

# PARLIAMENT OF KENYA

## THE SENATE

### THE HANSARD

Tuesday, 8<sup>th</sup> November, 2016

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

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

#### PRAYERS

#### COMMUNICATION FROM THE CHAIR

##### VISITING DELEGATION FROM KAKAMEGA COUNTY

**The Speaker** (Hon. Ethuro): Hon. Senators, I would like to acknowledge the presence, in the Speaker's Gallery this afternoon, of visiting members of Chairperson's Panel and staff from Kakamega County Assembly. I request each Member of the delegation to stand when called out, so that he or she may be acknowledged in the Senate tradition. They are:-

Hon. Abdihakim Mohamed	-	Deputy Speaker
Hon. Francis Mulama	-	Chairperson, Chairperson's Panel
Hon. Sayeed Omsiritsia	-	Vice-Chairperson
Hon. Herbert Sore	-	Member
Hon. Mispella Mulari	-	Member
Hon. Edward Shibember	-	Member
Hon. Jane Esuchi	-	Member
Hon. Isabella Amaiza	-	Member
Ms. Judy Achieng	-	Committee Clerk
Ms. Phyllivane Inziani	-	Committee Clerk
Ms. Janet Mwombe	-	Committee Clerk

*(Applause)*

**Sen. (Prof.) Lonyangapuo:** Mr. Speaker, Sir, I know Sen. (Dr.) Khalwale would have wanted to comment but he was seated next to me here, far away from his seat.

Mr. Speaker, Sir, I join you in recognising the presence of the delegation from Kakamega County Assembly. They should continue benchmarking not only with the Senate but also with other Houses such as the National Assembly or other county assemblies.

Mr. Speaker, Sir, I read in the newspaper about the collapse of a major wall in Bukhungu Stadium and I discovered that Kshs1 billion was spent. This Senate deals with oversight just like Kakamega County Assembly in this case. They should go and look at the matter thoroughly to find out what happened because Kshs1 billion is not little money. It can solve all the problems that are in Kakamega.

**The Speaker** (Hon. Ethuro): Members, this is just an appreciation. Therefore, you should not start raising an agenda.

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, I appreciate the presence of the team from my county in the Speaker's Gallery. I feel privileged and honoured that they have finally seen the wisdom of not going to Europe but coming to get the same knowledge from here.

Mr. Speaker, Sir, I have had an opportunity so share a moment with them and they are crying that they do not have a county assembly yet the Controller of Budget approved Kshs347 million for construction of an assembly. I hope when they make the appropriate approach to this House, we shall help them to ensure that the assembly is built.

**Sen. Khaniri:** Mr. Speaker, Sir, I thank you for giving me the opportunity to join you and my colleagues in welcoming the delegation from the great county of Kakamega which is my mother county. It is represented very ably here by none other than the "bullfighter." I congratulate and thank them for taking advantage of the programme initiated---

**The Speaker** (Hon. Ethuro): Order, Senator, I am not aware of any Senator by the name "bullfighter."

**Sen. Khaniri:** Mr. Speaker, Sir, the great county of Kakamega is represented by my brother, Sen. (Dr.) Khalwale, popularly known as the "bullfighter."

**The Speaker** (Hon. Ethuro): That one is acceptable.

**Sen. Khaniri:** Mr. Speaker, Sir, I congratulate them for taking advantage of the programme that you initiated. I hail you for initiating the programme of empowering our county assemblies. County assemblies are very vital and key in ensuring that devolution succeeds. The biggest gain Kenyans got in the last constitutional dispensation of 2010 is devolution and we have no choice but to make sure that devolution succeeds and county assemblies are key players in ensuring that this works.

So, we encourage them to keep coming. Vihiga County Assembly has already brought about six delegations here on the same programme and I think almost each and every Members of County Assembly (MCA) of Vihiga has been to the Senate.

The Senate is their key ally in their oversight role. Therefore, they must always endeavour to work in tandem with the Senate for them to succeed particularly in their oversight duties.

Welcome and feel at home. We wish you all the best in your stay in Nairobi.

**Sen. Wangari:** Mr. Speaker, Sir, I join my colleagues in welcoming the delegation from Kakamega County. You have heard Sen. (Prof.) Lonyangapuo raise a substantial issue in terms of oversight. Bukhungu Stadium is not the only one that has had problems in Kakamega County. The problem has been compounded by a notoriously hard-headed governor who has refused to appear before the County Public Accounts and Investments Committee (CPAIC). He is the only one out of the 47 who has refused to even honour summonses before the CPAIC.

Mr. Speaker, Sir, we cannot deliberate these issues until he avails himself in person to take responsibility for the billions of shillings that are being pumped to Kakamega. We should not blame the Members. It is only that we are being frustrated. If that can happen to the Senate, I can only imagine what the county assembly, which is our small brother, is going through. It is worse because they cannot hold the county government accountable.

So, I hope we will break this deadlock and get Kakamega County Government accountable, so that the people of Kakamega will get value for money for the projects. What happened in Bukhungu is only an indication of many other projects that have been happening in the county.

I welcome the delegation and hope they will take their oversight role seriously as we do. They should always seek legal interventions like we have done. In terms of summoning the governor, we will not relent because that is what we are supposed to. We will continue to update the Parliamentary Service Commission (PSC) and this Senate about the attendance of Governor Oparanya.

**Sen. Haji:** Mr. Speaker, Sir, I would like to join you and my colleague Senators in welcoming the delegation from Kakamega. I consider the people of Kakamega as friends because I have worked with them and they gave me very good cooperation. I hope they will learn what has brought them here. For those who have never been here before, we welcome them.

**The Speaker** (Hon. Ethuro): Finally, Sen. Elachi.

**Sen. Elachi:** Mr. Speaker, Sir, I also join my colleagues in appreciating the visitors from my county which is Kakamega. I know they have faced many challenges. In the report of the Controller of Budget, they were unable to bank all their local revenue. Therefore, queries will be raised.

As we move towards elections, I would like to urge the women to go for substantive seats. We should support each other to be elected so that we manage the resources that we are given by the national Government.

Mr. Speaker, Sir, in Kakamega, we have stood firm. We have a governor who is very notorious but at the same time, some of the MCAs have been very strong on him to ensure that he accounts for what he is doing. I thank them for the work they have done.

Mr. Speaker, Sir, thank you.

NGINDA GIRLS SECONDARY SCHOOL STUDENTS  
ON ATTACHMENT TO THE SENATE

**The Speaker** (Hon. Ethuro): Hon. Members, I acknowledge the presence of the following students from Nginda Girls' Secondary School in the Speaker's Gallery:-

1. Jane Rose
2. Sharon Paul
3. Mercy Kiruga
4. Harriet Wangeci
5. Patience Wambui

The students will be attached to the Senate for two weeks from 7<sup>th</sup> to 18<sup>th</sup> November, 2016 under the Voluntary Service Scheme Programme (VSSP).

Hon. Senators, you may recall that since 2013, the Senate has hosted students serving under this VSSP from the Starehe Boys Centre and, more recently, Starehe Girls' Centre. Nginda Girls Secondary School is, therefore, the third school to participate in this VSSP and serves as an indicator of the interest that schools serve in exposing the students to the institutions of governance in our great Republic.

The VSSP has enabled the Senate play a vital role in shaping young minds and fulfilling its obligations under the Constitution by promoting good and democratic governance. The principle purpose of the VSSP is to enhance awareness amongst members of the public, especially the youth, of the role of the Senate and the Parliament of Kenya as an arm of Government.

The VSSP is also designed to be a platform for mentorship of young persons to inspire them to consider a career in public service, expose them to the working environment and bridge the gap between the academics and the real life experiences at the work place.

On behalf of the Senate and on my own behalf, I welcome them to the Senate and wish them well for the remainder of their stay. I hope they have a fruitful programme.

I thank you.

**Sen. Karaba:** Mr. Speaker, Sir, as the Chairperson of the Committee on Education, let me take this opportunity to welcome, appreciate and acknowledge the students from Nginda Girls' Secondary School. Having come all the way from Murang'a County to this Senate is a clear representation of what should happen to many of the schools in Kenya. I am happy that they have found time to come. I am sure that they are not involved in the Kenya Certificate of Secondary Education (KCSE) and that is the reason they are here. I believe they are in Form 2 and 3. This is good. Let other schools also learn from Nginda Girls Secondary School as they send more representations to the Senate.

Even though your Senator, Sen. Kembi-Gitura, is absent, he will be happy to find you here when he comes. However, if he finds you gone, do not worry. You are well received in this Senate.

Welcome.

**Sen. Gwendu:** Mr. Speaker, Sir, I also add my voice in welcoming the students. I am elated to realise that they are girl students coming to volunteer in the Senate. It means that it is a good beginning for them realising that we are struggling to have more women in leadership in the world. For example, today, the Americans are struggling to elect Mrs. Hillary Clinton to presidency. For them to come here, they have began well and are destined for greatness.

**Sen. Wangari:** Mr. Speaker, Sir, I join my colleagues in welcoming the girls from Nginda Secondary School. It is my county of birth. I am very proud that they are here today.

On behalf of the Kenya Women Senators Association (KEWOSA), let me tell them that tomorrow, they can sit where we are sitting today. These seats are theirs. We have paved the way for them by clearing the bushes and it can only get better. They have come at a time when we are making history by getting the first woman President in the United States of America (USA) second to UK's Prime Minister, Teresa May. Girls rule the world. You can be anything that you want to become.

Welcome to the Senate. I hope you get the best out of the interaction.

**Sen. Muthama:** Mr. Speaker, Sir, I also join my colleagues to extend my welcome to the students here. Being girls---

**The Speaker** (Hon. Ethuro): Order! Did I hear Sen. Wangari talk of the first woman President of USA? Have the presidential results been announced?

*(Laughter)*

Sen. Wangari, this is a House of records.

**Sen. Wangari:** Mr. Speaker, Sir, this will be known in a few hours. We are just waiting for it to happen because all directions and indications are that she will win. I am with her.

**Sen. Muthama:** Mr. Speaker, Sir, in fact, from the look of things---

**Sen. (Prof.) Lonyangapuo:** On a point of order, Mr. Speaker, Sir. You can hear from the tone of Sen. Wangari. From the way she is putting it, she does not recognise the competitor of the lady. In short, it seems she does not like men.

*(Loud consultations)*

**Sen. Wangari:** On a point of order, Mr. Speaker, Sir. Is Sen. (Prof.) Lonyangapuo in order to say that I do not like men? I confirm to him that I have husband and I am a mother of boys. I like men, but not that one who is against Mrs. Clinton. It is on record, he has referred to women as pigs. I cannot be associated with such a man.

