



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, NOVEMBER 20, 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 Temporary Speaker (Sen. (Dr.) Lelegwe Ltumbesi, MP).
3. **NOTICE OF MOTION** – (Sen. (Dr.) Getrude Musuruve, MP)

THAT, AWARE THAT sport has the unique ability to transcend linguistic, cultural and social barriers, making it an excellent platform for inclusion and adaptation of different groups;

FURTHER AWARE THAT the universal popularity of sport and its physical, social and economic development benefits make it an ideal tool for fostering the inclusion and well-being of persons with disabilities;

COGNIZANT of the fact that persons with disabilities often face societal barriers, and disability evokes negative perceptions and discrimination in many societies and, as a result of the stigma associated with disability, persons with disabilities are generally excluded from education, employment and community life which deprives them of opportunities essential to their social development, health and well-being;

ACKNOWLEDGING that sport can help reduce the stigma and discrimination associated with disability by transforming community attitudes towards persons with disabilities by highlighting their skills and reducing the tendency to see the disability instead of the person;

FURTHER ACKNOWLEDGING that sport has become a career to many young people with talents, hence a source of income;

CONCERNED that there are many young talented youths with disabilities in the counties whose talent in sports has not been tapped, and that these young people are wallowing in poverty, which they have the potential to eliminate through sports and talent;

NOW THEREFORE, the Senate calls upon the Ministry of Sports, Culture and Heritage in partnership with the Council of Governors to ensure that county governments:

1. Create a parasports association in each of the 47 counties, affiliated to the National Paralympic Committee, and responsible for the development and promotion of para-sports within the counties; and
2. Submit an annual report to the Senate on the activities of the parasports associations, including the amounts of money spent on disability sports, and the number of paralympic games, teams and players sponsored by the county during the year.

4. **STATEMENTS PURSUANT TO STANDING ORDER 48(1)**

- a) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) sought a Statement from the Standing Committee on Finance and Budget on the funding of major development projects by the National Government.
- b) The Senator for Narok County (Sen. Ledama Olekina, MP) sought a Statement from the Standing Committee on Finance and Budget on the recently concluded 2019 Kenya Population and Housing Census by the Kenya National Bureau of Statistics.
- c) The Senator for Bungoma County (Sen. Moses Wetang'ula, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations on the recent pronouncement by the Kenya Government that the Migingo Island will be administered jointly by the Governments of Kenya and Uganda.
- d) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a statement from the Standing Committee on Education on the proposal by the Higher Education Loans Board (HELB) to publish names and photographs of loan defaulters.

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

Motion made and Question proposed;

THAT, pursuant to Senate Standing Order 15 and Article 107(1)(c) of the Constitution, the Senate elects Senator Johnson Sakaja, MP to preside over the Sittings of the Senate for the remainder of the day, in addition to other Members of the Speaker's Panel, in the absence of the Speaker and the Deputy Speaker.

(Sen. Mercy Chebeni, MP)

And there being no Senator wishing to contribute;

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

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, pursuant to Senate Standing Order 15 and Article 107(1)(c) of the Constitution, the Senate elects Senator Johnson Sakaja, MP to preside over the Sittings of the Senate for the remainder of the day, in addition to other Members of the Speaker's Panel, in the absence of the Speaker and the Deputy Speaker.

6. **MOTION - ADOPTION OF REPORT OF SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON ACCOUNTS OF COUNTY EXECUTIVES FOR FINANCIAL YEAR 2014/2015**

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

THAT, the Senate adopts the Report of the Sessional Committee on County Public Accounts and Investments on the Inquiry into the Financial Operations of Baringo, Busia, Elgeyo Marakwet, Embu, Kajiado, Kericho, Kilifi, Kirinyaga, Kisii, Kwale, Lamu, Makueni, Marsabit, Meru, Nakuru, Narok, Nyamira, Uasin Gishu, Vihiga and West Pokot County Executives for Financial year 2014/2015 (1st July, 2014 to 30th June, 2015), laid on the Table of the Senate on Wednesday, 9th October, 2019.

*(Resumption of debate interrupted on Wednesday, 6th November, 2019)
(Division)*

Order deferred.

7. **THE CARE AND PROTECTION OF CHILD PARENTS BILL (SENATE BILLS NO. 11 OF 2019)**

(Sen. Beatrice Kwamboka, MP)

(Second Reading)

*(Resumption of debate interrupted on Wednesday, 13th November, 2019)
(Division)*

Order deferred.

