to Standing Order 61(3), the Chairperson, Sessional County Public Accounts and Investment Committee requested the Temporary Speaker (Sen. Judith Pareno) to defer putting of the Question to a later date;

Thereupon, the Temporary Speaker (Sen. Judith Pareno), acceding to the request, nominated Thursday, 20th September, 2018 as the day when the question shall be put.

11. **MOTION – REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON FINANCIAL OPERATIONS OF THE KILIFI COUNTY EXECUTIVE FOR 2013/2014**

Motion made and Question proposed:

THAT, this House adopts the Report of the Sessional Committee on the County Public Accounts and Investments on the inquiry into the Financial operations of Kilifi County Executive for the Financial year 2013/2014 (1st July 2013 - 30th June, 2014) laid on the Table of the House on Tuesday, 19th June, 2018.

(Chairperson, Sessional Committee on County Public Accounts and Investments)

Debate arising;

There being no other Senator wishing to contribute;

The Mover Replied;

Before the Question was put and pursuant to Standing Order 79, the Temporary Speaker (Sen. Judith Pareno) informed the House that the Motion affected Counties;

Raising a point of order pursuant to Standing Order 61(3), the Chairperson, Sessional County Public Accounts and Investment Committee requested the Temporary Speaker (Sen. Judith Pareno) to defer putting of the Question to a later date;

Thereupon, the Temporary Speaker (Sen. Judith Pareno), acceding to the request, nominated Thursday, 20th September, 2018 as the day when the question shall be put.

12. **MOTION - REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON FINANCIAL OPERATIONS OF THE HOMABAY COUNTY EXECUTIVE FOR 2013/2014**

Motion made and Question proposed:

THAT, this House adopts the Report of the Sessional Committee on the County Public Accounts and Investments on the inquiry into the Financial operations of Homabay County Executive for the Financial year 2013/2014 (1st July 2013 - 30th June, 2014) laid on the Table of the House on Tuesday, 19th June, 2018.

(Chairperson, Sessional Committee on County Public Accounts and Investments)

Debate arising;

There being no other Senator wishing to contribute;

The Mover Replied;

Before the Question was put and pursuant to Standing Order 79, the Temporary Speaker (Sen. Judith Pareno) informed the House that the Motion affected Counties;

Raising a point of order pursuant to Standing Order 61(3), the Chairperson, Sessional County Public Accounts and Investment Committee requested the Temporary Speaker (Sen. Judith Pareno) to defer putting of the Question to a later date;

Thereupon, the Temporary Speaker (Sen. Judith Pareno), acceding to the request, nominated Thursday, 20th September, 2018 as the day when the question shall be put.

13. **MOTION – REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON FINANCIAL OPERATIONS OF THE KISII COUNTY EXECUTIVE FOR 2013/2014**

Motion made and Question proposed:

THAT, this House adopts the Report of the Sessional Committee on the County Public Accounts and Investments on the inquiry into the Financial operations of Kisii County Executive for the Financial year 2013/2014 (1st July 2013 - 30th June, 2014) laid on the Table of the House on Tuesday, 19th June, 2018.

(Chairperson, Sessional Committee on County Public Accounts and Investments)

Debate arising;

There being no other Senator wishing to contribute;

The Mover Replied;

Before the Question was put and pursuant to Standing Order 79, the Temporary Speaker (Sen. Judith Pareno) informed the House that the Motion affected Counties;

Raising a point of order pursuant to Standing Order 61(3), the Chairperson, Sessional County Public Accounts and Investment Committee requested the Temporary Speaker (Sen. Judith Pareno) to defer putting of the Question to a later date;

Thereupon, the Temporary Speaker (Sen. Judith Pareno), acceding to the request, nominated Thursday, 20th September, 2018 as the day when the question shall be put.

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

14. **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, September 20, 2018 at 2.30 p.m.*