



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – FOURTH SESSION**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**THURSDAY, FEBRUARY 27, 2020 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. **COMMUNICATION FROM THE CHAIR**

**Visiting Students and Teachers from Ndivisi Girls High School, Bungoma County**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Ndivisi Girls High School in Bungoma 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**

Report of the Standing Committee on Finance and Budget on the 2020 Budget Policy Statement and Medium Term Debt Management Strategy.

*(Chairperson, Standing Committee on Finance and Budget)*

5. **NOTICE OF MOTION** – (Chairperson, Standing Committee on Finance and Budget)

THAT, pursuant to Section 25 (7) of the Public Finance Management Act and Standing Order 180 (7) of the Senate, this House adopts the Report of the Standing Committee on Finance and Budget on the 2020 Budget Policy Statement and Medium Term Debt Management Strategy, laid on the Table of the Senate on Thursday, 27<sup>th</sup> February, 2020.

**6. STATEMENTS****a) Pursuant to Standing Order 47 (1)**

- i. The Senator for Narok County (Sen. Ledama Olekina) made a Statement on an issue of general topical concern regarding the Novel Corona Virus.

In his Statement he was concerned that the previous day, a China Southern Airlines plane carrying 239 passengers from Guangdong- the province known to be the second leading corona virus infection zone globally- was allowed to land at the Jomo Kenyatta International Airport.

He noted that 37 locations internationally have been affected, with more than 82,000 infections and almost 3,000 deaths. As a result, some counties have restricted interactions with people coming from or going to China, with others closing their borders with China.

He was further concerned that the Kenyan government had done nothing to bring back to Kenya more than 100 students stranded in Wuhan, China. In addition, he questioned the government's preparedness should the virus be reported in Kenya.

The Senator urged the concerned authorities to handle the matter judiciously and expeditiously with a view of ensuring that the country takes preventive and precautionary measures to mitigate the situation. He further urged that the Speaker to direct, the Standing Committee on Health to summon the Cabinet Secretary for Health to appear before it and make clarifications on the matter.

The Speaker then directed the Standing Committee on Health to invite and engage with the Cabinet Secretary for Health and report back to the House on Tuesday, 3<sup>rd</sup> March, 2020.

- ii. Nominated Senator (Sen. Mercy Chebeni) made a Statement on an issue of general topical concern regarding blood transfusion crisis in Kenya.

In the Statement, she said Kenya is a signatory to the World Health Assembly Resolution (WHA 28.72 of 1975) which requires each member state to develop a comprehensive, well-coordinated blood transfusion service, based on voluntary, non-remunerated blood donation. Kenya is also a signatory to the Regional Commonwealth Ministers of Health Resolution of 1989 requiring that each member country makes the provision of safe blood to the people a national priority.

She noted with concern that Kenya's blood bank systems still run on manual systems. As such, there is a prevalent problem in the availability of needed blood types. For instance, when a person needs a certain type of blood and that type is not available in the hospital, family members send messages through social media to those who can donate to them and this process takes too long to help the patient in need.

She was further concerned that shortfalls in blood supply have a particular impact on women with pregnancy related complications, trauma victims and even children with severe life-threatening anaemia. On the flip side, the human costs of unsafe blood are incalculable. Morbidity and mortality resulting from the transfusion of infected blood have far-reaching consequences, not only for the recipients themselves, but also their families, their communities and the wider society.

She urged the government to improve and strengthen the procurement, supply, processing, distribution and surveillance systems for blood transfusion in order to save many lives that are lost due to lack of blood in our hospitals.

**b) Pursuant to Standing Order No. 52 (1)**

The Senate Majority Leader issued a statement regarding the business of the Senate for the week commencing Tuesday, 3<sup>rd</sup> March, 2020.

**7. MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE 2020 BUDGET POLICY STATEMENT AND MEDIUM TERM DEBT MANAGEMENT STRATEGY**

Order read-

Motion made and Question proposed-

THAT, pursuant to Section 25 (7) of the Public Finance Management Act and Standing Order 180 (7) of the Senate, this House adopts the Report of the Standing Committee on Finance and Budget on the 2020 Budget Policy Statement and Medium Term Debt Management Strategy, laid on the Table of the Senate on Thursday, 27<sup>th</sup>February, 2020.