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, if you listened carefully, the distinguished Sen. Wangari said: "We are behind her." Obviously, the way this Parliament is structured, it means that she is imagining that Jubilee is with her. Is she aware that during the National Delegates Congress of the Democratic Party, it was only the Coalition for Reforms and Democracy (CORD) which was invited? Jubilee was not given an opportunity. Is she in order to mislead the House?

*(Laughter)*

**The Speaker** (Hon. Ethuro): Order, Sen. (Dr.) Khalwale! You get it wrong on two fronts; one, you are interpreting "*Tuko Pamoja*" with being with her. Two, invitation does not necessarily being with her.

*(Laughter)*

Let us conclude this one. Sen. Wangari, just be clear on one thing and you can put it in the way that those are your aspirations. You cannot put them as if they have been concluded. That is where the issue is.

**Sen. Wangari:** Mr. Speaker, Sir, I am definitely guided. We will wait for a few hours. In response to Sen. (Dr.) Khalwale, I confirm that Hon. Sakaja, the Chairman of Kenya Young Parliamentarians (KYP) was actually invited and represented us in the Democratic Party. He just chose because you only saw one person. However, I put it on record that it is not about Jubilee. Many who are even on the other side are with her apart from hon. Sen (Dr.) Khalwale.

**The Speaker** (Hon. Ethuro): Sen. Muthama, continue.

**Sen. Muthama:** Mr. Speaker, Sir, no matter how much Sen. Wangari can be tormented on this issue, it is obvious that the incoming President of USA will be none other than Mrs. Clinton. These are the numbers. They have been given and we go by that.

The students have come here at the right time because none of them will ever forget that they came here when America was holding elections to elect the first woman President. I can see them smiling because they know in the next 20 years, I promise this House that one of these girls will campaign giving reference to what happened when she came here. It is good that points of order have been raised by women because today should be the day for women.

**Sen. (Prof.) Anyang'-Nyong'o:** Mr. Speaker, Sir, I join my colleagues in welcoming the young girls at the Speaker's Gallery at your invitation. I am a father of four beautiful girls. Therefore, I would like to share the pleasure of having those young ladies up there.

I have met the former Senator Hillary Clinton twice. I know that she is a capable woman. She is able to lead the great nation of the United States of America (USA).

I remind the young girls that their dreams are valid.

**Sen. Elachi:** Thank you, Mr. Speaker, Sir. I thank the Senate because it has made us proud by seeing young girls seated in the Senate. In some few hours, history will judge us that women in the world can lead powerful nations. Today, these young girls will remember that we can transform our nation. You will learn a lot. Thirdly, you will be there to see that the USA, the land of opportunity, will be led by a woman.

Thank you.

*(An hon. Senator consulted loudly)*

**The Speaker** (Hon. Ethuro): Order!

**Sen. Kittony:** Mr. Speaker, Sir, I celebrate and commend the young girls who have chosen to come to the Senate to see how deliberations are conducted. They are learning great things in their lives. I wish them the best and I thank their institution. As we celebrate, we have come a long way fighting for leadership in order to be on the leadership table with men. Today, I take this opportunity to celebrate in advance Hillary Clinton because I believe she will be elected. The girls have done the right thing to come here. I congratulate you and wish you the best in your lives.

**The Speaker** (Hon. Ethuro): Order, Senators. Today, you have all broken the Standing Orders by anticipating debate. I appreciate the excitement but the day will come. You do not have to be in a rush. I will speak more from the position of strength than anticipation.

Next Order!

## PAPERS LAID

**Sen. Elachi:** Thank you, Mr. Speaker, Sir. I beg to lay the following Papers on the Table of the Senate today, Tuesday, 8<sup>th</sup> November, 2016:-

RECOMMENDATIONS FROM CRA  
ON EQUITABLE SHARE OF REVENUE

Recommendations from the Commission on Revenue Allocation on Equitable Share of Revenue raised nationally between the National and county governments of the Financial Year 2017/2018;

REPORTS ON ANNUAL BUDGET IMPLEMENTATION  
FOR FY 2015/2016

Review Report from the Office of the Controller of Budget on Annual National Government Budget Implementation of Financial Year 2015/2016

Report from the Office of the Controller of Budget on Annual County Government's Budget Implementation of Financial Year 2015/2016

*(Sen. Elachi laid the documents on the Table)*

REPORTS OF THE AUDITOR-GENERAL ON THE FINANCIAL  
OPERATIONS OF VARIOUS COUNTIES

**Sen. (Prof.) Anyang'-Nyong'o:** Mr. Speaker, Sir, I beg to lay the following manual Papers on the Table of the Senate today, Tuesday, November 8<sup>th</sup>, 2016:

Report of the Auditor General on the Financial Operations of Marsabit County Assembly for the period 1<sup>st</sup> July, 2014 to 30<sup>th</sup> June, 2015.

Report of the Auditor-General on the Financial Statements of the County Government of Garissa for the Financial Year ended 30<sup>th</sup> June, 2015.

**Sen. Hassan:** On a point of order, Mr. Speaker, Sir. Did you hear Sen. (Prof.) Anyang'-Nyong'o call the Papers "manual?" For the purposes of the record of this House, can he expound what a manual Paper is? Did he mean a hard copy?

**Sen. (Prof.) Anyang'-Nyong'o:** Mr. Speaker, Sir, it means the same thing. It means they are not digital. They are right in front of me.

**The Speaker** (Hon. Ethuro): Order Sen. (Prof.) Anyang'-Nyong'o. You may not know how Sen. Hassan considers it. Any word is interpreted in a professorial manner. So, you need to be clear.

**Sen. (Prof.) Anyang'-Nyong'o:** Okay, Mr. Speaker, Sir. I meant hard copies and not digital. He was just being cheeky.

Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate:

REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL  
STATEMENTS OF LAIKIPIA COUNTY GOVERNMENT

Report of the Auditor-General on the Financial Statements of County Government of Laikipia for the Financial Year ended 30<sup>th</sup> June, 2015.

*(Sen. (Prof.) Anyang'-Nyong'o laid the documents on the Table)*

Sen. (Prof.) Lesan: Thank you, Mr. Speaker, Sir. Although Sen. (Prof.) Anyang'-Nyong'o has already left, I wanted to remind him that he was tabling the hard copies but manually presenting them on the Table.

*(Laughter)*

**The Speaker** (Hon. Ethuro): Order, Sen. (Prof.) Lesan. Just repeat that. What did you say?

**Sen. (Prof.) Lesan:** Mr. Speaker, Sir, I wanted to raise the issue while Sen. (Prof.) Anyang'-Nyong'o was still laying the Papers on the Table. Since he has left, I still thought that I should let him know that he presented the hard copies of the Papers but he manually presented them.

*(Laughter)*

**Sen. (Prof.) Lonyangapuo:** On a point of order, Mr. Speaker, Sir. Is Sen. (Prof.) Lesan in order to raise an issue that does not exist when Sen. (Prof.) Anyang'-Nyong'o has finished what he came to do? We can allow them to go to a university auditorium at the University of Nairobi to continue with their debate on whether the papers are present or absent.

*(Laughter)*

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Mr. Speaker, Sir, for the first time, I have nothing to say.

*(Laughter)*

I almost said good afternoon, Mr. Speaker, Sir.

## STATEMENTS

**The Speaker** (Hon. Ethuro): Any Statements to be sought?

### COLLAPSE OF A SECTION OF BUKHUNGU STADIUM IN KAKAMEGA COUNTY

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, I rise to request for a Statement in respect of the collapse of a section of Bukhungu Stadium in Kakamega County. Pursuant to Standing Order No. 45 (2) (b), I seek a Statement from the Chairperson of the Standing Committee on Labour and Social Welfare regarding this unfortunate event.



In the Statement, could the Chair give the following information:-

(a) Confirm whether the National Construction Authority approved the renovation and provide proof thereof.

(b) Provide a list of the tender advertisement for the renovation of the Bukhungu Stadium, the corresponding firms that bid and those that were eventually awarded the tender.

(c) Provide the minutes of the County Tender Committee together with the report of the County Technical Tender Evaluation Committee in that tender.

(d) Provide the particulars and profiles of the firms that were awarded the said tender, including the details of the directors of those companies, financial statements and tax returns by those companies.

(e) State if the procurement procedure as provided for in the Public Procurement and Disposal Act 2005 was followed in awarding this particular tender.

(f) Table a schedule of payments to the firm and/or firms that were awarded the said tender stating how many completion certificates have so far been paid for and the total amount of money so far given to this contractor.

(g) Provide the details of the Resident Engineer supervising the construction and copies of his recommendation against every completion certificate paid for to-date.

(h) Explain what cost the collapse of the stadium in the first place.

(i) Explain the steps the County Government of Kakamega is taking to ensure that there is value for money upon completion of the project and ensure that the current contractor is removed from the site, removed from the project and blacklisted by the National Construction Authority.

**Sen. Hassan:** Mr. Speaker, Sir, on a point of order. I would also want to add that in the event that this building collapsed, the mere fact that nobody was hurt is not ground itself for us to just ask technical questions. Further, what action has been taken against the contractor and the Resident Engineer for that substandard work?

**Sen. Khaniri:** Mr. Speaker, Sir, Bukhungu Stadium is not a facility for only Kakamega. It is a facility that will benefit the entire region, Kakamega being the mother county of some of our counties. A sum of Kshs1 billion is a lot of money. It is absolutely important that the people of Kakamega get value for their money. This is money that we fight so hard with the National Assembly and other national institutions to ensure that our counties get enough money to implement their projects. Therefore, it is absolutely important that we confirm if proper procurement process was followed to identify this contractor.

I want to ensure the Chairman of the Committee on Labour and Social Welfare to ensure that the Cabinet Secretary of Physical Planning stops the construction of this stadium until investigations are thoroughly done and completed, a report made to this House before the construction can continue.

**Sen. Gwendo:** Mr. Speaker, Sir, I want to seek a statement. Should I go ahead?

**The Speaker** (Hon. Ethuro): You can do it later.

**Sen. (Prof.) Lonyangapuo:** Mr. Speaker, Sir, further clarification on the same. In his response, he should state which year the contract was given. Was it the year 2013/2014 or 2014/2015 or 2015/2016?

**The Speaker** (Hon. Ethuro): Order, Sen. (Prof.) Lonyangapuo! Once you, say, state the year, try to give examples.

**Sen. (Prof.) Lonyangapuo:** Mr. Speaker, Sir, I was leading to the last part of it to this extent.

**The Speaker** (Hon. Ethuro): Then jump there.

**Sen. (Prof.) Lonyangapuo:** Mr. Speaker, Sir, right now, the said Governor is unable to come and show how Kshs1.5 billion for the year 2014/2015 was spent. Could this be during that period or another year?

