

# PARLIAMENT OF KENYA

## THE SENATE

### THE HANSARD

Wednesday, 3<sup>rd</sup> October, 2018

*The House met at the Senate Chamber,  
Parliament Buildings, at 2.30 p.m.*

*[The Speaker (Hon. Lusaka) in the Chair]*

#### PRAYER

#### COMMUNICATION FROM THE CHAIR

##### BREAKFAST MEETING TO CONSIDER THE PETROLEUM BILL, 2017

**The Speaker** (Hon. Lusaka): Hon. Senators, before we proceed to Order No.8 in today's Order Paper, I wish to make the following communication.

As you may be aware, the Petroleum Bill (National Assembly Bill No. 48 of 2017) was introduced in the Senate on 10<sup>th</sup> July, 2018, by way of First Reading, having been referred from the National Assembly for concurrence by the Senate.

The Bill was debated at Second Reading stage on 25<sup>th</sup> and 26<sup>th</sup> September, 2018, and is scheduled for Division at Order No.8 in today's Order Paper. In the course of debate, the Bill elicited a lot of interest from Members, with Senators highlighting several areas in the Bill that would require amendments in order to align it to, among others, the Constitution and the devolved structure of government.

In this regard, a breakfast meeting has been organized for all hon. Senators for deliberations on the Bill, with a view to arriving at a consensus on the amendments to be made to the Bill at the Committee stage, so that these may be canvassed before the Bill is scheduled for Committee of the Whole and Third Reading. The meeting is scheduled to be held next week on Tuesday, 9<sup>th</sup> October, 2018, at a venue to be communicated.

I invite and urge all hon. Senators to actively participate in this important meeting. I thank you.

*(Applause)*

Hon. Senators, we are reorganising the Order Paper for the convenience of the House. We will come back to these other Orders. In the meantime, we will go to Order No.18.

**MOTION****DEVELOPMENT AND IMPLEMENTATION OF  
NATIONAL DISASTER RISK FINANCING STRATEGY**

**Sen. Khaniri:** Mr. Speaker, Sir, I thank you for the opportunity. I beg to move-

THAT, WHEREAS Kenya's disaster profile is dominated by droughts, fire, floods, terrorism, diseases and epidemics that disrupt livelihoods, destroy infrastructure, divert planned use of resources, interrupt economic activities and retard development;

FURTHER WHEREAS the Government, through its various agencies, is ultimately responsible for disaster reduction, preparedness and management;

COGNIZANT of the fact that Government agencies involved in disaster management are usually overwhelmed when called upon to provide response services during disasters and emergencies;

AWARE that the Kenya Red Cross Society Act, Cap 256 of the Laws of Kenya, establishes the Kenya Red Cross Society, a sole national Red Cross Society in Kenya, as a voluntary aid society;

RECOGNIZING, the efforts of the Kenya Red Cross Society to provide first-line disaster response services in incidences of disasters and other emergencies across the country;

OBSERVING, the huge financial resources required to finance disaster reduction, preparedness and other emergency services;

NOTING that one of the sources of the Kenya Red Cross Society in financing its operations is through accepting unrestricted contributions and assistance, in any form, from individuals, public authorities and private bodies;

APPRECIATING, the efforts made by the prudent management of funds by the Kenya Red Cross Society;

FURTHER AWARE that Emergency Fund is a substantial proportionate Vote Head in both the national and county government budgets;

CONCERNED, that the Kenya Red Cross Society has not been allocated a budget from the national and county governments despite the huge contribution in disaster and emergency response across the country;

NOW THEREFORE, the Senate urges the national and county governments to explore collaborative mechanisms for the Kenya Red Cross Society to support and implement a paradigm shift from post-disaster response to risk reduction by developing and implementing a national disaster risk financing strategy across all sectors and incorporate it into the national and county development planning and financing processes.

Mr. Speaker, Sir, this Motion is coming when the House is still processing The Disaster Risk Management Bill (Senate Bills No.8 of 2018). When I gave notice of this Motion, there are some people in some quarters who asked me to withdraw it because they thought it was maybe in conflict or duplication with The Disaster Risk Management Bill (Senate Bills No.8 of 2018) before this House. However, if anything, this Motion is supplementing The Disaster Risk Management Bill (Senate Bills No.8 of 2018).

*(Loud consultations)*

**Sen. Wetangula:** On a point of order, Mr. Speaker, Sir. We want to listen to what the distinguished Senator for Vihiga County is saying, but the Senate Majority Leader is holding a *kamukunji* right in front of you and we are unable to hear what is going on.

**The Speaker** (Hon. Lusaka): Senate Majority Leader, consult in low tones because hon. Members cannot follow a very important Motion that is being moved.

**Sen. Khaniri:** Thank you, Mr. Speaker, Sir. I have just said that it is not duplication, but it will supplement the provisions that are in The Disaster Risk Management Bill (Senate Bills No.8 of 2018). Therefore, the Motion is very timely. I thought I should just proceed and move it. I will leave it to this House to decide.

The Kenya Red Cross Society (KRCS) in its current form was established in 1965 through the Society, Act Cap 256 of 1965. Currently, His Excellency the President is the patron of the KRC.

The KRCS is premised on the tenets of humanity, impartiality, neutrality, independence, voluntary service and universality. I want to believe that we all agree that they have lived up to these tenets that they believe in.

The KRCS has earned the trust and confidence of the people of this country. The KRCS has been ever present; the first responders to any emergency across the country. It has responded to emergencies such as fires, accidents, collapsed buildings, mudslides, floods, refugee settlement, drought, drug addiction, jigger infestation, HIV/AIDS and so many others.

In the recent past, we all remember the 2007/2008 Post-Election Violence where KRCS played a very vital role in providing temporary shelters for the victims of these clashes. We all remember the Sunday, 1<sup>st</sup> February, 2009, when a tanker rolled at Sachang'wan and killed many people. It was a terrible tragedy. We all remember the first people who were there to save lives and help the other casualties.

On Saturday, 21<sup>st</sup> September, 2013, during the Westgate Mall Terrorist Attack, we all remember the role that KRCS played. We also recall the role the KRCS played during the Mpeketoni attacks between 15<sup>th</sup> and 17<sup>th</sup> June, 2014; and the terrorist attack at Garissa University on Thursday, 2<sup>nd</sup> April 2015, where I lost a nephew. Even in the current clashes that are happening in Narok County, they are there, trying to provide shelter to those who have lost their homes.

Therefore, the importance of the KRCS cannot be overemphasized. We all know the important role that they play to intervene in all the calamities and tragedies that befall us and thus, the gist of this Motion. Today, with all these interventions, the KRCS incurs a huge expenditure budget and they depend entirely on well-wishers. This organisation

plays a role that ideally is supposed to be played by the Government yet there is very little appreciation and support from the Government.

I was privileged to look at the budget of the KRCS in the last financial year; that is the year ending December, 2017. I saw that their budget was close to Kshs7.2 billion. Imagine all these coming from well-wishers and the Government playing very minimal, or no role at all in this budget.

**The Senate Majority Leader** (Sen. Murkomen): On a point of order, Mr. Speaker, Sir. I do not want to interrupt Sen. Khaniri who is moving an important Motion. However, as earlier agreed, we have a Division coming up. Therefore, with your permission, can we temporarily interrupt that business of the House to do the Division and then we can come back to that important Motion?

*(Sen. Khaniri nodded)*

Sen. Khaniri is nodding in agreement. We can move on together in that direction.

**The Speaker** (Hon. Lusaka): Senate Majority Leader, under Standing Order No.105, it must be first proposed.

**The Senate Majority Leader** (Sen. Murkomen): Mr. Speaker, Sir, I move a Motion that the ---

**The Speaker** (Hon. Lusaka): Approach the Chair, Senate Majority Leader.

*(Sen. Murkomen approached the Chair)*

Sen. Khaniri, proceed.

**Sen. Khaniri:** Mr. Speaker, Sir, I note the importance of the vote that we are supposed to take. I will just finish moving in the next five minutes. I have my seconder, Sen. Halake. I could not get a better seconder than her since she was the Deputy Director of KRCS, deputizing Mr. Abbas Gullet. Therefore, I think she is well versed with the society.

Mr. Speaker, Sir, I will go straight to the gist of this Motion. It is trying to find a way where the county and national governments can work in collaboration to see to it that the activities of the KRCS are seamlessly funded so that the Government has a role in the activities that this organization undertakes.

We cannot leave this extremely important exercise that they play to depend entirely on donor funding. We will be taking a big risk. If this Motion is passed, I intend to come up with a Bill which we will be working on with Sen. Halake to see that we put this into proper legislation.

Financing for this organisation has been a challenge with several appeals. In other jurisdictions, government provides direct financial support to the Society because of the pivotal role it plays in alleviating human suffering and offering first response to victims of various disasters.

Recently, I saw that the President had donated Kshs1 billion from the Government to the Kenya Red Cross Society. I want to believe that, that was to go towards the victims of the clashes in the Mau area. That was a good gesture, but we cannot leave this to the whims of the leaders that are in office at that particular time. We

must provide a proper legal framework for the Government at county and national levels to work with the Society in terms of financing their activities.

