



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – FOURTH SESSION**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**TUESDAY, NOVEMBER 17, 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. **COMMUNICATIONS FROM THE CHAIR ON THE DEMISE OF THE HONOURABLE JUSTUS MURUNGA MAKOKHA, MP, MEMBER OF THE NATIONAL ASSEMBLY FOR MATUNGU CONSTITUENCY**

The Speaker conveyed the following Communication from the Chair:-

“Honourable Senators,

I regret to announce the death of Hon. Justus Murunga Makokha, MP, a Member of the National Assembly for Matungu Constituency, which occurred on the evening of Saturday, 14<sup>th</sup> November 2020, while he was undergoing treatment at the St. Mary’s Mission Hospital in Mumias, Kakamega County.

Honourable Senators,

The late Hon. Murunga was born on 31<sup>st</sup> December 1960. He attended Kimilili Boys RC Primary School between 1971 and 1977 and thereafter proceeded to Friends School Kamusinga between 1978 and 1981 for his secondary education. For his tertiary education, the late Member pursued studies in Accounting.

Honourable Senators,

The late Hon. Murunga joined elective politics in 2017 when he vied and won the Matungu Constituency parliamentary seat on Amani National Congress (ANC) ticket. He relentlessly advocated for the needs of his constituents and actively participated in community projects aimed at improving the livelihoods of the people of Matungu. In Parliament, he was a Member of the Departmental Committee on Agriculture & Livestock, and the Committee on Parliamentary Broadcasting & Library in the National Assembly.

Honourable Senators,

Prior to his election as a Member of Parliament, the late Hon. Murunga worked in various institutions including Mumias Sugar Company, Phillips Kenya, and the Kenya Assemblies of God. In 1995, he joined the Embakasi Ranching Company as its Manager where he worked until the year 2003 when he left to engage in private business.

Honourable Senators,

On behalf of all Senators and the staff of the Senate, and indeed on my own behalf, I wish to take this opportunity to condole with the family of the late Hon. Justus Murunga, the people of Matungu Constituency and all his friends at this difficult time. This Parliament and indeed the country has lost a diligent and visionary leader.

May his soul rest in eternal peace.

In honour of our departed colleague, I request that we all stand and observe a minute of silence.

I thank you”.

4. **PAPERS LAID**

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

- i) The Seventh (7<sup>th</sup>) State of the Nation Address by His Excellency the President delivered at a Special Sitting of Parliament on Thursday, 12<sup>th</sup> November, 2020;
- ii) The 7<sup>th</sup> Annual Report on the Measures Taken and Progress Achieved in the Realization of National Values and Principles of Governance;
- iii) The 7<sup>th</sup> Annual Report on the Progress made in Fulfilling the International Obligations of the Republic of Kenya;
- iv) The Summary of the 7<sup>th</sup> Annual Report on the Progress made in Fulfilling the International Obligations of the Republic of Kenya;
- v) The Annual Report to Parliament on the State of National Security;
- vi) The Report on the Ease of Doing Business: Reform Milestones 2014-2020; and
- vii) The Office of the Director of Public Prosecutions Consolidated Annual Report for the financial years 2017/2018, 2018/2019 & 2019/2020.
- viii) Statement on the Business of the Senate for Tuesday, 24<sup>th</sup> November, 2020.

*(The Senate Majority Leader)*

5. **NOTICE OF MOTION - DEBATE ON THE PRESIDENTIAL ADDRESS TO PARLIAMENT**

*(The Senate Majority Leader)*

THAT, pursuant to Standing Order 24 (6), the thanks of the Senate be recorded for the exposition of public policy contained in the Address of His Excellency the President, delivered on Thursday, 12<sup>th</sup> November, 2020 and further that the Senate notes the following Reports submitted by H.E. the President in fulfillment of Articles 132 (1) (c) and 240 (7) of the Constitution, laid on the Table of the Senate on Tuesday, 17<sup>th</sup> November, 2020 –

- i) The Seventh (7<sup>th</sup>) State of the Nation Address by His Excellency the President delivered at a Special Sitting of Parliament on Thursday, 12<sup>th</sup> November, 2020;
- ii) The 7<sup>th</sup> Annual Report on the Measures Taken and Progress Achieved in the Realization of National Values and Principles of Governance;
- iii) The 7<sup>th</sup> Annual Report on the Progress made in Fulfilling the International Obligations of the Republic of Kenya;
- iv) The Summary of the 7<sup>th</sup> Annual Report on the Progress made in Fulfilling the International Obligations of the Republic of Kenya;
- v) The Annual Report to Parliament on the State of National Security;
- vi) The Report on the Ease of Doing Business: Reform Milestones 2014-2020; and
- vii) The Office of the Director of Public Prosecutions Consolidated Annual Report for the financial years 2017/2018, 2018/2019 & 2019/2020.

6. **NOTICE OF MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON JUSTICE, LEGAL AFFAIRS AND HUMAN RIGHTS ON THE CONSTITUTIONAL AMENDMENTS PROPOSED IN THE REPORT OF THE STEERING COMMITTEE ON THE IMPLEMENTATION OF THE BUILDING BRIDGES TO A UNITED KENYA TASKFORCE REPORT**

*(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)*

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights on the Constitutional amendments proposed in the report of the Steering Committee on the Implementation of the Building Bridges to a United Kenya Taskforce Report, laid on the Table of the Senate on Wednesday, 11<sup>th</sup> November, 2020.

7. **STATEMENTS**

**a) Pursuant to Standing Order No. 47 (1)**

The Senator for Uasin Gishu County (Sen. (Prof.) Margaret Kamar, MP) made a statement concern the demise of Hon. Joel F. K. Barmasai, former Member of Parliament for Eldoret East Constituency.