*(Chairperson, Standing Committee on Finance and Budget)*

Debate arising;

And there being no other Senator wishing to contribute;

Mover replied;

Before the Question was put and pursuant to Standing Order 79 (1) the Temporary Speaker (Sen. (Prof.) Margaret Kamar, MP) ruled that the Motion affects counties.

The House proceeded to a Division;

The Temporary Speaker (Sen. (Prof.) Margaret Kamar, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for ten minutes;

After the expiry of ten minutes, the Temporary Speaker (Sen. (Prof.) Margaret Kamar, MP) directed that the doors be locked and Senators asked to log-in for electronic voting;

The Temporary Speaker (Sen. (Prof.) Margaret Kamar, MP) put the Question and directed Senators to cast their votes by pressing either the **“Yes”**, **“No”** or **“Abstain”** button;

Before the results of the Division were announced and pursuant to Order 81 (5), the Temporary Speaker (Sen. (Prof.) Margaret Kamar, MP) allowed three Senators to record their vote verbally.

Thereupon, the following Senators recorded their votes verbally as **“Yes”**-

1. Sen. Iman Falhada Dekow – voted verbally on behalf Garissa County Delegation
2. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
3. Sen. Mbogo George Ochilo Ayacko

The results of the Division were as follows: -

**AYES - 24**

**NOES - 0**

**ABSTENTIONS - 0**

**AYES**

1. Sen. Halakhe Abshiro Soka - voted on behalf of Isiolo County Delegation
2. Sen. Cheruiyot Aaron Kipkirui
3. Sen. Hargura Godana
4. Sen. Iman Falhada Dekow – voted verbally on behalf of Garissa County Delegation
5. Sen. Kabaka Boniface Mutinda
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
9. Sen. Kilonzo Mutula Junior
10. Sen. Kimani Wamatangi Paul
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Loitiptip Anuar
13. Sen. Gona Christine Zawadi – voted on behalf of Kilifi County Delegation
14. Sen. Mahamud Mohamed Maalim
15. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
16. Sen. Mbito Michael Maling’a
17. Sen. Mbogo George Ochilo Ayacko – voted verbally
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Ndwiga Peter Njeru
20. Sen. Ongeru Samson Kegengo

21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
23. Sen. Poghisio Samuel Losuron
24. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation

Question, agreed to

**RESOLVED ACCORDINGLY**

THAT, pursuant to Section 25 (7) of the Public Finance Management Act and Standing Order 180 (7) of the Senate, this House adopts the Report of the Standing Committee on Finance and Budget on the 2020 Budget Policy Statement and Medium Term Debt Management Strategy, laid on the Table of the Senate on Thursday, 27<sup>th</sup> February, 2020.

**8. MOTION – APPROVAL OF SENATE CALENDAR FOR THE FOURTH SESSION**

Order read-

Motion made and Question proposed-

THAT, pursuant to Standing Order 29(1), this House approves the Senate Calendar (Regular Sessions) for the Fourth Session (*February to December, 2020*), laid on the Table of the House on Wednesday, 26<sup>th</sup> February, 2020.

*(The Senate Majority Leader)*

Debate arising;

And there being no other Senator wishing to contribute;

Mover replied;

Before the Question was put and pursuant to Standing Order 79 (1) the Temporary Speaker (Sen. (Prof.) Margaret Kamar, MP) ruled that the Motion did not affect counties.

Question put, agreed to.

**RESOLVED ACCORDINGLY**

THAT, pursuant to Standing Order 29(1), this House approves the Senate Calendar (Regular Sessions) for the Fourth Session (February to December, 2020), laid on the Table of the House on Wednesday, 26<sup>th</sup> February, 2020.

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

*(The Senate Majority Leader)*

*(Second Reading)*

*(Resumption of debate interrupted on Wednesday, 4<sup>th</sup> December, 2019)  
(Division)*

Order deferred.

10. **THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 1 OF 2018)**

(The Senate Majority Leader)

*(Second Reading)*

*(Resumption of debate interrupted on Tuesday, 18<sup>th</sup> February, 2020)  
(Division)*

Order deferred.

11. **THE FISHERIES MANAGEMENT AND DEVELOPMENT (AMENDMENT) BILL (SENATE BILLS NO. 22 OF 2019)**

(Sen. Moses Kajwang', MP)

*(Second Reading)*

*(Resumption of debate interrupted on Wednesday, 19<sup>th</sup> February, 2020)  
(Division)*

Order deferred.