Mr. Speaker, Sir, you have seen the prayers in my Motion. They are that the Senate urges the national and county governments to explore collaborative mechanisms for the Kenya Red Cross Society to support and implement a paradigm shift from post disaster response, where we rush to give them support when there is a disaster, to risk reduction.

This will be by developing and implementing a national disaster risk financing strategy across all sectors and incorporating it into the national and county development planning and financing processes. This is because we all know that for the Government to fund any activity, it must be provided for in the budget. This is, therefore, what we are requesting for.

As I said, we intend to bring a Bill which will have all the details. All that I am seeking from the House today is support for the passage of this Motion so that once it is passed, I will get an opportunity to continue working on the Bill that I have been working on so that we bring this to reality.

Mr. Speaker, Sir, I will call upon Sen. Halake to second this Motion and hope that the House gives us a nod so that we can go ahead and develop a Bill.

**The Speaker** (Hon. Lusaka): Let us have Sen. Halake.

**Sen. Halake:** Thank you, Mr. Speaker Sir, for giving me this opportunity to second the Motion moved by Sen. Khaniri. Allow me to thank him for bringing this Motion. As has been said here, it is a very important Motion. Yes, I was the immediate former Deputy Secretary-General of the Kenya Red Cross Society. I was privileged to serve Kenyans in the humanitarian space through a most wonderful organisation like that.

There are around 190 Red Cross societies around the world, but the Kenya Red Cross Society is one of the best in the entire globe. Kenya should be very proud of some of its institutions, because the Kenya Red Cross Society as we have been told by Sen. Khaniri, is one of the major organisations that are doing great amount of work, not just in disaster management but also in many developmental spheres as well. He has listed that and I am not going to belabour it as I have been told that I have a very short time.

The Kshs7 billion that the Kenya Red Cross Society has been receiving for a long time to serve this country has been reduced to more than a half. This is simply because international humanitarian response and donations have reduced very much in the face of new disasters around the world in Yemen, Syria and other places. The Kenya Red Cross Society has had to deal with a sustainability issue.

Mr. Speaker, Sir, we, in this country, need to think. I have said this before; that a country is as strong or as weak as its institutions. We are privileged to have a Red Cross Society that is embedded in the community, doing so well but facing sustainability issues.

When the Kenya Red Cross Society is not sustainable, it means that the communities that it serves---. The Society exists in every county. There are 67 branches and we have up to the household level where we have community health volunteers doing a lot of work on the ground. If the organisation does not get it right, it means that our institutions will die and, therefore, need support from our Government.

Mr. Speaker, Sir, of the Ksh7 billion that the Kenya Red Cross Society fundraises around the globe, the largest amount comes from other Red Cross societies, mostly for

disaster response. It is very specific to the different areas of focus for the international donors. Sen. Khaniri has listed all the disaster risk responses that it has done and I do not want to repeat.

The Kenya Red Cross Society is supposed to arrive in time; within the first hour, when there are mass casualty incidents when major disasters occur, but the resources are not adequate. The Society usually pre-positions a lot of preparedness for response around the country. With time, this is becoming impossible for the Society to manage. It is even impossible to sustain the 2,000 or so people that work for the Kenya Red Cross Society. The Society looks like it has many people, however, for it to be efficient, this manpower needs to be multiplied.

Mr. Speaker, Sir, it uses volunteer systems and has 100,000 volunteers around this country who appear the minute a disaster happens. These volunteers are given a very basic stipend of Ksh600 when they respond. Even that, the strategy for volunteer networks is becoming unsustainable and the Society may be rendered ineffective, not because of lack of leadership but because of lack both local and international funding.

Mr. Speaker, Sir, as a middle-income country, our country is facing many challenges in getting funds---

*(Loud consultations)*

Mr. Speaker, Sir, I cannot even hear my thoughts.

**The Speaker** (Hon. Lusaka): Order, Members. Let us, please, consult in low tones.

**Sen. Halake:** Mr. Speaker, Sir, as a middle-income country, funding to Kenyan institutions especially in the philanthropic or humanitarian field has reduced very much, as I said, by close to half. The United Nations (UN) which is the blue pillar for humanitarian response recently did a survey which revealed global reduction in humanitarian support in the year 2016 to a 40 per cent funding shortfall for the UN coordinated humanitarian appeals.

Normally, whenever there is a disaster, an appeal is made, through the Kenya Red Cross Society and the United Nations (UN) movement. All of these have dipped by 40 per cent. This means that the Kenya Red Cross Society has had to work with less people, volunteers and prepositioned commodities. Therefore, our people will suffer.

I am privileged to know the figures, but do not want to put them on the Table. However, this deficit will affect the ability of the Kenya Red Cross Society to respond to emergencies and disasters throughout the country, since it lies largely in the operations of disasters. This is where the rubber meets the road in terms of the major work of the organisation.

Mr. Speaker, Sir, the organisation does much more than disaster risk response and has been a key pillar, as an auxiliary to the Government of Kenya. We have ambulances that are seen on the roads and prepositioned around the country on a cost sharing basis. Those who can afford them pay, but they respond for free to the people who cannot afford. Ideally, ambulance services should be provided by the Government, but the organisation is bearing the brunt of it. Therefore, we urge this House to stand with institutions that are accountable.

As you are aware, this organisation has accounted for all the monies that hon. Sen. Khaniri has listed as being their budget. The organisation is accountable not just to the donor, but also its beneficiaries. I do not think that Sen. Khaniri went to the Kenya Red Cross Society to get these statistics. It is available on the internet for all to see, as per our Constitution.

Mr. Speaker, Sir, the resources provided to Kenya Red Cross Society are used well to assist the vulnerable people. The client of the Kenya Red Cross Society is not you and I; it is the most vulnerable people in the society, who the organisation has carried on their backs for the many years, since the 1960s.

Mr. Speaker, Sir, I am aware that we have a Division. There is a lot more that I could share on this, from budgets to movements of communities' strategy, to the fact that this is an accountable organisation that arrives at the hour of need.

The Mover has already explained the many disasters to which the Kenya Red Cross Society has responded to. Every coin, for example, Kshs10 that Kenyans have given even through *M-pesa* has been accounted for. Therefore, we need to make sure that we support our institutions.

Mr. Speaker, Sir, as I second this Motion, we need to have something sustainable from the national level, so that we make sure that the Kenya Red Cross remains an enduring and sustainable organization that will serve the future generations.

I beg to second.

*(Question proposed)*

**The Senate Majority Leader** (Sen. Murkomen): On a point of order, Mr. Speaker, Sir.

**The Speaker** (Hon. Lusaka): What is your point of order, Sen. Murkomen?

**The Senate Majority Leader** (Sen. Murkomen): Thank you, Mr. Speaker, Sir. Pursuant to Standing Order 105, I beg to request you to adjourn debate temporarily for a few minutes to enable us to dispense the business related to Division, including, but not limited to the reply to The Impeachment Procedure Bill by Sen. Cherargei.

*(Question put and agreed to)*

*(Interruption of Debate on Motion)*

## COMMUNICATIONS FROM THE CHAIR

VISITING DELEGATION FROM ST. JUDE GIRLS  
NAPARA HIGH SCHOOL, BUNOMA COUNTY

**The Speaker** (Hon. Lusaka): Hon. Senators, before that, I wish to make a Communication.

I would like to acknowledge the presence, in the Speaker's Gallery this afternoon, of visiting students and teachers from St. Jude Girls Napara High School, Bungoma County.

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

I thank you.

*(Applause)*

VISITING DELEGATION FROM DAWAMU ACADEMY,  
KAJIADO COUNTY

I would also wish to recognize the presence, in the Public Gallery this afternoon, of visiting students and teachers from Dawamu Academy School, Kajiado County.

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

I thank you.

*(Applause)*

**Sen. Wetangula:** Mr. Speaker, Sir, allow me to join you in welcoming the students and teachers from Napara Secondary School in my county. It is a school that I have a lot of respect for and attachment to. It is based in Bumula Constituency.

I welcome all of them to the Senate to see what we do and speak here. I hope that, at break time, I will be able to see them out there.

**Sen. Seneta:** Thank you, Mr. Speaker, Sir, for allowing me to join you in welcoming students from Bungoma County and Dawamu Academy School, Kajiado County. I wish them well as they learn what we do in the Senate. I also wish those who are sitting for the Kenya Certificate of Secondary Education Examination (KCSE) all the best.

**The Speaker** (Hon. Lusaka): Hon. Members, following the request from the Senate Majority Leader, we now move to Order No. 9.

## BILLS

### *Second Reading*

THE IMPEACHMENT PROCEDURE BILL  
(SENATE BILLS NO.15 OF 2018)

*(Sen. Cherargei on 2.10.2018)*

*(Resumption of Debate interrupted on 2.10.2018)*

**Sen. Cherargei:** Thank you, Mr. Speaker, Sir. I beg to reply.



**The Speaker** (Hon. Lusaka): Hon. Members, I now proceed to put the question that the Impeachment Procedure Bill (Senate Bills No.15 of 2018) be read a Second time.

I direct that the division bell be rang for half a minute.

*(The Division Bell was rung)*

Hon. Senators, I now direct that the bars be drawn and the doors be locked.