**The Speaker** (Hon. Ethuro): Chairman of the Committee on the Labour and Social Welfare.

Is Vice-Chairperson here?

**Sen. Madzayo:** Thank you, Mr. Speaker, Sir. I would require at least two weeks to respond.

**The Speaker** (Hon. Ethuro): So ordered. Table the response in two weeks' time.

**Sen. Madzayo:** Thank you, Mr. Speaker, Sir.

DETENTION OF MR. PHILIP MBITHI MUTISO BY  
TANZANIAN AUTHORITIES

**Sen. Muthama:** Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.45(2b) to seek a statement from the Chairperson of the Standing Committee on National Security and Foreign Relations regarding the detention by Tanzanian authorities of a Mr. Philip Mbithi Mutiso, a Kenyan citizen of alleged operation of electronic communication without a licence. In the statement:-

(a) The Chairperson should explain whether the Government is aware that Mr. Philip Mbithi Mutiso who hails from Machakos County was arrested by Tanzanian authorities at Namanga border on 28<sup>th</sup> July 2015 and taken to Arusha where he was briefly held and later transferred to Keko Remand Prison in Dar-es-Salaam for allegedly operating electronic communication without a licence.

(b) Indicate whether there has been any communication between the Kenyan and Tanzanian authorities over this matter.

(c) State when Mr. Mbithi's case will be heard and when he will be released from custody.

(d) Explain what the Government is doing to address complaints from Kenyans over alleged arrests without basis and detention without trial by the Tanzanian authorities.

**The Speaker** (Hon. Ethuro): Mr. Chairman of the Standing Committee on National Security and Foreign Relations? Is Vice Chairperson here?

Sen. Haji, the last time I checked you were the Chairperson of National Security and Foreign Relations.

**Sen. Haji:** Mr. Speaker, Sir, I am. This statement is related to---

**The Speaker** (Hon. Ethuro): That is your statement. Order, Sen. Haji! Sen. (Prof.) Lesan, you need to assist your neighbour.

Sen. Muthama has requested a statement on a Kenyan citizen detained in Tanzania.

**Sen. Haji:** Mr. Speaker, Sir, I will endeavour to answer it on Thursday, next.

**The Speaker** (Hon. Ethuro): It is so ordered.

Order Members! That is the end of the requests. Now we will go for the statements to be issued.

**The Speaker** (Hon. Ethuro): Order! Sen. Gwendu had a statement.

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, I rise under Standing Order No.87 to draw your attention to Speaker's Rule No.5 which says:-

“Senators shall be required not to enter the Chamber, lounge or dining room without being properly dressed”

I draw your attention to this particular rule so as to appreciate Sen. Zipporah Kittony. In an era where women are now competing with men in wearing trousers, today, she is the example of how a Kenyan woman should be dressed. She looks so young and this Senate should appreciate her. Could you kindly determine whether what I am saying is true by asking her to stand?

*(Laughter)*

**The Speaker** (Hon. Ethuro): Order, Sen. (Dr.) Khalwale. I am afraid that the Chair will not be of any assistance to you. It is your duty to lay your evidence on the Table. It is not for the Chair to do so.

*(Laughter)*

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, it is now my honour and privilege to invite the elegantly dressed and exemplary woman leader in the Republic to do a catwalk and approach the Dispatch Box, so that she can appreciate the fact that we feel her today.

**Sen. Ongoro:** On a point of order, Mr. Speaker, Sir. This Senate is a House of honour and dignity. All Members here are hon. Senators and their mode of dressing is modest. Is the hon. Senator in order to demean the women Senators in this House by ordering Sen. Kittony to do a catwalk in the Senate? This is a place where we showcase our mental capacities and not our catwalk capabilities. Is he in order?

**Sen. Muthama:** On a point of order, Mr. Speaker, Sir. I am surprised by the comments of Sen. (Dr.) Khalwale. We were in the Tenth Parliament with you and Sen. (Dr.) Khalwale and we saw female Members of Parliament being criticized for not dressing properly. We are about to finish the term of the Eleventh Parliament and none of the women Senators here has ever been criticized for dressing improperly. Is he in order to say that Sen. Kittony is smartly dressed because she is not wearing a pair of trousers, when Sen. Lesuuda has just walked in and is smartly dressed like an African woman? Is he also in order to demean Sen. Kittony by telling her to walk to the Dispatch Box so that we can see how she is dressed? What is he trying to test? Could he declare his interest?

**The Speaker** (Hon. Ethuro): Order!

What is it, Sen. (Prof.) Lonyangapuo?

**Sen. (Prof.) Lonyangapuo:** On a point of order, Mr. Speaker, Sir. I may not have understood Sen. (Dr.) Khalwale well, but I think he is recognizing what the lady Senators have been saying since we came in the afternoon; that they anticipate a lady to be elected President of the United States of America (USA). I think Sen. (Dr.) Khalwale does not want that point to be lost.

**The Speaker** (Hon. Ethuro): Finally, Sen. Murkomen.

**Sen. Murkomen:** On a point of order, Mr. Speaker, Sir. Sen. Zipporah Kittony is not only a Senator in this House, but also one of the few respected women rights

advocates who went to Beijing. She is also a mother and grandmother to some of us. Is it in order for Sen. (Dr.) Khalwale to try to demean the women of Kenya through the most respected matriarch and a representation of the struggle of women rights in this very important 'Upper' House?

**Sen. Khaniri:** Mr. Speaker, Sir, I stand under Standing Order No.93 to ask the Speaker to compel Sen. (Dr.) Khalwale to declare his interest in this matter.

**Sen. Haji:** Mr. Speaker, Sir, although religiously and culturally I am opposed to certain dresses, it is a serious matter for the hon. Senator to demand that Sen. Kittony present herself by doing a catwalk, as if we are here to watch a beauty contest. He should be ruled out of order and chased away from the House.

*(Laughter)*

**The Speaker** (Hon. Ethuro): What is it, Sen. (Dr.) Machage? You will have the very last on this.

**Sen. (Dr.) Machage:** Mr. Speaker, Sir, if Sen. (Dr.) Khalwale fails to respond under Standing Order No.93 raised by Sen. Khaniri, he should be reprimanded under Standing Order No.110 (j) for failing to disclose a pecuniary or proprietary interest in this matter. Is he out of order?

**The Speaker** (Hon. Ethuro): Order, Members. Today, I think you are in overkill mood. In fact, Sen. (Dr.) Khalwale should be highly commended because it is not usual for Members to appreciate a well dressed Senator.

**An hon. Senator:** Like myself.

*(Laughter)*

**The Speaker** (Hon. Ethuro): In fact, many a times when that particular Standing Order is pointed out, it is usually to challenge the dressing, and Sen. Haji has been a victim on more than one occasion. In fact, Speaker's Rule No.5 says:-

"Senators shall be required not to enter the Chamber, lounge or dining room without being properly dressed"

It has an equivalent standard for women. My understanding is that Sen. (Dr.) Khalwale was trying to interpret the equivalent standard for women in the manner and form in which Sen. Zipporah Kittony has dressed, and she has not complained. She has sat through all these altercations very happily. I do not know why the rest of you have a problem with that.

The bit where Sen. (Dr.) Khalwale has absolutely no powers is, one, to ask the Speaker to assist him and, two, to ask Sen. Kittony to do the catwalk. I am happy that Sen. Kittony did what she needed to do; treat it with the contempt it deserved by not responding.

*(Applause)*

Sen. (Dr.) Khalwale or any other Senator has no mandate to instruct another Senator on what to do except the Chair. Be advised.

‘Finally on Standing Order No. 93, the interest that a Member needs to declare is proprietary and the interest already declared was non-proprietary. It was a matter of style. So, Sen. (Dr.) Khalwale has no obligation to declare anything except decorum, elegance, fashion and in the words of Sen. Murkomen, those could have come from the matriarch who is the one that has struggled for the rights of women and that is none other than Sen. Kittony. I am satisfied.

*(Laughter)*

Hon. Members, let us proceed. No more points of orders. What is it, Sen. Obure? It must be something different.

KILLING OF MS. EDNA OSORO AND MS. IRENE  
ONYANSI IN KISII COUNTY

**Sen. Obure:** On a point of order, Mr. Speaker, Sir. Three weeks ago, I sought a statement from the Chair of the Committee on National Security and Foreign Relations Committee regarding two women traders at *Daraja Mbili* market in Kisii town who lost their lives. There is considerable anxiety out there. People want to know how and what caused the death of those women.

**The Speaker** (Hon. Ethuro): When was it due, Senator?

**Sen. Obure:** It was due last week. An undertaking was given to issue the Statement in two weeks which ended last week.

**The Speaker** (Hon. Ethuro): The Committee on National Security and Foreign Relations, you will note that and respond accordingly. Sen. Gwendu had the Floor to request for statement.

Proceed Sen. Gwendu.

STATUS OF RABUOR-CHIGA-KIBOS ROAD

**Sen. Gwendu:** Mr. Speaker, Sir. Pursuant to Standing Order 45 (2) (b), I wish to seek a statement from the Chairperson of the Standing Committee on Roads and Transportation regarding the status of Rabuor-Chiga-Kibos road in Kisumu County. In the statement, the Chairperson should address the following issues:-

(a) Is the Government aware of the deplorable status of the status of Rabuor-Chiga-Kibos Road which gets completely impassable during the rainy season?

(b) Could the Central Government upgrade the road from Class D to Class C so that it can attract funding from the National Government considering that the road is the lifeline for sugar cane and rice farmers as it links Kibos Sugar factory and the Lake Basin Development Authority rice mills in Kibos to the Ahero-Kisumu Road?

(c) When will funds be allocated to re-gravelling drainage and clearing the culvert replacement on the road.

(d) What measures are in place to protect the road from additional damage due to perennial flooding which is frequent in the area?

**The Speaker** (Hon. Ethuro): This is the statement will be directed to the Committee in charge of roads and transportation.

**Sen. Obure:** Mr. Speaker, Sir, the Committee on Roads and Transportation will make a response to that statement in two weeks time.

**The Speaker** (Hon. Ethuro): So ordered.

**Sen. Haji:** Mr. Speaker, Sir, I am sorry that I was not aware of Sen. Obure's statement. I was not here for two weeks ago but I will undertake to issue the statement on Thursday next week with his concurrence. Thank you.