8. **THE ALTERNATIVE DISPUTE RESOLUTION BILL (SENATE BILLS NO. 19 OF 2019)**

(Sen. (Arch.) Sylvia Kasanga, MP)

(Second Reading)

*(Resumption of debate interrupted on Tuesday, 19th November, 2019)
(Division)*

Order deferred.

9. **COMMITTEE OF THE WHOLE**
THE RETIREMENT BENEFITS (DEPUTY PRESIDENT AND DESIGNATED STATE OFFICERS) (AMENDMENT) BILL (SENATE BILLS NO. 2 OF 2018)
(Sen. Ledama Olekina, MP)

Order deferred.

10. **COMMITTEE OF THE WHOLE**
THE KENYA MEDICAL SUPPLIES AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 38 OF 2018)
(Sen. Mary Seneta, MP)

Order deferred.

11. **COMMITTEE OF THE WHOLE**
THE CANCER PREVENTION AND CONTROL (AMENDMENT) BILL (SENATE BILLS NO. 9 OF 2019)
(Sen. (Dr.) Abdullahi Ali, MP)

Order deferred.

12. **COMMITTEE OF THE WHOLE**
THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 39 OF 2018)
(The Senate Majority Leader)

Order deferred.

13. **COMMITTEE OF THE WHOLE**
THE COUNTY TOURISM BILL (SENATE BILLS NO. 5 OF 2019)
(Sen. (Dr.) Agnes Zani, MP)

Order deferred.

14. **COMMITTEE OF THE WHOLE**
THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL (SENATE BILLS NO. 10 OF 2019)
(Chairperson, Standing Committee on Tourism, Trade and Industrialization)

Order deferred.

15. **COMMITTEE OF THE WHOLE**
THE ESTABLISHMENT OF CHILDREN'S HOMES BILL (SENATE BILLS NO. 12 OF 2019)
(Sen. (Dr.) Agnes Zani, MP)

Order deferred.

16. **THE REGISTRATION OF PERSONS (AMENDMENT) BILL (SENATE BILLS NO. 14 OF 2019)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Registration of Persons (Amendment) Bill (Senate Bills No. 14 of 2019) be now read a Second Time.

(Sen. (Dr.) Isaac Mwaura, MP – 07.11.2019)

Debate interrupted on Tuesday, 19th November, 2019 resumed;

There being no other Senator wishing to contribute;

Rising in her place on a Point of Order, Nominated Senator (Sen. (Dr.) Alice Milgo, MP) requested, pursuant to Standing Order 61(3), for the deferment of the putting of the Question to a later date;

And the Temporary Speaker (Sen. Johnson Sakaja, MP), acceding to the request, deferred the putting of the Question to a later date, and also directed that the Mover does reply on such date.

17. **THE KENYAN SIGN LANGUAGE BILL (SENATE BILLS NO. 15 OF 2019)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Kenya Sign Language Bill (Senate Bills No. 15 of 2019) be now read a Second Time.

(Sen. (Dr.) Getrude Musuruve, MP and Sen. (Prof.) Margaret Kamar, MP)

Debate arising;

Adjournment of Debate pursuant to Standing Order 105(1)

Raising a point of order pursuant to Standing Order 105(1), the Senator for Nairobi City County (Sen. Johnson Sakaja, MP) claimed to move “THAT, the debate be now adjourned”;

And the Temporary Speaker (Sen. (Prof.) Margaret Kamar, MP), acceding to the request;

Question put and agreed to.

18. **THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILLS NO. 17 OF 2019)**

(Sen. Mercy Chebeni, MP)

(Second Reading)

Order for Second Reading read;

Order deferred.

19. **THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (NO. 2) BILL (NATIONAL ASSEMBLY BILLS NO. 13 OF 2018)**
(The Senate Majority Leader)

(Second Reading)

Order for Second Reading read;

Order deferred.

20. **THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (AMENDMENT) (NO. 3) BILL (NATIONAL ASSEMBLY BILLS NO. 35 OF 2019)**
(The Senate Majority Leader)

(Second Reading)

Order for the Second Reading read;

Order deferred.