*(The Doors were locked and the Bars drawn)*

Hon. Senators, please, confirm that you are logged in.

*(Loud Consultations)*

Hon. Senators, may I draw your attention to what I am saying. Confirm that you are logged in because you are not logged in.

Voting starts now and you have one minute to do so.

*(Hon. Senators proceeded to vote)*

Those who need assistance, please, come forward.

## DIVISION

### ELECTRONIC VOTING

*(Question, that the Impeachment Procedure Bill (Senate Bills No. 15 of 2018) be now read a Second Time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Dullo, Isiolo County; Sen. Farhiya, Nairobi County; Sen. Iman, Garissa County; Sen. (Prof.) Kamar, Uasin Gishu County; Sen. Kang'ata, Murang'a County; Sen. Khaniri, Vihiga County; Sen. Kibiru, Kirinyaga County; Sen. Kihika, Nakuru County; Sen. (Dr.) Langat, Bomet County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Maina, Nyeri County; Sen. (Eng.) Mahamud, Mandera County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. (Dr.) Musuruve, Kakamega County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita Taveta County; Sen. Nyamunga, Kisumu County; Sen. Olekina, Narok County; Sen. (Prof.) Ongeru, Kisii County; Sen. Orendo, Siaya County; Sen. Poghiso, West Pokot County; Sen. Seneta, Kajiado County; Sen. Wambua, Kitui County; Sen. (Rev.) Waqo, Marsabit County; Sen. Wario, Tana River County; Sen. Wetangula, Bungoma County and Sen. (Dr.) Zani, Kwale County.

**NOES:** Nil

**The Speaker** (Hon. Lusaka): Order, Members. The results of the voting are as follows-

**AYES:** 30

**NOES:** 0

**ABSTENTIONS:** 0

*(Question carried by 30 votes to 0)*

*(The Bill was accordingly read  
the Second Time and committed to a  
Committee of the Whole tomorrow)*

Hon. Senators, I now direct that the bars be withdrawn and the doors be unlocked.

*(The doors were opened and the Bar withdrawn)*

Let us now move on to Order No.8.

*Second Reading*

THE PETROLEUM BILL  
(NATIONAL ASSEMBLY BILLS NO.48 OF 2017)

*(Sen. Murkomen on 25.9.2018)*

*(Resumption of Debate interrupted on 26.9.2018)*

**The Speaker** (Hon. Lusaka): I direct that the division bell be rang for half a minute.

*(The Division Bell was rung)*

**The Speaker** (Sen. Lusaka): Hon. Senators, I now direct that the doors be locked, and the bar be drawn.

*(The doors were closed and the Bar drawn)*

Voting starts now. You have one minute to vote.

*(The Senators proceeded to vote)*

Those who need assistance to come forward.

**DIVISION**

## ELECTRONIC VOTING

*(Question, that the Petroleum Bill (National Assembly Bills No.48 of 2017) be read a Second Time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Dullo, Isiolo County; Sen. Farhiya, Nairobi City County; Sen. Iman, Garissa County; Sen. (Prof.) Kamari, Uasin Gishu County; Sen. Khaniri, Vihiga County; Sen. Kihika, Nakuru County; Sen. (Dr.) Langat, Bomet County; Sen. (Eng.) Maina, Nyeri County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. (Dr.) Musuruve, Kakamega County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. Olekina, Narok County; Sen. (Prof.) Onger, Kisii County; Sen. Orengo, Siaya County; Sen. Poghisi, West Pokot County; Sen. Seneta, Kajiado County; Sen. Wambua, Kitui County; Sen. (Rev.) Waqo, Marsabit County; Sen. Wario, Tana River County; and Sen. (Dr.) Zani, Kwale County.

**NOES:** Sen. Kibiru, Kirinyaga County.

**ABSTENTION:** Sen. Wetangula, Bungoma County.

**The Speaker** (Sen. Lusaka): Order, Senators! The results of the division are as follows,

**AYES:** 27

**NOES:** 1

**ABSTENTION:** 1

*(Question carried by 27 to 1)*

I now direct that the doors be unlocked, and the bar be drawn.

*(The doors were unlocked and the Bar drawn)*

**The Speaker** (Sen. Lusaka): Hon. Senators, for the convenience of the House, I am re-organising the Order Paper. Let us go to Order No.17.

**MOTION**

## ESTABLISHMENT OF YOUTH POLYTECHNICS IN COUNTIES

THAT, AWARE THAT Youth Polytechnics, also known as Village Polytechnics, are educational institutions that offer primary school leavers opportunities to acquire relevant knowledge especially technical and vocational skills to increase their employability;

FURTHER AWARE THAT youth polytechnics provide industrial and entrepreneurial skills training to young people in order to increase employment opportunities, reduce dependency levels and increase self-reliance among the youth;

RECALLING THAT in 2005, the Youth Training Department of the then Ministry of Youth Affairs and Sports was established through the Presidential Circular No.1 of 2005, with a mandate of revitalizing the Youth Polytechnics countrywide in order to empower youth through provision of accessible, appropriate and quality training in technical, vocational, industrial, entrepreneurship and life skills;

COGNIZANT THAT youth polytechnics are a devolved function;

PERSUADED THAT Vocational Education and Training is a critical aspect for a developing economy and that it would contribute towards the realization of the Big Four Agenda;

CONCERNED THAT, in Kenya, the number of young people who have completed the primary school education but have not joined secondary schools continues to rise by the day;

FURTHER CONCERNED THAT county governments have not prioritized youth polytechnic functions despite the polytechnics' capacity to ultimately contribute to both social and economic development;

NOW THEREFORE the Senate calls upon each of the 47 county governments to establish youth polytechnics in every location within their respective the areas of jurisdiction and to revamp the already existing youth polytechnics; b) to develop a structure/guideline for sensitizing the youth who have completed their primary school education but have not joined form one to embrace vocational training in order to acquire the necessary skills to join the labour market.

*(Sen. (Prof.) Kamar on 27.9.2018)*

*(Resumption of debate interrupted on 27.9.2018)*

**The Speaker** (Sen. Lusaka): Order, Members! Pursuant to Standing Order 79, I rule that this matter affects counties and voting will be by delegation.

I direct that the division bell be rang for half a minute.

*(The Division Bell was rung)*

I now direct that the doors be closed and bars be drawn.

*(The doors were closed and the Bar drawn)*

**The Speaker** (Hon. Lusaka): Voting is ongoing. Assisted voters should come forward

*(Several Senators approached the Clerks-at-the-Table and proceeded to record their votes)*

### DIVISION

#### ELECTRONIC VOTING

*(Question, that now, therefore, the Senate calls upon each of the 47 counties to-*

- (a) establish youth polytechnics in every location within their respective areas of jurisdiction and to revamp the already existing youth polytechnics;*
- (b) develop a structure or guideline for sensitizing the youth who have completed their primary school education but have not joined Form One to embrace vocational training in order to acquire the necessary skills to join the labour market, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Cherargei, Nandi County; Sen. Dullo, Isiolo County; Sen. Farhiya, Nairobi City County; Sen. Iman, Garissa County; Sen. (Prof.) Kamar, Uasin Gishu County; Sen. Khaniri, Vihiga County; Sen. Kibiru, Kirinyaga County; Sen. Kihika, Nakuru County; Sen. (Dr.) Langat, Bomet County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. (Eng.) Maina, Nyeri County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. (Dr.) Musuruve, Kakamega County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. Olekina, Narok County; Sen. (Prof.) Ongeru, Kisii County; Sen. Orendo, Siaya County; Sen. Poghisi, West Pokot County; Sen. Seneta, Kajiado County; Sen. Wambua, Kitui County; Sen. (Rev.) Waqo, Marsabit County; Sen. Wario, Tana River County; Sen. Wetangula, Bungoma County; and, Sen. (Dr.) Zani, Kwale County.

**NOES:** Nil

**The Speaker** (Hon. Lusaka): Hon. Senators, the results of the Division are as follows:-

**AYES:** 28

**NOES:** 0

**ABSTENTIONS:** 0

The "Ayes" have it.

*(Question carried by 28 votes to 0)*

I now direct that the doors be opened and the Bars drawn

*(The doors were opened and the Bars drawn)*

Hon. Senators, we will now go to Order Nos.10 and 11.

**COMMITTEE OF THE WHOLE**

*(Order for Committee read)*

*[The Speaker (Hon. Lusaka) left the Chair]*

**IN THE COMMITTEE**

*[The Temporary Chairperson (Sen. Nyamunga) in the Chair]*

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

*(Sen. Mutula Kilonzo Jnr. on 1.3.2018)*

*(Resumption of Debate interrupted on 25.7.2018)*

**The Temporary Chairperson** (Sen. Nyamunga): Hon. Senators, we are now in the Committee of the Whole to consider The County Boundaries Bill (Senate Bills No.6 of 2017) and we will proceed to vote.

I direct that the Division Bell be rung for a half of minute.

*(The Division Bell was rung)*

We shall first vote on clauses without amendments.

I now put the Question, that Clauses 7, 8, 9, 10, 12, 15, 18, 20, 23, 25, 31, 40 and 45 and Clause 2 be amended as proposed.