**The Speaker** (Hon. Ethuro): Sen. Ongoro!

**Sen. Ongoro:** Mr. Speaker, Sir, my request has been overtaken by events.

**The Speaker** (Hon. Ethuro): Sen. (Prof.) Lonyangapuo.

CIRCUMSTANCES THAT LED TO INJURING OF GOVERNOR  
ISAAC RUTTO

**Sen. (Prof.) Lonyangapuo:** Mr. Speaker, Sir, I rise under Standing Order No.45 (2) (b) to seek for a statement from the Chairperson of the Standing Committee on National Security and Foreign Relations regarding the harm meted on Bomet County Governor Isaac Rutto last Sunday. In the statement, the Chairperson should state the following:-

- (a) The circumstances that led to the injuring on Gov. Isaac Rutto.
- (b) Why the police threw a teargas canister directly at the face of the governor?
- (c) What steps has Government taken to arrest the policeman involved?

*(Loud consultations)*

Mr. Speaker, Sir, there is some noise which is not healthy next to me.

(d) Knowing that the general election will be held in a few months from now, what security measures is the national security agencies putting in place to safeguard and protect Kenyans who will be seeking political offices from today?

**The Speaker** (Hon. Ethuro): What is it, Sen. (Dr.) Khalwale?

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, allow me to ride on that important question. Before I do so, I would like to send my "condolences" to our brother and hero, Gov. Isaac Rutto.

*(Laughter)*

Sorry, not condolences. I know some people would be happy if they heard he is no more but he is going to be there. God is the final arbiter. I wish to send sympathy to Gov. Isaac Rutto. The issue in question is security. Could the Chairman clarify in view of the fact that in the recently ended by-election in Turkana, the daughter of the Orange Democratic Movement (ODM) candidate was shot by the police? In Bomet again, it was a political situation. Could the Chairman clarify that Jubilee Government does not intend to use the police to Intimidate members of the opposition and or kill some Members of the opposition for purposes of having a win at the election of 2017?

**The Speaker** (Hon. Ethuro): Sen. Murkomen.

**Sen. Murkomen:** Mr. Speaker, Sir, I equally send my sympathies and message of quick recovery to the Governor of Bomet. Riding on the same question, I would like the

Chair to tell this House in the question that had been asked by Sen. Khaniri; to what extent is the act of hooliganism entrenched in the counties and how many hooligans are paid from county resources in the name of enforcement officers? Can the Chair tell us whether - in Bomet and Narok County where I was in Emurua Dikir Constituency – it is true that goons that spill over from Bomet County go to Narok County and who are paid by county resources to always accompany the governor and heckle all opponents and rubbish and fight them to ensure meetings that are organized by opponents of governors – not only in Bomet but the same was witnessed in Kakamega, Trans Nzoia and in Kiambu counties? To what extents are county resources being misused to prepare hooligans that are fighting political opponents who are managers of our devolved resources?

**The Speaker** (Hon. Ethuro): What is it, Sen. (Dr.) Khalwale?

**Sen. (Dr.) Khalwale:** On a point of order, Mr. Speaker, Sir. Whereas I appreciate the acknowledgement by Sen. Murkomen that in Kakamega County, hooligans were used to teargas us at Muliro Gardens, is he in order without substantiation to allege that Gov. Isaac Rutto pays goons who traverse across the border to neighbouring county of Narok? Could he substantiate that allegation?

**The Speaker** (Hon. Ethuro): Order, Members. This is Statement hour. Questions are being posed to the Committee Chairs. So, Sen. (Dr.) Khalwale, you cannot ask yours and you do not want others to ask theirs. You talked of one government using the police. Sen. Murkomen talked of the devolved governments using goons. So, let the Chairman go and find out for us. That is the only fair way of dealing with these kind of matters.

**Sen. (Prof.) Lesan:** Mr. Speaker, Sir, allow me also to ride on the statement that was asked by professor. Could the Chair of the Committee explain the circumstances that led to the arrest of three boys a day before the fracas at Silibwet Stadium where the incident occurred? Secondly, I would also like the Chair to find out and present to this House the address that was made by the Governor at a market centre called Merigi on 19<sup>th</sup> August, 2016.

Mr. Speaker, Sir, thank you.

**Sen. (Prof.) Anyang'-Nyong'o:** Mr. Speaker, Sir, let me also ride on the statement. Following what Sen. Murkomen said about hooliganism, rather than confining to one county, could the Chairman investigate and report to the House the use of hooligans in all counties both by the governors and the police?

**Sen. Wangari:** Mr. Speaker, Sir, riding on the same statement, could the Chairperson also tell us the steps that the Government has put in place to ensure the security of women aspirants in this country? He should tell us that because just yesterday or the day before, there was an attack in Teso South that was directed to women Senators and Members of Parliament (MPs). We have seen the same in Bomet and in other areas. Could the Chairman tell us what the Government is doing to protect those of us who will be seeking offices that are perceived to be for men? He should also tell us the action taken concerning attacks during our programmes and functions.

Mr. Speaker, Sir, I thank you.

**The Speaker** (Hon. Ethuro): Finally, Sen. Sijeny.

**Sen. Sijeny:** Mr. Speaker, Sir, I also want to ride on the same statement. I would like the Chairman to ask the Cabinet Secretary (CS) to tell us the precautions or measures they have taken to protect not only the women but most of the aspirants. I know for sure that my supporters have been beaten up in Langata and there are some people who are

waiting to kill me. Could they find out who those people are and what measures have been put in place?

**The Speaker** (Hon. Ethuro): The Chair.

**Sen. Haji:** Mr. Speaker, Sir, first and foremost, I sympathise with Governor Ruto because he was one of us in the last Parliament. It is unfortunate for whatever happened. That notwithstanding, I will require two weeks in order to get an answer particularly on what the Government is doing regarding the security generally now that we are approaching the elections in view of what is happening around.

I thank you.

**The Speaker** (Hon. Ethuro): So directed. We will get a response in two weeks' time.

#### CORPORAL PUNISHMENT IN TRAINING INSTITUTIONS

Order, Members. If you look at Statement (d), there were two Senators who were to substantiate certain allegations. We will start with Sen. (Prof.) Anyang'-Nyong'o then Sen. Mike Sonko.

**Sen. (Prof.) Anyang'-Nyong'o:** Mr. Speaker, Sir, with the deep respect I have for this House and the sincere and esteemed position that I know that the Speaker occupies in this House, having tried my best to get a document that I thought I would get, I would like to withdraw my statement and apologise to this House.

**Sen. Mbuvi:** Mr. Speaker, Sir, since Sen. (Prof.) Anyang'-Nyong'o has withdrawn and apologised over his malicious remarks he made against the Jubilee Administration, I would also wish to withdraw and apologise over the remarks I made on some of the current opposition leaders who were Ministers in the Grand Coalition Government during the Grand Coalition Regime.

**The Speaker** (Hon. Ethuro): Very well. Members, our Standing Orders are very clear. If you fail to substantiate, you should withdraw and apologise and the two Senators have done exactly that. So, that should rest the matter.

**Sen. Haji:** On a point of order, Mr. Speaker, Sir.

**The Speaker** (Hon. Ethuro): What is it, Sen. Haji?

**Sen. Haji:** Mr. Speaker, Sir, you ordered me to give a statement on Sen. M. Kajwang's request and it has been listed here. I made an effort to get the answer but I do not know whether you will keep it in abeyance or whether I will give it today.

**The Speaker** (Hon. Ethuro): Sen. Haji, you may proceed.

#### STATUS OF THE NATIONAL SECURITY COMMUNICATION SYSTEM

**Sen. Haji:** Mr. Speaker, Sir, I will go straight to the answer. The National Police Service (NPS) has been using an analogue communication system which has been insecure and prone to misuse and interference by unauthorized users or intruders. In addition, the system has limited capacity which causes congestion and delays in communication while the network is unable to support high speed data to match the modern technology. Those challenges necessitated the replacement of the system with



one that will incorporate advanced technological capabilities such as data inscription and network security.

*(Several Senators stood up in their places)*

**Sen. (Dr.) Khalwale:** On a point of order, Mr. Speaker, Sir. The rules of this House are very clear that when a Member is addressing the House through the Chair, no other Member will stand between that Member and the Chair.

Mr. Speaker, Sir, are you aware that not less than three Senators are standing between you and Sen. Haji; namely, Sen. Murkomen, my senior, Sen. (Prof.) Lesan who has just walked away and another Member who has just left?

**The Speaker** (Hon. Ethuro): Order! Members! Those Members mentioned should abide by that Standing Order as pointed out by Sen. (Dr.) Khalwale.

Sen. Haji, proceed.

**Sen. Haji:** Mr. Speaker, Sir, the overall objective of the communication system project is to modernize the communication infrastructure system and capability for the police to proactively manage the security in the country. It also aimed at professionalizing police response to easiness by moving towards directed and mission-focus deployment of resources.

The system will deliver the following outcomes:-

(1) New technology and process infrastructure to provide real-time information and intelligence to facilitate field commanders making evidence based on decision in operationally critical situations.

(2) Ability to have access to and share information within the NPS to ensure similar service delivery to the public and more timely and effective response.

(3) Provision of the information on intelligence to ensure that informed decisions are made with regard to priority and allocation of the most appropriate resources in response to calls for assistance.

Mr. Speaker, Sir, the project was procured through a direct procurement process that was approved by the Ministerial Tender Committee on 25<sup>th</sup> March, 2015. The approval for use of the method was based on Section 74(3) of the Public Procurement and Disposal Act, 2005, Tender Number COM/MPS/001/213-214 was awarded by the Special Security Tender Committee to Safaricom Limited at a meeting held on 8<sup>th</sup> May, 2014, and the contract was signed on 25<sup>th</sup> November, 2014.

The Ministry engaged technical officers with skills from various Government agencies such as the Information and Communication Technology Authority, National Intelligence Service (NIS), Housing and Public Works and the NPS in the process preparation of the tender documents, evaluation of tender and negotiations.

The project is expected to cater for Nairobi and Mombasa counties with a ten-kilometre radius to cater for the neighbouring---

**Sen. Murkomen:** On a point of order, Mr. Speaker, Sir.

**The Speaker** (Hon. Ethuro): What is it, Sen. Murkomen?

**Sen. Murkomen:** Mr. Speaker, Sir, I do not mean to interrupt the Chair. However, I do not know if it is in order for you to direct that we first proceed to division now that there is an indication that we have the numbers and then we will come back to the Statement.

**The Speaker** (Hon. Ethuro): Order, Senators. Sen. Haji, you will stop there and proceed after the division.

*(Interruption of Statements)*

Let us have the Division Bell rang for one minute.

*(The Division Bell was rung)*

**The Speaker** (Hon. Ethuro): Order, Members! We are still waiting for the numbers to be realised. So, we will take the Orders.

*(The Clerk-at-The-Table read the Orders)*

Could the Division Bell be rang for another one minute?

