



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – THIRD SESSION

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, JULY 11, 2019 AT 2.30 P.M.

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

The Speaker conveyed the following Communications from the Chair.

**a) Visiting Students and Teachers from Ruth Kiptui Girls High School,
Baringo County**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Ruth Kiptui Girls High School in Baringo County.

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.”

b) Visiting delegation of Legal Counsel from County Governments

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, of a visiting delegation of Legal Counsel from County Governments.

The officers are undertaking a legislative drafting training at the Kenya School of Law.

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.”

c) Visiting Students and Teachers from Gesiaga High School, Nyamira County

“Honourable Senators,

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

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.”

d) Visiting Students and Teachers from Father Scheffer Asumbi School, Homa Bay County

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Father Scheffer Asumbi School in Homa Bay County.

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. PAPERS LAID

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

- i) Report of the Auditor-General on the Financial Statements of County Assembly of Kirinyaga Car Loan Mortgage Fund for the Year ended 30th June 2018.

(The Senate Majority Leader)

- ii) Report of the Parliament of Kenya Delegation on the Proceedings of the Open Government Partnership Summit held in Ottawa, Canada from 29th to 30th May, 2019.

(Sen. Samson Cherarkey, MP)

- iii) Statement on the business of the Senate for the week commencing Tuesday, 16th July, 2019.

(The Senate Deputy Majority Leader)

5. NOTICE OF MOTION – (Sen. Samson Cherarkey, MP)

THAT, the Senate notes the Report of the Parliament of Kenya Delegation on the Proceedings of the Open Government Partnership Summit held in

Ottawa, Canada from 29th to 30th May, 2019, laid on the Table of the Senate on Thursday, 11th July, 2019.

6. STATEMENTS**i) Statement pursuant to Standing Order 48 (1)**

The Nominated Senator (Sen. Abshiro Halake, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations on issuance of certificates of good conduct to ex-prisoners.

ii) Statement pursuant to Standing Order 51 (1)(a)

The Vice-Chairperson of the Standing Committee on National Security, Defence and Foreign Relations issued a statement on the petition on the lack of support for issuance of death certificates and facilitation of counselling by the Ministry of Foreign Affairs, to the families of the victims of the Ethiopian Air Crash.

In the statement, the Vice-Chairperson informed the House that the Committee had noted with concern the gravity and emotional nature of the matters raised and was moving expeditiously to have the matter addressed.

In this regard, the Vice-Chairperson informed Senators that the Committee was liaising with the respective National Government Ministries to ensure that death certificates were issued in respect of all the Kenyan citizens who died in the crash; that the affected families were offered the requisite post-trauma support and counselling; that mechanisms were put in place to prevent or mitigate similar future disasters; and, that families of the victims received fair compensation with regard to the loss of their loved ones.

iii) Statements pursuant to Standing Order 51 (1)(b)

- a) The Vice-Chairperson of the Standing Committee on National Security, Defence and Foreign Relations issued a statement relating to the activities of the Committee for the period 1st January to 30th June, 2019;
- b) The Vice-Chairperson of the Standing Committee on Information and Technology issued a statement relating to the activities of the Committee for the period 1st January to 30th June, 2019;
- c) The Chairperson of the Standing Committee on Justice, Legal Affairs and Human Rights issued a statement relating to the activities of the Committee for the period 1st January to 30th June, 2019;
- d) The Chairperson of the Standing Committee on Labour and Social Welfare issued a statement relating to the activities of the Committee for the period 1st January to 30th June, 2019;

- e) The Chairperson of the Standing Committee on Land, Environment and Natural Resources issued a statement relating to the activities of the Committee for the period 1st January to 30th June, 2019s; and
- f) The Vice Chairperson of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration issued a statement relating to the activities of the Committee for the period 1st January to 30th June, 2019.

iv) Statement pursuant to Standing Order No. 52 (1)

The Senate Deputy Majority Leader, on behalf of the Senate Majority Leader, issued a statement regarding the business of the Senate for the week commencing Tuesday, 16th July, 2019.

7. **MOTION – ELECTION OF A SENATOR TO PRESIDE AT SITTINGS OF THE SENATE IN THE ABSENCE OF THE SPEAKER AND DEPUTY SPEAKER**

Motion made and Question proposed;

THAT, Pursuant to Article 107 (1) (c) of the Constitution and Senate Standing Order 15, the Senate elects Senator Halake Abshiro Soka to preside over the Sittings of the Senate, in the absence of the Speaker and Deputy Speaker, for the remainder of the day’s Sitting.

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

And there being no other Senator wishing to contribute;

Before the Question was put, the Temporary Speaker (Sen. Rose Nyamunga) ruled, pursuant to Standing Order 79 (1), that the Motion did not affect counties.

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, Pursuant to Article 107 (1) (c) of the Constitution and Senate Standing Order 15, the Senate elects Senator Halake Abshiro Soka to preside over the Sittings of the Senate, in the absence of the Speaker and Deputy Speaker, for the remainder of the day’s Sitting.

8. **THE STATUTE LAW MISCELLANEOUS (AMENDMENT) (NO. 2) BILL (NATIONAL ASSEMBLY BILLS NO. 13 OF 2018)**

(The Senate Majority Leader)

Order for First Reading read;

Bill read a First Time and committed to the Standing Committee on Justice, Legal Affairs and Human Rights.

9. **MOTION - ADOPTION OF THE REPORT OF THE MEDIATION COMMITTEE ON THE LAND VALUE INDEX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 3 OF 2018)**

Order read;

Motion made and Question proposed-

THAT, the Senate adopts the report of the Mediation Committee on the Land Value Index Laws Bill (National Assembly Bills No. 3 of 2018) laid on the Table of the Senate on Wednesday, 10th July, 2019 and pursuant to Article 113 of the Constitution and Standing Order 161 (3) of the Senate Standing Orders approves the mediated version of the Bill.

(Chairperson, Mediation Committee)

Debate arising;

And the time being thirty Minutes past Six O'clock, the Temporary Speaker (Sen. Abshiro Halake) adjourned the Senate without question put, pursuant to the Standing Orders.

10. **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
Tuesday, July 16, 2019 at 2.30 p.m.*

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