The Senator informed the Senate that the Hon. Barmasai passed-on on 12<sup>th</sup> November, 2020 in Uasin Gishu County. She then proceeded to eulogize the Member and further informed the Senate that the deceased joined public service in 1972 as an administrative officer for the International Center of Insect Physiology and Ecology (ICIPE) before venturing into other interests in 1975. In 1976, the late Hon. Barmasai served as an administrative officer for the then Wareng County Council and rose through the ranks to the position of Clerk to the Wareng County Council in 1988.

The Senate was informed that the late Hon. Barmasai joined elective politics in 1992 when he vied and successfully contested for the Eldoret East Constituency Parliamentary seat. The House was further informed that through his tenure as a Member of Parliament, the deceased initiated various infrastructural and social development programmes in the constituency, and was particularly instrumental in the building of schools and school facilities, health facilities and churches. The late Member also served as the KANU Secretary for Uasin Gishu Branch and KANU Chairman for Eldoret East Sub-branch from 1983-1997 and serve in the National Government as an Assistant Minister for Trade and Industry and thereafter as Assistant Minister for Finance.

The Senator concluded by informing the House that the late Hon. Barmasai was an outstanding gentleman of impeccable character who was full of compassion, integrity, simplicity and selflessness; attributes that earned him great respect from people of all walks of life.

**b) Pursuant to Standing Order No. 47 (1)**

Nominated Senator (Sen. Petronilla Were Lokorio, MP) sought a statement from the Standing Committee on Finance and Budget regarding the efficacy of the Integrated Financial Management Information System (IFMIS) and its application in the disbursement of funds to counties.

**c) Pursuant to Standing Order No. 51 (1) (a)**

The Chairperson of the Standing Committee on Health (Sen. Michael Mbito, MP) made a Statement regarding the COVID 19 pandemic situation in the country.

The Chairperson cited the World Health Organization statistics that indicated that, as of 16<sup>th</sup> November, 2020, there were 54,075,995 confirmed cases of COVID-19 and 1,313,919 deaths across the globe. In Africa, WHO reported 1,398,935 confirmed cases and 31,450 deaths; while in Kenya, it reported

69,273 confirmed cases, and 1,249 deaths as of 16<sup>th</sup> November, 2020. The Chairperson drew the attention of the Senate to the number of cases in Kenya, that compared negatively to the other countries in the East African region.

The Chairperson stated that the Country had witnessed an increasing and alarming reports of escalating deaths amongst health workers with reports indicating that thirty of them had succumbed to COVID-19 in the line of duty by 16.11.2020; a matter that the Standing Committee on Health was not taking lightly. In this respect, the Kenya Medical Practitioners and Dentists Union (KMPDU) had issued a 21-day strike notice on 15<sup>th</sup> November, 2020, expressing concern on the provision of adequate, standardized, quality personal protective equipment (PPEs) in all healthcare facilities.

The Senate was informed that having taken serious note of the issues raised by healthcare workers, the Standing Committee on Health had already scheduled meetings with KMPDU and the Kenya Medical Association (KMA) with a view to address the matter. The Chairperson thereafter urged Kenyans to take the threat that faces the country seriously and further urged for strict adherence to the health guidelines.

In conclusion, the Chairperson appealed to the Senate to lead by example in the fight against COVID-19. The Chairperson also appealed for cessation of all Committee activities that require the physical participation of Members and staff and non-essential travel outside the work station as a measure to mitigate against the spread of the pandemic until such a time as the prevailing infection rates begin to decline, or a vaccine is found.

**d) pursuant to Standing Order No. 52(1)**

The Senate Majority Leader issued a Statement on the Business of the Senate for Tuesday, 24<sup>th</sup> November, 2020.

8. **MOTION – DEBATE ON THE PRESIDENTIAL ADDRESS TO PARLIAMENT – (1<sup>ST</sup> DAY)**

Order read,  
Motion made and Question Proposed;

THAT, pursuant to Standing Order 24 (6), the thanks of the Senate be recorded for the exposition of public policy contained in the Address of His Excellency the President, delivered on Thursday, 12<sup>th</sup> November, 2020 and further that the Senate notes the following Reports submitted by H.E. the President in fulfillment of Articles 132 (1) (c) and 240 (7) of the Constitution, laid on the Table of the Senate on Tuesday, 17<sup>th</sup> November, 2020 –

- i) The Seventh (7<sup>th</sup>) State of the Nation Address by His Excellency the President delivered at a Special Sitting of Parliament on Thursday, 12<sup>th</sup> November, 2020;

- ii) The 7<sup>th</sup> Annual Report on the Measures Taken and Progress Achieved in the Realization of National Values and Principles of Governance;
- iii) The 7<sup>th</sup> Annual Report on the Progress made in Fulfilling the International Obligations of the Republic of Kenya;
- iv) The Summary of the 7<sup>th</sup> Annual Report on the Progress made in Fulfilling the International Obligations of the Republic of Kenya;
- v) The Annual Report to Parliament on the State of National Security;
- vi) The Report on the Ease of Doing Business: Reform Milestones 2014-2020; and
- vii) The Office of the Director of Public Prosecutions Consolidated Annual Report for the financial years 2017/2018, 2018/2019 & 2019/2020.

*(The Senate Majority Leader)*

Debate arising;

Pursuant to Standing Order 31(2), the Temporary Speaker (Sen. (Dr.) Isaac Mwaura, MP) adjourned the Senate at thirty four Minutes past Six O'clock, without question put.

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

**M E M O R A N D U M**

*The Speaker will take the Chair on  
Tuesday, November 24, 2020 at 2.30 p.m.*

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