*(The Division Bell was rung for one minute)*

Ring the Division Bell for another one minute.

*(The Division Bell was rang for one minute)*

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

*[The Temporary Speaker (Sen. Sang) took the Chair]*

**The Temporary Speaker** (Sen. Sang): The Senate Majority Leader, could you confirm that we have the numbers?

**The Senate Majority Leader** (Prof. Kindiki): Mr. Temporary Speaker, Sir, we have the numbers.

**The Temporary Speaker** (Sen. Sang): Very well. Draw the bars and close the doors.

*(The bars were drawn and doors closed)*

Hon. Senators, we will proceed to Division with regard to Order Nos.8 and 9. We do not have the threshold for Order Nos.10 and 11. So, we will proceed into voting under Division for Order Nos.8 and 9.

## BILLS

### *Second Reading*

THE ASSUMPTION OF OFFICE OF GOVERNOR BILL  
(SENATE BILL NO. 10 OF 2016)

*(Sen. Wamatangi on 1.11.2016)*

*(Resumption of Debate interrupted on 2.11.2016)*

## DIVISION

### ELECTRONIC VOTING

*(Question, that the Assumption of Office of Governor Bill (Senate Bill No.10 of 2016) be read a Second Time put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirrahman, Wajir County; Sen. Chelule, Nakuru County; Sen. Cheruiyot, Kericho County; Sen. Haji, Garissa County; Sen. M. Kajwang, Homa Bay County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi County; Sen. Kivuti, Embu County; Sen. (Prof.) Lesan, Bomet County; Sen. Lesuada, Samburu County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Murungi, Meru County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County and Sen. Sang, Nandi County.

**NOES:** Nil.

**The Speaker** (Hon. Ethuro): Hon. Senators, I wish to announce the results as follows:-

**AYES:** 24

**NOES:** 0

**ABSTENTIONS:** 0

*(Question carried by 24 votes to 0)*

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

### *Second Reading*

THE COUNTY GOVERNMENTS (AMENDMENT) (NO. 2) BILL  
(SENATE BILL NO. 7 OF 2016)

*(Sen. Mutula Kilonzo Jnr. on 2.11.2016)*

*(Resumption of Debate interrupted on 2.11.2016)*

**DIVISION****ELECTRONIC VOTING**

*(Question, that the County Governments (Amendment) (No 2) Bill (Senate Bill No.7 of 2016) be read a Second Time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirrahman, Wajir County; Sen. Chelule, Nakuru County; Sen. Cheruiyot, Kericho County; Sen. Haji, Garissa County; Sen. M. Kajwang, Homa Bay County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi County; Sen. Kivuti, Embu County; Sen. (Prof.) Lesan, Bomet County; Sen. Lesuuda, Samburu County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Murkomen, Elgeyo Marakwet County; Sen. Murungi, Meru County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo Jr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County and Sen. Sang, Nandi County.

**NOES:** Nil.

The Speaker (Hon. Ethuro): Hon. Senators, I wish to announce the results as follows:-

**AYES:** 24

**NOES:** 0

**ABSTENTIONS:** 0

*(Question carried by 24 votes to 0)*

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

**The Temporary Speaker** (Sen. Sang): Hon. Senators, we do not have the quorum to transact the Division with regard to Order Nos.10 and 11. Therefore, we defer the Divisions on the same. You are aware that that requires two-thirds majority but we do not have the quorum.

*Second Readings*

THE CONSTITUTION OF KENYA (AMENDMENT) BILL  
(NATIONAL ASSEMBLY BILL NO.26 OF 2013)

THE CONSTITUTION OF KENYA (AMENDMENT) (No.2)  
BILL (NATIONAL ASSEMBLY BILL NO.2 OF 2015)

(Bills Deferred)

Hon. Senators, we have divisions at the Committee of the Whole with regard to Order Nos. 12, 13, 14 and 15. The Divisions are few. I request hon. Members - appreciating the fact that we have had a difficulty in raising the quorum - to retain the quorum and finalise the divisions.

**Sen. Mutula Kilonzo Jnr.:** Mr. Temporary Speaker, Sir, in view of the threshold for the constitutional amendment Bills, from what we have read under the Constitution, we require 45 Members to sit. That has never happened unless it happened when I was absent. I do not know whether the leadership of the House including the Senate Majority Leader and the whips will do something different so that a day is reserved for the division of the constitutional amendment Bills only. Otherwise, we will be accused of omissions and dereliction of duty because we have never had a quorum of 45 Members and we will never be 45 Members soon.

Thank you.

**The Temporary Speaker** (Sen. Sang): Sen. Mutula Kilonzo Jnr., are you sure we have never had a threshold of 45? I am sure in most the impeachments we have raised it. I want to hear from the Senate Minority Leader first.

**Sen. Abdirahman:** Mr. Temporary Speaker, Sir, I want to concur with Sen. Mutula Kilonzo Jnr. that this has never happened in this House to the extent that I remember honestly. It is an uphill task, but with commitment from both sides and a special day designated, probably it could. However, it is not an easy task.

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Mr. Temporary Speaker, Sir, getting two thirds of Members of any House of Parliament anywhere in the world is a very difficult thing. It is not that colleagues are not committed. As you are aware, many things go at the same time. There are committees that are working, some are abroad, *et cetera*. So, we must go out of our way to make a special case for turn up.

For that reason, I would suggest if the House allows that we set a date maybe a week or two from now and we whip towards that. If we say Tuesday, next week, we cannot be sure. I would rather we say two weeks and then we whip our Members towards that day. I am aware there are some committees which are travelling out of the country even next week. So, we need two weeks. We go out of our way to whip Members to come for that special day. Otherwise, it is not very easy to deliver two thirds.

**Sen. Mutula Kilonzo Jnr.:** Mr. Temporary Speaker, Sir, that is why a direction needs to be issued and maybe this ought to go to House Business Committee. One of the Bills here is a serious one. It deals with the Equalization Fund. During the debate last week, it came to the Floor of the Senate that, in fact, funds were disbursed in the manner suggested in this Bill, but the Bill has never been passed. This is something that is extremely serious and urgent. Therefore, something drastic needs to be done somewhere at the leadership level so that you can get the threshold of 45 by cancelling either the trips or giving sometime where you freeze everything so that we all come here and vote whether it is in the morning or afternoon.

**The Temporary Speaker** (Sen. Sang): The Majority Leader and the Minority Leader, I am inclined to give the same directives. I so direct that the House Business Committee (HBC) considers this particular issue and plan appropriately. It is difficult for

the Whips on either side to marshal the numbers. We must have the intervention of the HBC, identify a day and ensure that on that particular day you have considered all the ongoing activities in the House to ensure that we have the numbers to dispense with these very important constitutional amendment Bills. It is so directed.

### COMMITTEE OF THE WHOLE

*(Order for Committee read)*

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

### IN THE COMMITTEE

*[The Temporary Chairperson (Sen. (Dr.) Machage) took the Chair]*

#### THE COUNTY OUTDOOR ADVERTISING CONTROL BILL (SENATE BILL NO.11 OF 2015)

**The Temporary Chairman** (Sen. (Dr.) Machage): Using Standing Order No.1, I will still maintain those bars closed.

**Sen. (Dr.) Khalwale:** Mr. Temporary Chairman, Sir, can you make a determination whether we are properly in the Committee. Under the rules of this House, the House is never in the Committee with the bars drawn. Could you make that determination?

**The Temporary Chairman** (Sen. (Dr.) Machage): Those bars were closed on the orders of the Speaker. I cannot, therefore, open them until the Speaker opens them.

**Sen. Okong'o:** Mr. Temporary Chairman, Sir, on a point of order. The Speaker never made any determination on the drawing of the bars. He only cruised himself without making a determination. So, I concur with the sentiments of Sen. (Dr.) Khalwale whether we are properly in the Committee of the Whole.

**The Temporary Chairman** (Sen. (Dr.) Machage): We will look at the HANSARD tomorrow to determine that.

*(Laughter)*

**Sen. Mutula Kilonzo Jnr:** Mr. Temporary Chairman, Sir, you have joined the ranks of the late Prof. Onesmus Mutungi who used to adjourn hearings to make a ruling on the adjournment.

**The Temporary Chairman** (Sen. (Dr.) Machage): If I remember, Prof. Mutungi was one of the most relevant people when he died. So really, maybe I am building my own obituary.

On a serious note, I know Sen.(Dr.) Khalwale, Sen. Khaniri and Sen. Mutula Kilonzo Jnr. are all quite in order, but because we are patriots, I have one prayer. Let us transact what we have in a very short time and you know I am very quick to execute this and we go.

**Sen. (Dr.) Khalwale:** On a point of order, Mr. Temporary Chairman, Sir. I appreciate that in guiding the House, you refer to Standing Order No.1 and it refers to matters for which the Standing Orders do not provide.

**The Temporary Chairman** (Sen. (Dr.) Machage): You are very right. The Standing Orders do not provide for the Chair to rule on the opening of the bars.

**Dr. Khalwale:** Mr. Temporary Chairman, Sir, if you look at Standing Order No.1(2), that provision is also found in the usages, traditions and practices of this House. We already have the usages and traditions in this regard and, therefore, you cannot refer to that Standing Order. With due respect, could you reconsider your ruling?

**The Temporary Chairman** (Sen. (Dr.) Machage): Yes, I have reconsidered my ruling, Sen. (Dr.) Khalwale. Can you withdraw the bars and open the floors?

I would have expected Sen. (Dr.) Khalwale to congratulate me for that.

*(The Division Bell was rung)*

*(Voting in progress)*

*(Question that New Clauses 13A and 16A be read a Second Time put and the Senate proceeded to vote by County Delegations)*

**The Temporary Chairperson** (Sen. (Dr.) Machage): You can now start voting.

*(Voting in progress)*

Only one person did not vote. Sen. Mbuvi, you have not voted according to my records and you must vote.

I will announce the results at the end.

*(Question that Clauses 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 (as amended), 13A, 14, 15 (as amended) New Clause 16A, 17, 18, 19, 20, Clause (as amended), The Title and Clause 1 be part of the Bill, put and the Senate proceeded to vote by County Delegations)*

You can now start voting. Sen. Madzayo, start voting.

*(Voting in progress)*

I will announce the results at the end. We now go to Order No. 13.

## DIVISION

### ELECTRONIC VOTING

#### THE EMPLOYMENT (AMENDMENT) BILL (SENATE BILL NO.1 OF 2015)

*(Question that Clause 2 be amended as proposed put and*

*the Senate proceeded to vote by County Delegations)*

You can now start voting. Sen. Madzayo, start voting.

*(Voting in progress)*

I will announce the results at the end. Next clause!