Kindly, close the doors and draw the Bar.

*(The doors were closed and the Bar drawn)*

Log in and start voting. Those who should be assisted can approach the Table.

*(The Senators proceeded to vote)*

**DIVISION****ELECTRONIC VOTING**

*(Question, that clauses 7,8,9,10,12,15,18,20,23, 25, 31, 40 and 45 and Clause 2 be amended as proposed, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Cherargei, Nandi County; Sen. Dullo, Isiolo County; Sen. Iman, Garissa County; Sen. (Prof.) Kamar, Uasin Gishu County; Sen. Kibiru, Kirinyaga County; Sen. Kihika, Nakuru County; Sen. (Dr.) Langat, Bomet County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. (Eng.) Maina, Nyeri County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. (Dr.) Musuruve, Kakamega County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. Olekina, Narok County; Sen. Omanga, Nairobi County; Sen. (Prof.) Ongeru, Kisii County; Sen. Orendo, Siaya County; Sen. Poghisi, West Pokot County; Sen. Seneta, Kajiado County; Sen. Wambua, Kitui County; Sen. Wario, Tana River County; Sen. Wetangula, Bungoma County; and, Sen. (Dr.) Zani, Kwale County.

**NOES:** Nil

**The Temporary Chairperson** (Sen. Nyamunga): Hon. Senators, the results of the first Division are as follows:-

**AYES:** 26

**NOES:** Nil

**ABSTENTIONS:** Nil

The “Ayes” have it.

*(Question carried by 26 votes to 0)*

We will now move to the second Division on New Clauses 42A and 47A.

I now put the Question; that New Clauses 42A and 47A be now read a Second Time.

Hon. Senators, please, vote. Any Members who cannot vote electronically can come for assistance.

*(The Senators proceeded to vote)*

**DIVISION****ELECTRONIC VOTING**

*(Question, that New Clauses 42A and 47A  
be now read a Second Time, put and the Senate  
proceeded to vote by County Delegations)*

**AYES:** Sen. Cherargei, Nandi County; Sen. Dullo, Isiolo County; Sen. Iman, Garissa County; Sen. (Prof.) Kamar, Uasin Gishu County; Sen. Kibiru, Kirinyaga County; Sen. Kihika, Nakuru County; Sen. (Dr.) Langat, Bomet County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. (Eng.) Maina, Nyeri County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. (Dr.) Musuruve, Kakamega County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. Olekina, Narok County; Sen. Omanga, Nairobi County; Sen. (Prof.) Ongeru, Kisii County; Sen. Orendo, Siaya County; Sen. Poghiso, West Pokot County; Sen. Seneta, Kajiado County; Sen. Wambua, Kitui County; Sen. Wario, Tana River County; Sen. Wetangula, Bungoma County; and, Sen. (Dr.) Zani, Kwale County.

**NOES:** Nil

**The Temporary Chairperson** (Sen. Nyamunga): Hon. Senators, the results of the Division are as follows:-

**AYES:** 26

**NOES:** Nil

**ABSTENTIONS:** Nil

The “Ayes” have it.

*(Question carried by 26 votes to 0)*

Hon. Senators, we will now move to the Clauses without amendments.

**The Temporary Chairperson** (Sen. Nyamunga): Hon. Senators, I will now put the question that Clauses 3-6, 7(as amended), 8(as amended), 9(as amended), 10(as amended), 11, 12(as amended), 13, 14, 15(as amended), 16, 17, 18(as amended), 19, 20(as amended), 21, 22, 23(as amended), 24, 25(as amended), 26 -30, 31(as amended), 32-39, 40(as amended), 41-44, 45(as amended), 46-49, New Clauses 42A and 47A, the 1<sup>st</sup> Schedule, the 2<sup>nd</sup> Schedule, the 3<sup>rd</sup> Schedule, the 4<sup>th</sup> Schedule and the 5<sup>th</sup> Schedule, Clause 2(as amended), the Title and Clause 1 be part of the Bill.

We are proceeding to a Division and you may now proceed to vote.



## DIVISION

## ELECTRONIC VOTING

*(Question that, Clauses 3- 6, 7(as amended), 8(as amended), 9(as amended), 10(as amended), 11, 12(as amended), 13, 14, 15(as amended), 16, 17, 18(as amended), 19, 20(as amended), 21, 22, 23(as amended), 24, 25(as amended), 26-30, 31(as amended), 3-39, 40(as amended), 41-44, 45(as amended), 46-49, New Clauses 42A and 47A, the 1<sup>st</sup> Schedule, the 2<sup>nd</sup> Schedule, the 3<sup>rd</sup> Schedule, the 4<sup>th</sup> Schedule and the 5<sup>th</sup> Schedule, Clause 2(as amended), the Title and Clause 1 be part of the Bill put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Cherargei, Nandi County; Sen. Dullo, Isiolo County; Sen. Iman, Garissa County; Sen. (Prof.) Kamar, Uasin Gishu County; Sen. Kibiru, Kirinyaga County; Sen. Kihika, Nakuru County; Sen. (Dr.) Langat, Bomet County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. (Eng.) Maina, Nyeri County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. (Dr.) Musuruve, Kakamega County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. Olekina, Narok County; Sen. Omanga, Nairobi City County; Sen. (Prof.) Ongeru, Kisii County; Sen. Orengo, Siaya County; Sen. Poghiso, West Pokot County; Sen. Seneta, Kajiado County; Sen. Wambua, Kitui County; Sen. Wario, Tana River County; Sen. Wetangula, Bungoma County; and Sen. (Dr.) Zani, Kwale County.

**The Temporary Chairperson** (Sen. Nyamunga): Hon. Senators, the results of the Division are as follows-

**AYES:** 26

**NOES:** Nil

**ABSTENTION:** Nil

The "Ayes" have it.

*(Question carried by 26 votes to nil)*

It is now time for the Mover to report.

**Sen. Mutula Kilonzo Jnr.:** Madam Temporary Chairperson, I beg to move that the Committee do report to the Senate its consideration of The County Boundaries Bill (Senate Bills No.6 of 2017) and its approval with amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House Resumed)*

*[The Temporary Speaker (Sen. (Prof.) Kamari) in the Chair]*

**REPORT, CONSIDERATION OF REPORT  
AND THIRD READING**

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

**The Senate Majority Leader** (Sen. Murkomen): On a point of order, Madam Temporary Speaker. Is it in order for me to remind Members that they should not leave the Chamber because all the work that we did in the Committee stage will come to a naught if we do not sit to complete the remaining one very important Division? Am I in order to ask this?

**The Temporary Speaker** (Sen. (Prof.) Kamar): Majority Leader, you have a Whip in the House. That is her job and she should have done that all along.

May I call the Chairperson to report on this one?

**Sen. Nyamunga:** Madam Temporary Speaker, I beg to report that a Committee of the Whole House has considered The County Boundaries Bill (Senate Bills No.6 of 2017) and its approval thereof with amendments.

**The Temporary Speaker** (Sen. (Prof.) Kamar): Mover, proceed.

**Sen. Mutula Kilonzo Jnr.:** Madam Temporary Speaker, I beg to move that the House do agree with the Committee in the said Report.

I request Sen. Orengo to second the Motion.

**Sen. Orengo:** I second, Madam Temporary Speaker.

*(Question proposed)*

Hon. Senators, I do not see a request to speak. I will now put the question that the House do agree with the Committee in the said Report.

*(Question put and agreed to)*

**Sen. Mutula Kilonzo Jnr.:** Madam Temporary Speaker, I beg to move that The County Boundaries Bill (Senate Bills No.6 of 2017) be now read a Third Time.

I request Sen. Orengo to second.

**Sen. Orengo** seconded.

*(Question proposed)*

**The Temporary Speaker** (Sen. (Prof.) Kamar): I see no requests. Hon. Members, I will now put the question.

**THIRD READING**

THE COUNTY BOUNDARIES BILL,  
SENATE BILLS NO. 6 OF 2017

**DIVISION****ELECTRONIC VOTING**

*(Question that, the County Boundaries Bill, Senate Bills No. 6 of 2017  
be Read a Third Time put, and the Senate proceeded  
to vote by County Delegations)*

**AYES:** Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Dullo, Isiolo County; Sen. Iman, Garissa County; Sen. (Prof.) Kamar, Uasin Gishu County; Sen. Kibiru, Kirinyaga County; Sen. Kihika, Nakuru County; Sen. (Eng.) Maina, Nyeri County; Sen. (Dr.) Langat, Bomet County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita Taveta County; Sen. Nyamunga, Kisumu County; Sen. Olekina, Narok County; Sen. Omanga, Nairobi County; Sen. (Prof.) Ongeru, Kisii County; Sen. Orengo, Siaya County; Sen. Poghio, West Pokot County; Sen. Seneta, Kajiado County; Sen. Wambua, Kitui County; Sen. (Rev.) Waqo, Marsabit County; Sen. Wario, Tana River County; Sen. Wetangula, Bungoma County and Sen. (Dr.) Zani, Kwale County.

**NOES:** Nil

**The Temporary Speaker** (Sen. (Prof.) Kamar): Order, Members! Please, take your seats. The results of the Division are as follows:-

**AYES:** 27

**NOES:** Nil

**ABSTENTIONS:** Nil

The "Ayes" have it.