12. **THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (AMENDMENT) (NO. 3) BILL (NATIONAL ASSEMBLY BILLS NO.35 OF 2019)**

(The Senate Majority Leader)

*(Second Reading)*

*(Resumption of debate interrupted on Thursday, 20<sup>th</sup> February, 2020)  
(Division)*

Order deferred.

13. **COMMITTEE OF THE WHOLE CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE OFFICE OF THE COUNTY ATTORNEY BILL (SENATE BILLS NO. 3 OF 2018)**

(The Senate Majority Leader)

*(Resumption of debate interrupted on Tuesday, 25<sup>th</sup> February, 2020)  
(Division)*

Order deferred.

14. **COMMITTEE OF THE WHOLE CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILLS NO. 22 OF 2018)**

(The Senate Majority Leader)

*(Resumption of debate interrupted on Tuesday, 25<sup>th</sup> February, 2020)  
(Division)*

Order deferred.

15. **COMMITTEE OF THE WHOLE**  
**CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE**  
**EARLY CHILDHOOD EDUCATION BILL (SENATE BILLS NO. 26 OF 2018)**  
(The Senate Majority Leader)

*(Resumption of debate interrupted on Tuesday, 25<sup>th</sup> February, 2020)*  
*(Division)*

Order deferred.

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

Order deferred.

17. **COMMITTEE OF THE WHOLE**  
**THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 39 OF 2019)**  
(The Senate Majority Leader)

Order deferred.

18. **MOTION ON ADOPTION OF THE REPORT OF THE PARLIAMENT OF KENYA**  
**DELEGATION TO THE 7<sup>TH</sup> SYMPOSIUM OF THE INDEPENDENT**  
**COMMISSION AGAINST CORRUPTION OF HONG KONG (ICAC) HELD IN**  
**HONG KONG ON 22-24, MAY 2019.**

Order read-

Motion made and Question proposed-

THAT, the Senate notes the Report of the Parliament of Kenya Delegation to the 7<sup>th</sup> Symposium of the Independent Commission against Corruption of Hong Kong (ICAC) held in Hong Kong on 22-24, May 2019 and laid on the Table of the Senate on Wednesday, 19<sup>th</sup> February, 2020.

*(Sen. (Dr.) Isaac Mwaura, MP – 25.02.2020)*

Debate interrupted on Tuesday, 25<sup>th</sup> February, 2020 resumed;

And there being no other Senator wishing to contribute;

Mover replied;

Before the Question was put and pursuant to Standing Order 79 (1) the Temporary Speaker (Sen. (Prof.) Margaret Kamar, MP) ruled that the Motion does not affect counties.

Question put, agreed to.

**RESOLVED ACCORDINGLY**

THAT, the Senate notes the Report of the Parliament of Kenya Delegation to the 7<sup>th</sup> Symposium of the Independent Commission against Corruption of Hong Kong (ICAC) held in Hong Kong on 22-24, May 2019 and laid on the Table of the Senate on Wednesday, 19<sup>th</sup> February, 2020.

19. **MOTION ON ADOPTION OF THE REPORTS OF THE STANDING COMMITTEE ON ROADS AND TRANSPORTATION ON ITS VISITS TO MALABA INTERNATIONAL BORDER POINT AND THE KIBWEZI-ATHI-MUTOMO-KITUI ROAD PROJECT**

(Chairperson, Standing Committee on Roads and Transportation)

THAT, the Senate adopts the reports of the Standing Committee on Roads and Transportation on the visit to the Malaba International Border Point (OSBP) and the inspection visit and familiarization of the Kibwezi-Athi-Mutomo-Kitui Road Project in Kitui County laid on the Table of the Senate on Wednesday, 4<sup>th</sup> December, 2019.

Order deferred.

20. **MOTION ON ADOPTION OF THE REPORT OF THE PARLIAMENT OF KENYA DELEGATION TO THE 50<sup>TH</sup> COMMONWEALTH PARLIAMENTARY ASSOCIATION (CPA) AFRICA REGION CONFERENCE**

Order read-

Motion made-

THAT, the Senate notes the Report of the Parliament of Kenya Delegation to the 50<sup>th</sup> Commonwealth Parliamentary Association (CPA) Africa Region Conference held in Zanzibar, Tanzania from 30<sup>th</sup> August to 5<sup>th</sup> September, 2019 and laid on the Table on 27<sup>th</sup> November, 2019.

*(Sen. Abshiro Halake, MP)*

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

21. **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, March 03, 2020 at 2.30 p.m.*

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