*(Question that New Clause 1A be read a Second Time put and the Senate proceeded to vote by County Delegations)*

You can now start voting. If everybody votes, we will waste no time.

*(Voting in progress)*

Sen. Mbuvi, have you voted? You now have to come because we have closed the doors. I will announce the results at the end.

*(Question that Clause 2 (as amended), New Clause 1A, The Title and Clause 1 be part of the Bill put and the Senate proceeded to vote by County Delegations)*

You can now start voting. One person did not vote. Is it Sen. Mbuvi again? I can see he voted.

*(Voting in progress)*

THE COUNTY OUTDOOR ADVERTISING CONTROL BILL  
(SENATE BILL NO. 11 OF 2015)

**DIVISION**

**ELECTRONIC VOTING**

*(Question, that Clauses 3, 4, 5, 7, 9, 11, 14, 15 and 2 be amended as proposed, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirahman, Wajir County; Sen. Bule, Tana River County; Sen. Chelule, Nakuru County; Sen. Cheruiyot, Kericho County; Sen. Haji, Garissa County; Sen. M. Kajwang, Homa Bay County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi County; Sen. Kivuti, Embu County; Sen. (Prof.) Lesan, Bomet County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Murungi, Meru County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo



Jnr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; and Sen. Sang, Nandi County.

**NOES:** Nil.

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

**AYES:** 24

**NOES:** 0

**ABSTENTIONS:** 0

*(Question carried by 24 votes to 0)*

### DIVISION

#### ELECTRONIC VOTING

*(Question that New Clause 13A and New Clause 16A be read a Second Time put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirahman, Wajir County; Sen. Bule, Tana River County; Sen. Chelule, Nakuru County; Sen. Cheruiyot, Kericho County; Sen. Haji, Garissa County; Sen. M. Kajwang, Homa Bay County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi County; Sen. Kivuti, Embu County; Sen. (Prof.) Lesan, Bomet County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Murungi, Meru County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; and Sen. Sang, Nandi County.

**NOES:** Nil.

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

**AYES:** 24

**NOES:** 0

**ABSENTIONS:** 0

*(Question carried by 24 votes to 0)*

### DIVISION

#### ELECTRONING VOTING

*(Question that Clauses 3(as amended), 4 (as amended), 5 (as amended), 6, 7 (as amended), 8, 9 (as amended), 10, 11 (as amended). 12, 13, 14 (as amended) 15 (as amended), 16, 17, 18, 19, 20, New Clause 13A, New Clause16A, 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. Abdirahman, Wajir County; Sen. Bule, Tana River County; Sen. Chelule, Nakuru County; Sen. Cheruiyot, Kericho County; Sen. Haji, Garissa County; Sen. M. Kajwang, Homa Bay County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi County; Sen. Kivuti, Embu County; Sen. (Prof.) Lesan, Bomet County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Murungi, Meru County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; and Sen. Sang, Nandi County.

**NOES:** Nil.

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

**AYES:** 24

**NOES:** 0

**ABSENTIONS:** 0

*(Question carried by 24 votes to 0)*

EMPLOYMENT (AMENDMENT) BILL (SENATE BILL NO.1 OF 2015)

### **DIVISION**

#### **ELECTRONIC VOTING**

*(Question that Clause 2 be amended put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirahman, Wajir County; Sen. Boy Juma Boy, Kwale County; Sen. Bule, Tana River County; Sen. Chelule, Nakuru County; Sen. Cheruiyot, Kericho County; Sen. Haji, Garissa County; Sen. M. Kajwang, Homa Bay County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi County; Sen. Kivuti, Embu County; Sen. (Prof.) Lesan, Bomet County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Murkomen, Elgeyo Marakwet County; Sen. Murungi, Meru County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; and Sen. Sang, Nandi County.

**NOES:** Nil.

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

**AYES:** 25

**NOES:** 0

**ABSENTIONS:** 0

*(Question carried by 25 votes to 0)*

**DIVISION**

## ELECTRONIC VOTING

*(Question that New Clause 1A be now read a Second Time put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirahman, Wajir County; Sen. Boy Juma Boy, Kwale County; Sen. Bule, Tana River County; Sen. Chelule, Nakuru County; Sen. Cheruiyot, Kericho County; Sen. Haji, Garissa County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi County; Sen. Kivuti, Embu County; Sen. (Prof.) Lesan, Bomet County; Sen. M. Kajwang, Homa Bay County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Murungi, Meru County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; and, Sen. Sang, Nandi County.

**NOES:** Nil.

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

**AYES:** 25

**NOES:** 0

**ABSENTIONS:** 0

*(Question carried by 25 votes to 0)*

**DIVISION**

## ELECTRONIC VOTING

*(Question that Clause 2 (as amended), New Clause 1A, the Title and Clause 1 be part of the Bill put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirahman, Wajir County; Sen. Boy Juma Boy, Kwale County; Sen. Bule, Tana River County; Sen. Chelule, Nakuru County; Sen. Cheruiyot, Kericho County; Sen. Haji, Garissa County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi County; Sen. Kivuti, Embu County; Sen. (Prof.) Lesan, Bomet County; Sen. M. Kajwang, Homa Bay County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Murungi, Meru County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; and, Sen. Sang, Nandi County.

**NOES:** Nil.

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

**AYES:** 25

**NOES:** 0

**ABSENTIONS:** 0

*(Question carried by 25 votes to 0)*

THE COUNTY LIBRARY SERVICES BILL (SENATE BILL NO.6 OF 2014)

### DIVISION

#### ELECTRONIC VOTING

*(Question that Clause 2 be amended as proposed put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirahman, Wajir County; Sen. Boy Juma Boy, Kwale County; Sen. Bule, Tana River County; Sen. Chelule, Nakuru County; Sen. Cheruiyot, Kericho County; Sen. Haji, Garissa County; Sen. M. Kajwang, Homa Bay County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi County; Sen. Kivuti, Embu County; Sen. (Prof.) Lesan, Bomet County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Murungi, Meru County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; and, Sen. Sang, Nandi County.

**NOES:** Nil.

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

**AYES:** 25

**NOES:** 0

**ABSENTIONS:** 0

*(Question carried by 25 votes to 0)*

### DIVISION

#### ELECTRONIC VOTING

*(Question that Clause 3, 4, 5, 6, 7, 8, 9, 10 and 12, the 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. Abdirrahman, Wajir County; Sen. Boy Juma Boy, Kwale County; Sen. Bule, Tana River County; Sen. Chelule, Nakuru County; Sen. Cheruiyot, Kericho

County; Sen. Haji, Garissa County; Sen. M. Kajwang, Homa Bay County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi County; Sen. Kivuti, Embu County; Sen. (Prof.) Lesan, Bomet County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Murungi, Meru County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; and, Sen. Sang, Nandi County.

**NOES:** Nil.

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

**AYES:** 25

**NOES:** 0

**ABSENTIONS:** 0

*(Question carried by 25 votes to 0)*

THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE ) BILL  
(SENATE BILL NO.35 OF 2014)

**DIVISION**

**ELECTRONIC VOTING**

*(Question that Clause 5 be amended put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirahman, Wajir County; Sen. Boy Juma Boy, Kwale County; Sen. Bule, Tana River County; Sen. Chelule, Nakuru County; Sen. Cheruiyot, Kericho County; Sen. Haji, Garissa County; Sen. M. Kajwang, Homa Bay County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi County; Sen. Kivuti, Embu County; Sen. (Prof.) Lesan, Bomet County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Murungi, Meru County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; and Sen. Sang, Nandi County.

**NOES:** Nil.

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

**AYES:** 25

**NOES:** 0

**ABSENTIONS:** 0

*(Question carried by 25 votes to 0)*

**DIVISION****ELECTRONIC VOTING**

*(Question that Clause 3, 4, 5 (as amended), 6, 7, Clause 2, the Title and Clause 1 be part of the Bill put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirahman, Wajir County; Sen. Boy Juma Boy, Kwale County; Sen. Bule, Tana River County; Sen. Chelule, Nakuru County; Sen. Cheruiyot, Kericho County; Sen. Haji, Garissa County; Sen. M. Kajwang, Homa Bay County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi County; Sen. Kivuti, Embu County; Sen. (Prof.) Lesan, Bomet County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Murungi, Meru County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; and Sen. Sang, Nandi County.

**NOES:** Nil.

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

**AYES:** 25

**NOES:** 0

**ABSENTIONS:** 0

*(Question carried by 25 votes to 0)*

**THE COUNTY OUTDOOR ADVERTISING CONTROL BILL  
(SENATE BILL NO. 11 OF 2015)**

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Hon. Chairperson, Sir, I beg to move that the Committee do report to the Senate its consideration of the County Outdoor Advertising Control Bill (Senate Bill No. 11 of 2015) and its approval thereof with amendments.

**Sen. Abdirahman** seconded.

*(Question proposed)*

*(Question put and agreed to)*

**THE EMPLOYMENT (AMENDMENT) BILL (SENATE BILL NO.1 OF 2015)**

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Hon. Chairperson, Sir, I beg to move that the Committee do report to the Senate its consideration of the Employment (Amendment) Bill (Senate Bill No.1 of 2015) and its approval thereof with amendments.

**Sen. Abdirahman** seconded.

*(Question proposed)*

*(Question put and agreed to)*

THE COUNTY LIBRARY SERVICES BILL (SENATE BILL NO. 6 OF 2015)

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Hon. Chairperson, Sir, I beg to move that the Committee do report to the Senate its consideration of the County Library Services Bill (Senate Bill No. 6 of 2015) and its approval thereof with amendments.

**Sen. Abdirahman** seconded.

*(Question proposed)*

*(Question put and agreed to)*

PETITIONS TO COUNTY ASSEMBLIES PROCEDURE BILL  
(SENATE BILL NO. 35 OF 2014)

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Hon. Chairperson, Sir, I beg to move that the Committee do report to the Senate its consideration of the Petitions to County Assemblies Procedure Bill (Senate Bill No. 35 of 2014) and its approval thereof with amendments.

**Sen. Abdirahman** seconded.

*(Question proposed)*

*(Question put and agreed to)*

*(The House Resumed)*

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

**REPORTS, CONSIDERATION OF REPORTS  
AND THIRD READINGS**

**The Temporary Speaker** (Sen. Sang): As I order for the bars to be drawn and the doors open, I beg that you do not move because we also have other divisions. We have already bowed on both sides.

*(Laughter)*

Sen. Bule, we have agreed this afternoon that we have to conclude the business that we have on the Order Paper.

Hon. Senators, let us proceed.