*(Question carried by 27 votes to 0)*

*(The Bill was accordingly read the Third Time and passed)*

**The Temporary Speaker** (Sen. (Prof.) Kamar): Next Order!

**COMMITTEE OF THE WHOLE**

THE OFFICE OF THE COUNTY ATTORNEY BILL  
(SENATE BILLS NO.3 OF 2018)

*(Order for Committee read)*

*[The Temporary Speaker (Sen. (Prof.) Kamar) left the Chair]*

**IN THE COMMITTEE**

*[The Temporary Chairperson (Sen. Nyamunga) in the Chair]*

**The Temporary Chairperson** (Sen. Nyamunga): Honorable Senators, we are on Order No. 11, The Office of the County Attorney Bill (Senate Bills No. 3 of 2018). We are resuming on a Division and the first division is on clauses for deletion.

*Clauses 10 and 25*

I order that the bars be drawn.

*(The Bars were drawn)*

Hon. Senators, ensure that you are logged in.

I now put the Question; that Clause 10 and Clause 25 be deleted.

Hon. Senators, ensure that you are logged in. You may now proceed to vote.

*(The Senators proceeded to vote)*

That is the end of voting. The hon. Senators who need assistance to vote may come forward.

*(Several Senators walked to the Clerks-at-the-Table  
and registered their votes)*

**DIVISION****ELECTRONIC VOTING**

*(Question, That Clause 10 and Clause 25 be deleted put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Cherargei, Nandi County; Sen. Dullo, Isiolo County; Sen. (Prof.) Ekal, Turkana County; Sen. Iman, Garissa County; Sen. (Prof.) Kamar, Uasin Gishu County; Sen. Khaniri, Vihiga County; Sen. Kibiru, Kirinyaga County; Sen. Kihika, Nakuru County; Sen. (Eng.) Mahamud, Mandera County ; Sen. (Eng.) Maina, Nyeri County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. (Dr.) Musuruve, Kakamega County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Nyamunga, Kisumu County; Sen. Omanga, Nairobi County; Sen. (Prof.) Ongeru, Kisii County; Sen. Orengo, Siaya County; Sen. Poghio, West Pokot County; Sen. Seneta, Kajiado County; Sen. Wambua, Kitui County; Sen. (Rev.) Waqo, Marsabit County; Sen. Wario, Tana River County; Sen. Wetangula, Bungoma County; and Sen. (Dr.) Zani, Kwale County.

**NOES:** Nil.

**The Temporary Chairperson** (Sen. Nyamunga): Hon. Senators, the results of the Division are as follows:

**AYES:** 25

**NOES:** 0

**ABSTENTIONS:** Nil

The “Ayes” have it.

*(Question carried by 25 votes to 0)*

Hon. Senators, we will now proceed to the second Division on Clauses with amendments.

I now put the Question; that Clauses 5, 6, 7, 13, 16, 18, 19, 20, 22 and 32 be amended as proposed.

Hon. Senators, you can now vote.

*(The Senators proceeded to vote)*

## DIVISION

### ELECTRONIC VOTING

*(Question, that Clauses 5, 6,7,13, 16, 18, 19, 20, 22, 30  
and 2 be amended as proposed put, and the Senate  
proceeded to vote by County Delegations)*

**AYES:** Sen. Cherargei, Nandi County; Sen. Dullo, Isiolo County; Sen. (Prof.) Ekal, Turkana County; Sen. Iman, Garissa County; Sen. (Prof.) Kamar, Uasin Gishu County; Sen. Khaniri, Vihiga County; Sen. Kibiru, Kirinyaga County; Sen. Kihika, Nakuru County; Sen. (Dr.) Langat, Bomet County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. (Eng.) Maina, Nyeri County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. (Dr.) Musuruve, Kakamega County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Nyamunga, Kisumu County; Sen. Omanga, Nairobi County; Sen. (Prof.) Ongeru, Kisii County; Sen. Orengo, Siaya County; Sen. Poghisi, West Pokot County; Sen. Seneta, Kajiado County; Sen. Wambua, Kitui County; Sen. Wario, Tana River County; and, Sen. Wetangula, Bungoma County.

**NOES:** Nil.

**The Temporary Chairperson** (Sen. Nyamunga): Hon. Senators the results of the Division are follows-

**AYES:** 25

**NOES:** 0

**ABSTENTIONS:** 0

The "Ayes" have it.

*(Question carried by 25 votes to nil)*

*(Loud consultations)*

**The Temporary Chairperson** (Sen. Nyamunga): Hon. Senators, we are now proceeding to the third Division the New Clause 5A.

I will now proceed to put the question that the New Clause 5A be now read a second time. Please log in and proceed to vote.

**Sen. Wetangula:** On a point of order, Madam Temporary Chairperson. You announced that we had 27 votes. However, looking at the head count of Senators present, it is about 27, but we also have Senators here who are Members of delegations whose head of delegations are present. Therefore, we cannot possibly register 27 votes. This is a House of record and the accuracy of the record is what keeps the good name of this House. I ask for clarification. Sen. (Prof.) Kamar is the head of the Uasin Gishu County Delegation from where Sen. Chebeni is. Therefore if one is voting the other cannot vote--

**The Temporary Chairperson** Sen. Nyamunga: Senator we are just checking the records---

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**Sen. Wetangula:** Sen. Omanga and Sen. (Dr.) Musuruve are---  
**The Temporary Chairperson** Sen. Nyamunga: Sen. Olekina is around but behind.

*(Loud consultations)*

**Sen. Wetangula:** I just want to have my mind settled that we are doing the right thing. I know we are used to rigging elections but we want to have things right.

*(Laughter)*

**The Temporary Chairperson** (Sen. Nyamunga): Hon. Senators, we are verifying the records but meanwhile we can proceed. There is only a problem with the Nairobi Delegation that we are correcting.

*(Loud consultations)*

The assisted voters can kindly come up and vote.

*(Loud consultations)*

## DIVISION

### ELECTRONIC VOTING

*(Question, that New Clause 5A be now read a Second Time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Cherargei, Nandi County; Sen. Dullo, Isiolo County; Sen. (Prof.) Ekal, Turkana County; Sen. Iman, Garissa County; Sen. (Prof.) Kamar, Uasin Gishu County; Sen. Khaniri, Vihiga County; Sen. Kibiru, Kirinyaga County; Sen. Kihika, Nakuru County; Sen. (Dr.) Langat, Bomet County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. (Eng.) Maina, Nyeri County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. (Dr.) Musuruve, Kakamega County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Nyamunga, Kisumu County; Sen. Olekina, Narok County; Sen. Omanga, Nairobi County; Sen. (Prof.) Onger, Kisii County; Sen. Orengo, Siaya County; Sen. Poghisi, West Pokot County; Sen. Seneta, Kajiado County; Sen. Wambua, Kitui County; Sen. Wario, Tana River County; Sen. Wetangula, Bungoma County and, Sen. (Dr.) Zani, Kwale County.

**NOES:** Nil.

**The Temporary Chairperson** (Sen. Nyamunga): Hon. Senators, the results of the Division are as follows:-

**AYES:** 27

**NOES:** 0

**ABSTENTIONS:** 0

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The “Ayes” have it.

*(Question carried by 27 votes to 0)*

**The Temporary Chairperson** (Sen. Nyamunga): Hon. Senators, the fourth division is on clauses without amendments.

### DIVISION

#### ELECTRONIC VOTING

*(Question, that the Clauses 3,4,5 (as amended), 6 (as amended), 7 (as amended), 8,9,11,12,13 (as amended), 14,15,16 (as amended), 17,18 (as amended),19 (as amended) 20 (as amended) 21,22 (as amended) 23,24,26,27,28,29,30 (as amended) 31,32, New Clause 5A, First Schedule, Second Schedule, Clause 2 (as amended), the Third Title and Clause 1 be part of the Bill, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Cherargei, Nandi County; Sen. Dullo, Isiolo County; Sen. (Prof.) Ekal, Turkana County; Sen. Iman, Garissa County; Sen. (Prof.) Kamar, Uasin Gishu County; Sen. Khaniri, Vihiga County; Sen. Kibiru, Kirinyaga County; Sen. Kihika, Nakuru County; Sen. (Dr.) Langat, Bomet County; Sen. Lelegwe, Samburu County; Sen. (Eng.) Mahamud, Mandera County; Sen. (Eng.) Maina, Nyeri County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. (Dr.) Musuruve, Kakamega County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Nyamunga, Kisumu County; Sen. Olekina, Narok County; Sen. Omanga, Nairobi County; Sen. (Prof.) Ongeru, Kisii County; Sen. Orengo, Siaya County; Sen. Poghishio, West Pokot County; Sen. Seneta, Kajiado County; Sen. Wambua, Kitui County; Sen. Wario, Tana River County; Sen. (Rev.) Waqo, Marsabit County; Sen. Wetangula, Bungoma County and, Sen. (Dr.) Zani, Kwale County.