21. **MOTION - FREE ADMINISTRATION OF THE SNAKE BITES ANTI-VENOM IN PUBLIC HEALTH FACILITIES**
(Sen. Beatrice Kwamboka, MP)

THAT, AWARE THAT, there is an abundance of snakes in various parts of the country namely; Kitui, Baringo, Wajir, Kajiado, Embu and Tana River Counties among others, which poses a high mortality rate of snake bites across these counties;

FURTHER AWARE THAT, all patients bitten by snakes should be assessed by medically-trained staff to determine the species responsible, the amount of venom injected and the variable time course for development of signs, requiring that patients be kept under observation for at least 24 hours;

CONCERNED THAT, these incidences of snake bites are a neglected emergency in Kenya owing to the low awareness of snake bites as a public health problem in the country resulting to victims being maimed and even losing lives;

FURTHER CONCERNED THAT, poor infrastructure and poverty contribute to delays in seeking and receiving treatment for snake bites including the high cost of acquiring and storing the anti-venom;

RECOGNIZING THAT, it is essential for snakebite victims to get supportive care followed by the administration of the anti-venom as soon as possible following a snake bite;

NOTING THAT, Article 43 (1) (a) of the Constitution provides that every person has the right to the highest attainable standard of health;

NOW THEREFORE, the Senate urges the Ministry of Health in collaboration with the County governments to establish programs to sensitize people on the management of snake bites and to ensure timely supply and free administration of the anti-venom in public health facilities, concentrating on sub county health facilities in the affected counties, and further ensure that these facilities are equipped with the necessary infrastructure for the storage of the anti-venom.

Order read;

Order deferred.

22. **MOTION - REPORT ON THE THIRD STATUTORY MEETING OF THE COMMITTEE ON ECONOMIC DEVELOPMENT, REGIONAL INTEGRATION AND NATURAL RESOURCES OF THE FORUM OF PARLIAMENTS OF THE INTERNATIONAL CONFERENCE OF THE GREAT LAKES REGION (FP-ICGLR)**

(Sen. Samuel Poghisio, MP)

THAT, this House notes the Report on the 3rd Statutory Meeting of the Committee on Economic Development, Regional Integration and Natural Resources of the Forum of Parliaments of the International Conference of the Great Lakes Region (FP-ICGLR) held in Bujumbura, Burundi, from 13th to 14th March, 2019, laid on the Table of the House on Tuesday, 21st May, 2019.

Order read;

Order deferred.

23. **MOTION - REPORTS OF THE SIXTH ORDINARY SESSION OF THE FOURTH PAN-AFRICAN PARLIAMENT AND THE FIRST AND SECOND ORDINARY SESSIONS OF THE FIFTH PARLIAMENT OF THE PAN-AFRICAN PARLIAMENT**

(Sen. (Dr.) Abdullahi Ali, MP)

THAT, this House notes the Reports of the Sixth Ordinary Session of the Fourth Pan- African Parliament held in Midrand, South Africa, from 7th to 18th May, 2018, laid on the Table of the House on Tuesday, 24th July, 2018; the First Ordinary Session of the Fifth Parliament of the Pan African Parliament held in Kigali, Rwanda, from 18th October to 3rd November, 2018, laid on the Table of the House on Tuesday, 12th March, 2019; and, the Second Ordinary Session of the Fifth Parliament of the Pan-African Parliament, held in Midrand, South Africa from 6th to 18th May, 2019 laid on the Table of the Senate on Tuesday, 10th September, 2019.

Order deferred.

24. **MOTION - REPORT OF THE PARLIAMENT OF KENYA DELEGATION TO THE UNITED NATIONS CONFERENCE ON CLIMATE CHANGE (COP 24).**
(Sen. (Dr.) Abdullahi Ali, MP)

THAT, the Senate notes the Report of the Parliament of Kenya Delegation to the United Nations Conference on Climate Change (COP 24) held in Katowice, Poland, from 3rd to 14th December, 2018, laid on the Table of the Senate on Thursday, 25th July, 2019.

Order deferred.

25. **MOTION - REPORT ON THE 64TH COMMONWEALTH PARLIAMENTARY CONFERENCE**

Order read;

Motion made and Question proposed;

THAT, the Senate notes the Report of the Parliament of Kenya Delegation to the 64th Commonwealth Parliamentary Conference (CPC) held in Kampala, Uganda from 22nd to 29th September, 2019.

(Sen. Mohamed Faki, MP)

Debate arising;

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

26. **SENATE ROSE** - at thirty minutes past Six O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Thursday, November 21, 2019 at 2:30 p.m.*

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