THE COUNTY OUTDOOR ADVERTISING CONTROL BILL  
(SENATE BILL NO. 11 OF 2015)

**Sen. (Dr.) Machage:** Mr. Temporary Speaker, Sir, I beg to report that that the Committee of the Whole has considered The County Outdoor Advertising Control Bill (Senate Bill No.11 of 2015) and its approval thereof with amendments.

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Mr. Temporary Speaker, Sir, I beg to move that the House do agree with the Committee on the said report. I request the Senate Deputy Leader Minority to second.

**Sen. Abdirahman** seconded.

*(Question proposed)*

*(Question put and agreed to)*

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Mr. Temporary Speaker, Sir, I beg to move that The County Outdoor Advertising Control Bill (Senate Bill No.11 of 2015) be now read a Third Time. I request the Senate Deputy Minority Leader to second.

**Sen. Abdirahman** seconded.

*(Question proposed)*

**The Temporary Speaker** (Sen. Sang): Hon. Senators, we will defer the putting of the question until we are done with all the other Bills. We will do so at the end.

Let us move on to the next Bill.

THE EMPLOYMENT (AMENDMENT) BILL  
(SENATE BILL NO.1 OF 2015)

**Sen. (Dr.) Machage:** Mr. Temporary Speaker, Sir, I beg to report that the Committee of the Whole has considered The Employment (Amendment) Bill (Senate Bill No.1 of 2015) and its approval thereof with amendments.

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Mr. Temporary Speaker, Sir, I beg to move that the House do agree with the Committee in the said report. I request the Senate Deputy Minority Leader to second.

**Sen. Abdirahman:** Mr. Temporary Speaker, Sir, I second.

*(Question proposed)*



*(Question put and agreed to)*

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Mr. Temporary Speaker, Sir, I beg to move that The Employment (Amendment) Bill (Senate Bill No.1 of 2015) be now read a Third Time. I request the Senate Deputy Minority Leader to second.

**Sen. Abdirahman:** Mr. Temporary Speaker, Sir, I second.

*(Question proposed)*

**The Temporary Speaker** (Sen. Sang): I will put the question at the end.

Hon. Senators, I hope we have agreed that we have to finalise this business. So, let us all be mindful of each other. Let us proceed.

THE COUNTY LIBRARY SERVICES BILL  
(SENATE BILL NO.6 OF 2015)

**Sen. (Dr.) Machage:** Mr. Temporary Speaker, Sir, I beg to report that the Committee of the Whole has considered the County Library Services Bill (Senate Bill No.6 of 2015) and its approval thereof with amendments.

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Mr. Temporary Speaker, Sir, I beg to move that the House do agree with the Committee in the said report. I request the Senate Deputy Minority Leader to second.

**Sen. Abdirahman:** Mr. Temporary Speaker, Sir, I second.

*(Question proposed)*

*(Question put and agreed to)*

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Mr. Temporary Speaker, Sir, I beg to move that The County Library Services Bill (Senate Bill No.6 of 2015) be now read a Third Time. I request the Deputy Leader Minority to second.

**Sen. Abdirahman:** Mr. Temporary Speaker, Sir, I second.

*(Question proposed)*

**The Temporary Speaker** (Sen. Sang): I will put the question at the end.

THE PETITION OF COUNTY ASSEMBLIES (PROCEDURE) BILL  
(SENATE BILL NO. 35 OF 2014)

**Sen. (Dr.) Machage:** Mr. Temporary Speaker, Sir, I beg to report that the Committee of the Whole has considered The Petition of County Assemblies (Procedure) Bill (Senate Bill No.35 of 2014) and its approval thereof with amendments.

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Mr. Temporary Speaker, Sir, I beg to move that the House do agree with the Committee on the said report. I request the Deputy Leader of Minority to second.

**Sen. Abdirahman:** Mr. Temporary Speaker, Sir, I second.

*(Question proposed)*

*(Question put and agreed to)*

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Mr. Temporary Speaker, Sir, I beg to move that The Petition to County Assemblies (Procedure) Bill (Senate Bill No.35 of 2014) be now read a Third time. I request the Deputy Leader of Minority to second.

**Sen. Abdirahman:** Mr. Temporary Speaker, Sir, I second.

**The Temporary Speaker** (Sen. Sang): I will put the question at the end.

*(Question proposed)*

**The Temporary Speaker** (Sen. Sang): Hon. Senators, we will have the Division bell ring for one minute and that will be for all the divisions.

*(The Division Bell was rung)*

**The Temporary Speaker** (Sen. Sang): Hon. Senators, I now put the question; that The County Outdoor Advertising Control Bill (Senate Bill No.11 of 2015) be now read the Third Time.

Continue to vote.

*(The Senators proceeded to vote)*

I hope you appreciate the fact that if you are in the House, you must vote or indicate that you are abstaining.

We will now proceed to the next division. I now put the Question; that The Petition to County Assemblies (Procedure) Bill (Senate Bill No.35 of 2014) be now read the Third Time.

Senators, proceed to vote.

*(The Senators proceeded to vote)*

Hon. Senators, let us proceed to the next division.

I now put the question that the County Library Services Bill (Senate Bill No.6 of 2015) be now read the Third Time.

Proceed to vote.

*(The Senators proceeded to vote)*

Sen. Cheruiyot, have you voted?

*(Sen. Cheruiyot spoke on his mobile phone)*

**Sen. (Dr.) Machage:** On a point of order, Mr. Temporary Speaker, Sir. Did you see what Sen. Cheruiyot did?

**Sen. Khaniri:** Mr. Temporary Speaker, Sir, we appreciate that he is a new Member, but---

**Sen. (Dr.) Machage:** Mr. Temporary Speaker, Sir, he is no longer a new Member.

**The Temporary Speaker** (Sen. Sang): Sen. Cheruiyot, what have you done?

**Sen. Cheruiyot:** Mr. Temporary Speaker, Sir, I walked to the Bar, bowed and came to this side.

**The Temporary Speaker** (Sen. Sang): What did you do before that?

**Sen. Cheruiyot:** I apologize, Mr. Temporary Speaker, Sir. It is because we have overworked today. It is a sign of fatigue on the part of the Senators.

**The Temporary Speaker** (Sen. Sang): Sen. Cheruiyot, being the youngest Senator in this House, you should be the last person to talk about being fatigued. Sen. Haji has been in this House following the proceedings without getting fatigued. You should be the very last person to complain of fatigue. You are completely out of order and should apologize.

**Sen. Cheruiyot:** Mr. Temporary Speaker, Sir, I apologize.

**The Temporary Speaker** (Sen. Sang): Very well.

Hon. Senators, let us go to the last division.

I now put the Question; that the Employment (Amendment) Bill (Senate Bill No.1 of 2015) be now read the Third Time.

Proceed to vote.

*(The Senators proceeded to vote)*

*(Voting in progress)*

Sen. Mbuvi and Sen. Cheruiyot, the Standing Orders stipulate in this House that during voting, you quietly vote and remain seated.

## DIVISION

### ELECTRONIC VOTING

*(Question, that the County Outdoor Advertising Control Bill (Senate Bill No. 11 of 2015) be read a Third Time put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirahman, Wajir County; Sen. Bule, Tana River County; Sen. Chelule, Nakuru County; Sen. Cheruiyot, Kericho County; Sen. Haji, Garissa County; Sen. M. Kajwang, Homa Bay County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka Nithi County; Sen. Kivuti, Embu County; Sen. (Prof.) Lesan, Bomet County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Murkomen, Elgeyo Marakwet County; Sen. Murungi, Meru County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; Sen. Sang, Nandi County and Sen. Wamatangi, Kiambu County.

**NOES:** Nil.

**The Temporary Chairperson** (Sen. Sang): Hon. Senators, I wish to announce the results as follows:-

**AYES:** 25

**NOES:** 0

**ABSTENTIONS:** 0

*(Question carried by 25 votes to 0)*

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

## DIVISION

### ELECTRONIC VOTING

*(Question, that the Employment (Amendment) Bill (Senate Bill No. 1 of 2015) be read a Third Time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirahman, Wajir County; Sen. Bule, Tana River County; Sen. Chelule, Nakuru County; Sen. Cheruiyot, Kericho County; Sen. Haji, Garissa County; Sen. M. Kajwang, Homa Bay County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi County; Sen. Kivuti, Embu County; Sen. (Prof.) Lesan, Bomet County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Murkomen, Elgeyo Marakwet County; Sen. Murungi, Meru County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; Sen. Sang, Nandi County and Sen. Wamatangi, Kiambu County.

**NOES:** Nil.

**The Temporary Speaker** (Sen. Sang): Hon. Senators, I wish to announce the results as follows:-

**AYES:** 25

**NOES:** 0

**ABSTENTIONS:** 0

*(Question carried by 25 votes to 0)*

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

### DIVISION

#### ELECTRONIC VOTING

*(Question, that the County Library Services Bill (Senate Bill No. 6 of 2015) be read a Third Time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirahman, Wajir County; Sen. Bule, Tana River County; Sen. Chelule, Nakuru County; Sen. Cheruiyot, Kericho County; Sen. Haji, Garissa County; Sen. M. Kajwang, Homa Bay County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi County; Sen. Kivuti, Embu County; Sen. (Prof.) Lesan, Bomet County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Murungi, Meru County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; Sen. Sang, Nandi County and Sen. Wamatangi, Kiambu County.

**NOES:** Nil.

**The Temporary Speaker** (Sen. Sang): Hon. Senators, I wish to announce the results as follows:-

**AYES:** 25

**NOES:** 0

**ABSTENTIONS:** 0

*(Question carried by 25votes to 0)*

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

### DIVISION

#### ELECTRONIC VOTING

*(Question, that the Petition to County Assemblies (Procedures) Bill (Senate Bill No. 35 of 2014) be read a Third Time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirahman, Wajir County; Sen. Bule, Tana River County; Sen. Chelule, Nakuru County; Sen. Cheruiyot, Kericho County; Sen. Haji, Garissa County; Sen. M. Kajwang, Homa Bay County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki,

Tharaka-Nithi County; Sen. Kivuti, Embu County; Sen. (Prof.) Lesan, Bomet County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Murungi, Meru County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo Jr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; Sen. Sang, Nandi County and Sen. Wamatangi, Kiambu County.

**NOES:** Nil.

**The Temporary Speaker** (Sen. Sang): Hon. Senators, I wish to announce the results as follows:-

**AYES:** 25

**NOES:** 0

**ABSTENTIONS:** 0

*(Question carried by 25 votes to 0)*

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

**The Temporary Speaker** (Sen. Sang): Hon. Senators, we have come to the end of those divisions. I now order that the bars be drawn and the doors opened.