**NOES:** Nil.

**The Temporary Chairperson** (Sen. Nyamunga): Hon. Senators, the results of the Division are as follows:-

**AYES:** 27

**NOES:** 0

**ABSTENTIONS:** 0

The “Ayes” have it.

*(Question carried by 27 votes to 0)*

**The Temporary Chairperson** (Sen. Nyamunga): Let us have the Mover, please.

**Sen. Cherargei:** Madam Temporary Chairperson, I beg to move that the Committee of the Whole do report to the Senate its consideration of the Office of the County Attorney Bill (Senate Bills No.3 of 2018) and its approval thereof with amendments.

**The Senate Majority Leader** (Sen. Murkomen) seconded.



*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*[The Temporary Speaker  
(Sen. Lelegwe) in the Chair]*

**The Temporary Speaker** (Sen. Lelegwe): Order, Hon. Members. I order that the Bar be drawn and the doors be opened.

*(The Bar was drawn and the doors opened)*

I now call upon the Chairperson to report.

**REPORT, CONSIDERATION OF  
REPORT AND THIRD READING**

THE OFFICE OF THE COUNTY ATTORNEY  
BILL (SENATE BILLS NO.3 OF 2018)

**Sen. Nyamunga:** Mr. Temporary Speaker, Sir, I beg to report that the Committee of the Whole has considered the Office of the County Attorney Bill (Senate Bills No.3 of 2018) and its approval thereof with amendments.

**Sen. Cherargei:** Mr. Temporary Speaker, Sir, I beg to move that the House do agree with the Committee in the said report.

**The Senate Majority Leader** (Sen. Murkomen) seconded.

*(Question proposed)*

*(Question put and agreed to)*

**Sen. Cherargei:** Mr. Temporary Speaker, Sir, I beg to move that The Office of the County Attorney Bill (Senate Bills No.3 of 2018) be now read a Third Time.

I invite Sen. Murkomen to second.

**The Senate Majority Leader** (Sen. Murkomen): Mr. Temporary Speaker, I second.

*(Question proposed)*

Hon. Senators, I order that the Division Bell to be rung for five minutes.

*(The Division Bell was rung)*

Order, Hon. Senators! I now order that the Bar be drawn and the doors locked.

*(The Bar was drawn and the doors locked)*

Kindly log in.

**The Temporary Chairperson** (Sen. Lelegwe): Hon. Senators, I now put the question that the Office of the County Attorney Bill (Senate Bill No.3 of 2018 be now read a Third Time.

We are proceeding to a Division. You may start voting now.

### THIRD READING

THE OFFICE OF THE COUNTY ATTORNEY BILL  
(SENATE BILL NO. 3 OF 2018)

### DIVISION

### ELECTRONIC VOTING

*(Question, that the Office of the County Attorney Bill (Senate Bill No. 3 of 2018) be now read a Third Time put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Dullo, Isiolo County; Sen. (Prof.) Ekal, Turkana County; Sen. Farhiya, Nairobi County; Sen. Iman, Garissa County; Sen. (Prof.) Kamar, Uasin Gishu County; Sen. Khaniri, Vihiga County; Sen. Kibiru, Kirinyaga County; Sen. Kihika, Nakuru County; Sen. (Eng.) Maina, Nyeri County; Sen. (Dr.) Langat, Bomet County; Sen. Lelegwe, Samburu County; Sen. Linturi, Meru County; Sen. (Eng.) Mahamud, Mandera County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. (Dr.) Musuruve, Kakamega County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Nyamunga, Kisumu County; Sen. Olekina, Narok County; Sen. (Prof.) Ongeru, Kisii County; Sen. Orenge, Siaya County; Sen. Poghiso, West Pokot County; Sen. Seneta, Kajiado County; Sen. Wambua, Kitui County; Sen. (Rev.) Waqo, Marsabit County; Sen. Wario, Tana River County and Sen. (Dr.) Zani, Kwale County.

**NOES:** Nil

**The Speaker** (Hon. Lusaka): Order, Members. The results of the division are as follows-

**AYES:** 29

**NOES:** Nil

**ABSTENTIONS:** Nil

*(Question carried by 29 votes to nil)*

*(The Bill was accordingly read the Third Time and passed)*

**The Temporary Speaker** (Sen. Lelegwe): Hon. Senators, I now direct that the bars be withdrawn and the doors be unlocked.

*(The doors were opened and the Bar drawn)*

Let us move on to the next Order.

### COMMITTEE OF THE WHOLE

THE FOOD SECURITY BILL  
(SENATE BILLS NO.12 OF 2017)

**The Temporary Speaker** (Sen. Lelegwe): Hon. Senators, I defer Order No. 12.

*(Committee of the Whole deferred)*

### COMMITTEE OF THE WHOLE

*(Order for Committee read)*

*[The Temporary Speaker (Sen. Lelegwe) left the Chair]*

### IN THE COMMITTEE

*[The Temporary Chairperson (Sen. Nyamunga) in the Chair]*

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

**The Temporary Chairperson** (Sen. Nyamunga): Hon Senators, we are now in the Committee of the Whole to look at the Office of the County Printer Bill (Senate Bill No.7 of 2018), but we will not proceed to the division.

*Clause 3*

*(Question, that Clause 3 be part  
of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Nyamunga): The Division will be at the end.

*Clause 4*

*(Question, that Clause 4 be part  
of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Nyamunga): The Division will be at the end.

*Clause 5*

**Sen. Chebeni:** Thank you, Madam Temporary Chairperson. On behalf of the Chairperson of the Standing Committee on Information Communication and Technology, I beg to move:-

THAT Clause 5 of the Bill be amended in paragraph (a) by inserting the words “and information” immediately after the words “gazette such documents”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Nyamunga): The Division will be at the end.

*Clause 6*

*(Question, that Clause 6 be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Nyamunga): The Division will be at the end.

*Clause 7*

*(Question, that Clause 7 be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Nyamunga): The Division will be at the end.

*Clause 8*

*(Question, that Clause 8 be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Nyamunga): The Division will be at the end.

*Clause 9*

**Sen. Chebeni:** Madam Temporary Chairperson, I beg to move:-

THAT, clause 9 of the Bill be amended in sub-clause (3) by –

(a) inserting the words “qualify to” immediately after the words “A person shall”;

(b) inserting the words “at least” immediately after the word “holds” in paragraph (a); and,

(c) deleting the word “five” appearing immediately after the words “of at least” in paragraph (b) and substituting therefor the word “ten”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Nyamunga): The Division will be at the end.

*Clause 10*

**Sen. Chebeni:** Madam Temporary Chairperson, on behalf of the Chairperson of the Standing Committee on Information Communication and Technology, I beg to move:-

THAT clause 10 of the Bill be amended by inserting the word “and the county printer” immediately after the words “the county secretary”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Nyamunga): The Division will be at the end. There is a further amendment to Clause 10 by the Mover.

**Sen. Chebeni:** Madam Temporary Chairperson, on behalf of the Chairperson of the Standing Committee on Information Communication and Technology, I beg to move:-

THAT clause 10 of the Bill be further amended by inserting the words “of the county printer” immediately after the words “functions of the office”.

*(Question of the further amendment proposed)*

**The Temporary Chairperson** (Sen. Nyamunga): The Division will be at the end.

*Clause 11*

*(Question, that Clause 11  
be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Nyamunga): The Division will be at the end.

*New Clause 10(A)*

**Sen. Chebeni:** Madam Temporary Chairperson, I beg to move:-

THAT, the Bill be amended by inserting the following new clause immediately after clause 10 –

Offences.

**10A.** A person who –

- (a) fails, without reasonable cause, to –
  - (i) approve the publication of a document required to be published under any written law; or
  - (ii) publish, within the period Specified under any written law, a document which has been approved for publication;
- (b) Willfully or recklessly, authorises The publication or publishes false

or misleading information; or  
(c) without authorisation, alters a Document approved for publication,  
commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand shillings, or to imprisonment for a term not exceeding six months, or to both.

*(Question of the new clause 10(A) proposed)*

*(New clause 10(A) read the First Time)*

*(Question, that the New Clause 10 (A) be read a second time proposed)*

**The Temporary Chairperson** (Sen. Nyamunga): The Division will be at the end.

*New Clause 10 (B)*

**Sen. Chebeni:** Madam Temporary Chairperson, I beg to move:-  
THAT, the Bill be amended by inserting the following new clause immediately after clause 10 –  
General penalty.

**10B.** A person who contravenes any provision of this Act for which no penalty is provided is liable, on conviction, to a fine not exceeding one hundred thousand shillings, or to imprisonment for a term not exceeding six months, or to both.

*(Question of the new clause 10(B) proposed)*

*(New clause 10(B) read the First Time)*

*(Question, that the New Clause 10 (B) be read a second time proposed)*

**The Temporary Chairperson** (Sen. Nyamunga): The Division will be at the end.

*Clause 2*

**Sen. Chebeni:** Madam Temporary Chairperson I beg to move:-  
THAT, clause 2 of the Bill be amended by inserting the following new definition immediately after the definition of the term “county gazette”-

“county printer” means a person appointed under section 9 of the Act as the head of the office of the county printer.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Nyamunga): The Division will be at the end. *The Title and Clause 1*

*(Question that the Title and Clause 1 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Nyamunga): The Division will be at the end. Hon. Senators, since we do not have the requisite numbers, we are going to report progress.

Proceed, Mover.

**Sen. Chebeni:** Madam Temporary Chairperson, pursuant to Standing Order 142, I beg to move:-

THAT, the Committee reports progress on its consideration of Office of the County Printer (Senate Bills No. 7 of 2018) and seek leave to sit again tomorrow.

**Sen. Cheruiyot** seconded

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*[The Temporary Speaker (Sen. Lelegwe) in the Chair]*

**The Temporary Speaker** (Sen. Lelegwe): Hon. Senators, I call upon the Chairperson to report progress.

## PROGRESS REPORTED

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

**Sen. Nyamunga:** Mr. Temporary Speaker, Sir, I beg to report progress, that the Committee of the Whole has considered the Office of the County Printer Bill (Senate Bills No.7 of 2018) and seeks leave to sit again tomorrow.

**The Temporary Speaker** (Sen. Lelegwe): I now call upon the Mover.

**Sen. Chebeni:** Mr. Temporary Speaker, Sir, I beg to move that the House do agree with the Committee in the said report.

**Sen. Cheruiyot** seconded.

*(Question proposed)*

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*(Question put and agreed to)*

Let us go to the next Order.

**COMMITTEE OF THE WHOLE**

THE DISASTER RISK MANAGEMENT BILL  
(SENATE BILLS NO.8 OF 2018)

**The Temporary Speaker** (Sen. Lelegwe): Hon. Senators, I will defer Order No.14

*(Committee of the Whole deferred)*

Next Order!

**BILLS**

*Second Reading*

THE CARE AND PROTECTION OF OLDER MEMBERS OF  
SOCIETY BILL (SENATE BILLS NO.17 OF 2018)

**The Temporary Speaker** (Sen. Lelegwe): I defer Order No.15.

*(Bill deferred)*

Let us go to the next Order.

*Second Reading*

THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE)  
BILL (SENATE BILLS NO.22 OF 2018)

**The Temporary Speaker** (Sen. Lelegwe): Hon. Senators, I defer Order No.16.

*(Bill deferred)*

Let us go to the next Order.

*(Resumption of debate on Motion)*



**MOTION****DEVELOPMENT AND IMPLEMENTATION OF  
NATIONAL DISASTER RISK FINANCING**

THAT, WHEREAS Kenya's disaster profile is dominated by droughts, fire, floods, terrorism, diseases and epidemics that disrupt livelihoods, destroy infrastructure, divert planned use of resources, interrupt economic activities and retard development;

FURTHER WHEREAS the Government, through its various agencies, is ultimately responsible for disaster reduction, preparedness and management;

COGNIZANT of the fact that Government agencies involved in disaster management are usually overwhelmed when called upon to provide response services during disasters and emergencies;

AWARE that the Kenya Red Cross Society Act, Cap 256 of the Laws of Kenya establishes the Kenya Red Cross Society, a sole national Red Cross Society in Kenya, as a voluntary aid society;

RECOGNIZING, the efforts of the Kenya Red Cross Society to provide first-line disaster response services in incidences of disasters and other emergencies across the country;

OBSERVING, the huge financial resources required to finance disaster reduction, preparedness and other emergency services;

NOTING that one of the sources of the Kenya Red Cross Society in financing its operations is through accepting unrestricted contributions and assistance, in any form, from individuals, public authorities and private bodies;

APPRECIATING, the efforts made by the prudent management of funds by the Kenya Red Cross Society;

FURTHER AWARE that Emergency Fund is a substantial proportionate Vote Head in both the national and county government budgets;

CONCERNED, that the Kenya Red Cross Society has not been allocated a budget from the national and county governments despite the huge contribution in disaster and emergency response across the country;

NOW THEREFORE, the Senate urges the national and county governments to explore collaborative mechanisms for the Kenya Red Cross Society to support and implement a paradigm shift from post-disaster response to risk reduction by developing and implementing a national disaster risk financing strategy across all sectors and incorporate it into the national and county development planning and financing processes.

**Sen. Cheruiyot:** Mr. Temporary Speaker, Sir, I rise to support this extremely important Motion by my colleague from Vihiga, Sen. Khaniri. The Motion has been second by a very distinguished lady with a lot of experience in this particular area of

disaster response and how it is managed. From the outset, I must say that this is a timely thought. Our colleague said that they are jointly co-sponsoring a Bill with Sen. Halake who served as the Deputy Director of the Kenya Red Cross Society (KRCS) before joining this House.

It has been said that there is no need to reinvent the wheel. If the KRCS has proven innumerable times that they are able to respond to disasters in this country whatever the magnitude is, it is not rocket science to propose that they need Government support for them to take care of particular unfortunate events because we have seen the nature and speed with which Government has continued to drop the ball every time we have had a disaster, be it here in the Capital City or in different parts of this country.

The lone first responders in any particular part of this country are officers of the KRCS. Therefore, I find it to be an extremely timely thought for someone to think through and consider that they should be lent Government support and be made more effective by enjoying the leverage of being provided for with the resources that they need to respond to emergencies in this country.

I would like to agree with the proposals that the Mover of this Motion has made before this honourable House this afternoon; that a time has come for us to look keenly into how we handle disaster management. We need to consider, as Government institutions, that they may not have the expertise and the know-how on how to place first responders in areas that are known to be disaster-prone in this country. It will not be unusual to be the first country in the world to sort of give away what is considered generally Government work or ordinarily handled by the Government.

A new concept is emerging where in different parts of the world people are beginning to appreciate that there are certain organisations that excel in different disciplines. Therefore, there is absolutely nothing illegal in doing that. Given the track record and how we know their response to various disasters within our country, we should lend them the kind of support that is needed for them to execute their work with distinction. It is also my proposal that we consider not only giving them support to operate at the national level but also to have presence down to our villages and sub-locations in our counties.

I urge my colleagues to consider giving the legal framework that is needed for county governments to also partner with the KRCS because it is important. We all remember that during the first cycle of devolution, there were few challenges here and there. Truth be told, it is a matter that appeared even before the Committee on Finance, Commerce and Budget that I served in during the Eleventh Parliament. A number of counties signed partnership with the KRCS to provide ambulance services but it was considered to be a bit more expensive and the framework that was used to reach that kind of agreement was not transparent.

Mr. Temporary Speaker, Sir, I also urge that before we consider dipping or throwing public resources at such institutions, we should consider the governing structures. We were informed this afternoon that, last year, Kshs7 billion was spent on overseeing all the disaster response activities. That is not a small amount of money. However, given that it is not a public organisation, issues of transparency can never be second-guessed.

Now that this proposal is being made, in their request and the Bill that they will be sending to this House, let them assure us that checks and balances are properly provided for. When a county government enters into partnership with the Kenya Red Cross, it should be through an open process, where citizens of that particular county get value for money and the services that are due and deserved of them.

On many occasions, I have seen various counties that have excelled in the area of disaster response in particular traits. They need the support from other county governments, but the framework does not exist. Being the House that makes laws for our county governments, it is upon us to give them the framework that they need. I know, for example, the renowned divers from Bomet County, who continue to serve the entire South Rift region every time there is a disaster that requires that kind of service.

Whenever there have been incidents where people have drowned in my county, the divers have been called upon to respond. Towards the end of last year, when one of our colleagues had a mishap and members of staff from our office had an accident in Lake Nakuru, I saw them being called upon to respond. They were driven all the way from Bomet County. Within two or three days of being at the scene, they retrieved one of the bodies that were missing at that time.

My point is that when we have this expertise, we are duty-bound as an institution of the Senate to provide the necessary framework, to ensure that people who excel in such important activities get the necessary support. What bothers me is that these young men are not employees of county governments. Most of them are just young people who love diving and, occasionally, when there is a disaster of this kind, they are called upon to respond.

The fact is that many of our young people are trained and have patriotic traits. When disaster strikes, they first serve and then find out whether or not they will be paid. In most cases, they end up responding, but never get paid. For us to encourage having many such young people who can respond even along our highways during accidents or such issues, it is important that we provide the necessary framework.

Mr. Temporary Speaker, Sir, we are aware of the kind of troubles that countries like Indonesia are faced with. When I was watching the unfortunate incident of the earthquake, what struck my mind is what would happen to countries like Kenya, for example, were we to face an occurrence of that nature or one that is even half of the magnitude of what Indonesia faced. How prepared are we if we continue to struggle even with six or seven storey buildings that collapse? How would we respond in case of a landslide or earthquake of the nature that is being faced by countries like Indonesia?

As leaders, it is important to begin to question and know that accidents happen. The fact that this country has never faced an earthquake is not enough confirmation that it may never happen in the future, given all the seismic shifts that we are observing across the Rift Valley. You remember what happened to the Narok-Nairobi Highway at the beginning of this year. It is important that we begin to think of matters to do with disaster preparedness and provide the kind of framework that is being proposed by the Movers of this Motion.

I laud them for this noble initiative and thought; that we are just speaking about things that are important to us. More importantly, as Sen. Khaniri shared with us, they are mid-way through the preparation of a Bill to provide the framework for this to be

properly operationalised and for us to see better disaster response, when it happens in the future.

Mr. Temporary Speaker, Sir, with those many remarks, I support.

**Sen. Pareno:** Thank you, Mr. Temporary Speaker, Sir. I rise to support this Motion. We have just come from some very long droughts and a lot of floods that we suffered last year to the beginning of this year, and many others that we have all seen. We saw what happened in the Solai Dam disaster and many collapsed buildings all over. They caused destruction to property, loss of lives and earnings for our people.

If we do not come up with a strategy to finance how to deal with these disasters, then at all times we will not be preventive, but rather reactionary. We will be reacting to acts or omissions by human beings or even acts of God, like rains. We have had landslides and lost lives because of lack of proper management and handling of disasters.

If I may speak on a personal level, last year we lost many livestock in Kajiado County. My nuclear family lost more than 50 cows, goats and sheep. It is very expensive to recover from that. We ended up losing so much because of the drought. During the drought, we spent a lot in buying hay and looking for water for the livestock. Immediately after the droughts, we suffered the floods.

Even the restocking programme that the county tried to come up with did not materialize. There were complaints all over as they tried to restock and even buy the frail animals that were suffering from malnutrition at throwaway prices. The other day, I heard that those who gave their animals to the Kenya Meat Commission (KMC) have not been paid to date. They tried to salvage the little they had by selling the cows to the KMC, which is on its deathbed. The restocking programme did not take off and if it did, it was of very little significance.

Mr. Temporary Speaker, Sir, we should not wait until disaster strikes. We should not wait until the drought hits us hard or there is a fire and we are unable to control it. We should not wait until we lose people in collapsed buildings and then we cry about it. It is time that we had a strategy, not just to talk about financing, but what the finances will do. The finances should mitigate these disasters. In terms of financing, I am sure that there is a policy. All we need to do is finance and implement the intentions of that policy.

When we visited Tana River County with the Committee on National Security, Defence and Foreign Relations, there were a lot of floods and people's homes had been swept away. Schools and homes were flooded and swept away by raging flood waters. People were crying and there was no food. The county government and security apparatus were all running around, trying to distribute food since people could not reach the shopping centres because of the floods. Even if one did, the supplies were not there.

Mr. Temporary Speaker, Sir, we found them distributing food. We should not just wait until too late in the day without that strategy that will enable us to have food when there is need for it. In fact, we were wondering why we were not flying choppers to drop food when we knew there would be floods and there was a transport problem. The trucks were stuck and could not reach the destination to supply food leading to a shortage where the floods had affected the people.

We kept asking, "Did we not know there could have been a chance that we were going to have floods?" If we knew so, how come we did not provide for a chopper that could drop food for purposes of saving the lives of the people that were suffering? How

come we waited until the last day and then said that we were taking relief food to Tana River County, when we knew that most of the areas there would be so flooded that trucks would not reach their destinations?

Mr. Temporary Speaker, Sir, we need to have this strategy to finance each and every activity right from preventive, rescue, medical, relief measures and finally, when we have to distribute the food. Most likely we will have prepared but once in a while we might not be able to be fully prepared in a lot of areas.

There is a chain of activities that need to be undertaken when we know we are going to have disaster striking. We keep saying that disasters will never give us a warning. Sometimes we have these warnings like the Meteorological Department indicated that we will have above normal rainfall towards November and December in certain areas.

If we know that, then we are aware that somehow we might have problems with floods, a lot of infrastructural destruction and our roads will not be passable. What are we doing? Do we have enough finances and interventions? Have we financed those interventions or are we waiting for the Kenya Red Cross Society (KRCS) to always rush and then we go in after them?

Mr. Temporary Speaker, Sir, we have observed that most of the times we have a disaster, it is normally the *mwananchi* passing by that is first to reach the scene, secondly the KRCS and thirdly the Government. Where is this Government that is always late in terms of rescuing the people when they need its intervention most?

We want to see both the county and national governments being the first. We want to see them well coordinated. We also have a problem in terms of how these activities are coordinated. We find the national and county governments and the KRCS each doing something different. We should have a coordinated approach to issues. This can happen if in the first place we have a strategy that is properly implemented, which can only happen if the finances are there.

Mr. Temporary Speaker, Sir, this is a good Motion that needs to be supported and implemented. Follow up for purposes of getting a budget and a strategy on how to finance disaster management is another challenge for this Senate after we pass the resolutions in this Motion. Sometimes we wonder, we come up with a lot of resolutions and recommend a lot of things to these Ministries, but how much is being implemented?

We need the Committee on Implementation in place to follow up to see that every aspect and recommendation that we pronounce in this House is followed up to the letter, so that implementation is done. Otherwise we might now say that we need a financing mechanism for these disasters then the mechanisms are never drawn and financed. We need to know how it is being done until it is done.

Mr. Temporary Speaker, Sir, I hope the implementation will be done.  
I support.

**The Temporary Speaker** (Sen. Lelegwe): Let us have Sen. Wetangula. I note he is not in the Chamber. Proceed, Sen. (Dr.) Langat.

**Sen. (Dr.) Langat:** Thank you, Mr. Temporary Speaker, Sir, forgiving me this opportunity to make my contribution towards this Motion on disaster management.

I concur with Members who have spoken before me in the sense that in our country and our counties at large, we are lacking proactive strategies to combat disasters. There are many challenges we have faced in our counties. For instance, this year alone in

Bomet County we had a lot of disasters. A fire razed down a large part of Tenwek Hospital. It took us a long time to manage this disaster because of some simple things that could have been handled beforehand.

One of the greatest challenges in our counties in handling disasters is procurement processes. I am sure it is so even in our counties. For example, in my county, it has taken around nine months for the fire-fighting engine to be procured. Procurement policies must be reviewed to make sure that items required for emergency purposes are procured faster than the processes that are being currently followed.

Mr. Temporary Speaker, Sir, the other challenge we have that causes minor disasters to become serious in the long run is failure by the Government departments to do regular inspection, for example, on electrification of the houses and electrical gadgets. We see some cables have been damaged by rats and in the end, this causes a lot of fire outbreaks that become great disasters. Others are caused by negligence, ignorance and failure to follow up even on the regulations that have been given by respective organisations.

It is interesting that an organisation like the KRCS is doing better than the county and the national Governments. We need to collaborate more with the KRCS so that we are able to work together towards fighting these disasters. Disasters in our country and the policy framework around this have not been addressed effectively. This Senate has a role to play in coming up with policy frameworks that will guide our country and our counties in fighting these disasters.

Mr. Temporary Speaker, Sir, I support this Motion in order to overcome disasters in our country.

I thank you.

**The Temporary Speaker** (Sen. Lelegwe): Hon. Senators, there are no more requests. I, therefore, defer the reply to the Motion to tomorrow.

*(Reply to the Motion deferred)*

Next Order!

## MOTION

### IMPROVEMENT OF KENYA'S RANKING IN WORLD TRAVEL AND TOURISM COMPETITIVENESS INDEX

THAT, AWARE that the Ministry of Tourism has developed and published the Kenya National Tourism Blueprint 2030 in May 2017;

FURTHER AWARE that Kenya Tourism Agenda 2018–2022, launched in April 2018, establishes the foundation for the National Tourism Blueprint 2030 and is the tool for initiating the components of the Blue Print;

ALSO AWARE that the contribution of travel and tourism to Kenyan GDP stood at 9.7 per cent in 2017, up from the 9.3 per cent previous year;

COGNIZANT that in the next 10 years every industry will be changed by technology;

ALSO AWARE that Kenya Tourism Board has partnered with Google, Safaricom, Kenya Wildlife Service and Tourism Finance Corporation to create new digital content for local tourism;

CONCERNED that Kenya tourism industry's potential is underutilized;

AWARE that Kenya's position in World Economic Forum's Travel & Tourism Competitiveness Index Ranking is 80 out of 136 in 2017, having improved by two points from 2015, while having currently the lowest score in cultural resources and business travel with 1.6 points out of 7;

FURTHER CONCERNED that majority of the solutions proposed by the tourism agenda are brick and mortar type and not addressing the trends; noting that in less than two years, the share of online booking globally has grown from 9 per cent to almost 33 per cent and the lucrative and fast-growing segment of business tourism;

ALSO CONCERNED that Kenya will continue to attract only beach and park type tourists ignoring the large number of conference and business travelers, who largely never leave Nairobi and are offered minimal exposure to Kenya;

NOW THEREFORE, the Senate calls upon the Ministry of Tourism to approach tourism sector with modern innovation and implement tangible, measurable and impactful solutions, resulting in improvement of Kenya's ranking in the World Economic Forum Travel & Tourism Competitiveness Index 2019 by 6 positions and improve the lowest score of cultural resources and business travel by 1 point.

**The Temporary Speaker** (Sen. Lelegwe): Hon. Senators, I defer Order No.19 to tomorrow.

*(Motion deferred)*

## ADJOURNMENT

**The Temporary Speaker** (Sen. Lelegwe): Hon. Senators, having concluded the Business on the Order Paper, the Senate, therefore, stands adjourned until tomorrow, Thursday, 4<sup>th</sup> October, 2018 at 2.30 p.m.

The Senate rose at 5.42 p.m.