*(Resumption of Statements)*

## STATEMENTS

Let us go back to the statements. We were at Statement (e). The Chairperson is not here. Let us move on to the Statement (f). We will leave it in abeyance for the time being.

### THE STATUS OF THE NATIONAL SECURITY COMMUNICATION SYSTEM

**Sen. M. Kajwang:** On a point of order, Mr. Temporary Speaker, Sir. I beg to seek your advice on a statement that has been read halfway. The Chairperson of the Committee on National Security and Foreign Relations was giving a response on a request that had been made. The statement is eight months old in this House. Would you guide us whether this statement would be read from the point that it was left today or how will we proceed on the matter?

**Sen. (Dr.) Khalwale:** Mr. Temporary Speaker, Sir, that is a very important point of order. In my mind, it is unprecedented. We have never had that kind of situation on a statement. When you make the ruling, please, weigh it carefully. This is because when a matter is suspended, for whatever reason, in the middle of debate, when it comes back and the person who was having the Floor is given the Floor and is not there, that is the end of the matter.

So, should you choose to give the Floor to the Chairperson who was reading the statement, tradition will require that the matter dies. We do not want it to die. Could you consider directing that the balance of the statement be read on another day?

**The Temporary Speaker** (Sen. Sang): Sen. Khaniri, do you not want to say anything on that matter?

**Sen. Khaniri:** Yes, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Sang): As pointed out by Sen. (Dr.) Khalwale, this is unprecedented and it is a very important matter. Therefore, a considered ruling will be given on this matter by the Speaker. However, I direct that with regard to this specific statement, the Chairperson of the Committee on National Security and Foreign Relations will give his response tomorrow. It will not just be a continuation, but he will give the entire statement tomorrow. I, therefore, direct that this appears on the Order Paper for tomorrow's sitting.

*(Statement deferred)*

Let us move to Statement (f). We will proceed to the end and then come back to whichever Statement that was left initially.

FARMERS' PREPAREDNESS FOR THE PLANTING SEASON AND  
SUPPLY OF FERTILIZER AND OTHER FARM INPUTS

**Sen. Ndiema:** Mr. Temporary Speaker, Sir, I seek your indulgence. This Statement is ---

**The Temporary Speaker** (Sen. Sang): Order, Sen. Ndiema! Who has given you the Floor?

**Sen. Ndiema:** Mr. Temporary Speaker, Sir, you called out for Statement (f).

**The Temporary Speaker** (Sen. Sang): Okay. Very well.

**Sen. Ndiema:** Mr. Temporary Speaker, Sir, I seek indulgence to allow me Tuesday, next week so that I issue a comprehensive statement.

**The Temporary Speaker** (Sen. Sang): Chairperson, you have not said anything with regard to why you need more time neither have you given us the progress.

**Sen. Ndiema:** Mr. Temporary Speaker, Sir, the response from the Ministry has not been received hence the reason why I am seeking your indulgence up to Tuesday, next week.

**Sen. Karaba:** Mr. Temporary Speaker, Sir, I would appreciate his concerns about the statement. It is a rather strange that the question is so simple and requires only the supplies of a fertilizer and certified seeds. You notice that the rains are setting in and farmers are already to plant. The Ministry of Agriculture, Livestock and Fisheries should have known the rains are coming. So, why should we wait for the response to be brought here next week? Initially, it was even said that the question was very urgent that it was given one week by the Speaker. That was last month. Could you intervene?

**The Temporary Speaker** (Sen. Sang): Chairperson, you appreciate the importance and the urgency with which you need to treat this statement.

**Sen. Ndiema:** Mr. Temporary Speaker, Sir, we, as a Committee, appreciate the urgency. Personally, I know the importance of this question. That is why I sought your indulgence to answer it on Tuesday, next week. I think that is not asking for too much.

**The Temporary Speaker** (Sen. Sang): I order that the response be given on Tuesday without fail.

Could we move on to Statement which is meant for the Standing Committee of Lands and Natural Resources?

IMPACT OF NORTHERN WATER COLLECTOR TUNNEL PROJECT

**Sen. Kivuti:** Mr. Temporary Speaker, Sir, I am ready with the statement and I beg to respond.

**The Temporary Speaker** (Sen. Sang): Very well, but Sen. Njoroge is not in.

**Sen. Kivuti:** Mr. Temporary Speaker, Sir, I wish you could allow me to read this statement because the interest on this matter was not only for Sen. Njoroge. It is a matter that has been discussed nationally as a matter of national interest. The statement I have here touches not on the interest of Sen. Njoroge alone. If I read it, it will inform the entire House on a very important matter of my Committee about why this kind of water works are necessary to be done where they have been done, elsewhere in the world and how Kenya stands to benefit. I beseech you to allow this statement to be read using your discretion under Standing Order No.1.

**Sen. (Dr.) Khalwale:** On a point of order, Mr. Temporary Speaker, Sir. I plead with you that you do not allow the statement to be read for the important reason that is a very sensitive matter and the person who demanded for it is not here. It will require that he requests for further clarifications, if need be. Let us not deviate from the standard practice. I request that you defer it one more time.

**Sen. Kivuti:** Mr. Temporary Speaker, Sir, this matter was discussed in this House. That is why in my further statement, I am having supplementary answers which were sought on the Floor of the House on the same matter. That means it supersedes the kind of answer that comes in the first instance.

**The Temporary Speaker** (Sen. Sang): I appreciate the position being advanced by the Chairperson that this is a matter of national importance. However, we have had a tradition in this House where we give a chance to the Senator who sought the statement and we have always deferred to give room and accommodate Senator who sought the statement. Balancing the two positions, I direct that this statement be issued tomorrow with or without the presence of the Senator. I hope that Sen. Njoroge will be informed accordingly that this statement will be issued tomorrow afternoon.

**Sen. Kivuti:** Thank you, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Sang): I have already dispensed with that issue.

*(Statement deferred)*

*(Sen. (Dr.) Khalwale rose on a point of order)*

**Sen. (Dr.) Khalwale:** On a point of order, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Sang): Order. I have already dispensed with that issue unless it is on a different one.

**Sen. (Dr.) Khalwale:** On a point of order, Mr. Temporary Speaker, Sir. I agree with you and I thank you. However, I request that you add a proviso that in the event that Sen. Njoroge is travelling on an official business, then that be put into consideration. As



it is now, we do not know whether he missed today's sitting or he is out on official business.

**The Temporary Speaker** (Sen. Sang): As pointed out by the Chairperson, this was a matter that this House adjourned to discuss. Therefore, it underscores the importance and the sensitivity of this matter. I, therefore, direct that the Statement be issued tomorrow.

RELOCATION OF KTTC FROM GIGIRI TO KENYA  
SCIENCE TEACHERS PREMISES

**Sen. Karaba:** Mr. Temporary Speaker, Sir, it appears like the same is happening. This Statement is lying on the table of the Cabinet Secretary. The information I have is that the Cabinet Secretary is busy going round the examination centres. It is literally like the office is closed. They are going round checking on the ongoing examinations. I hope that as soon as the examinations are over, it will be available.

**Sen. M. Kajwang:** Mr. Temporary Speaker, Sir, I was in the House last week when the Chair of the Committee on Education wriggled us about the situation of this Statement. If I recall, the Chair told us that he went into the Office of the Cabinet Secretary and saw the Statement. The only thing that was missing was a signature.

In the debate that ensued, we pressed the Chairs of the Committees - we revisited the concept - that parliamentary business and requests from Parliament should take precedence over other things like going round examination centres like an invigilator.

Mr. Temporary Speaker, Sir, is the Chairman in order to keep this House again in suspense for an indefinite period? What appears to be the case is that we will not get the Statement before the exams are completed. Can the Chair be a little bit precise and tell us when he expects to deliver the Statement? Is the Cabinet Secretary in order to keep this House waiting and in suspense just because of the examinations that we knew will be expected around this time?

**Sen. Karaba:** Mr. Temporary Speaker, Sir, the situation is that I have been there too and someone was there this morning. The Statement is ready but the officer to sign is not there. That is the position. The answer I got is that the Cabinet Secretary is going round to check on how the examinations are being conducted. I do not know what else I can do. What do we do next?

**Sen. (Prof.) Lesan:** Mr. Temporary Speaker, Sir, the last time we received a Statement from the Ministry of Education, Science and Technology, it was signed by one Prof. Collete Suda, who is the Principal Secretary, State Department of Higher Education in the Ministry of Education, Science and Technology. It was read and accepted in this House. Under these circumstances as well, the Cabinet Secretary is not the only one who can sign the Statement, it can be signed by the Principal Secretary like it has been done before.

The Chairman should not belabour so much and chase around the Cabinet Secretary who is doing a wonderful job. He is making sure that the examinations are properly conducted in the country. Therefore, we should accept the Statement from another officer.

Thank you.

**Sen. Karaba:** Mr. Temporary Speaker, Sir, all the officers in the department, including Prof. Collete Suda are involved in the supervision of examinations. She has not been in the office the whole of last week. This week, she will still not be there. The Principal Secretaries have been dispatched to various destinations to ensure that the examinations are properly conducted.

If the Chair allows me to continue visiting the Ministry until I get it signed, I will tell the House when it is ready. I am also in desperation. Kindly make a ruling.

**The Temporary Speaker** (Sen. Sang): So, is your position that the Statement is ready?

**Sen. Karaba:** Mr. Temporary Speaker, Sir, not even a Statement but Statements. There are others, for instance, Statement (d). They are ready but there is no one to sign.

**Sen. M. Kajwang:** Mr. Temporary Speaker, Sir, last week, there was a ruling by the Speaker that the Statement should be issued today notwithstanding the fact that it was lying in the Cabinet Secretary's desk or that he was away. The Chair made a ruling that the Statement should be produced. If the ruling is not complied with, my concern will be that, this is a Statement querying the relocation of the Kenya Technical Training College. I wonder whether the relocation has been put on hold because of the examinations, the same way the Statement has not been signed.

If the examinations takes a month and the relocation exercise goes on, then this request for a Statement will be an exercise in futility. I humbly request that you rule that the Statement be issued tomorrow. The Ministry of Education, Science and Technology has got various officials and it cannot be that the business of the Senate can be held at ransom because of an exercise that we were certain about just like delivery after pregnancy. We knew that the examinations would be held around this time.

Mr. Temporary Speaker, Sir, can you compel the Chair to produce this Statement tomorrow even if it means looking for the Cabinet Secretary in a school in Nyacheki where he may be tomorrow?

**The Temporary Speaker** (Sen. Sang): Chair, you were reminded by the Speaker last week that we are living in a digital age. The Cabinet Secretary's signature irrespective of where he is can be obtained. You do not expect this House to wait for the Cabinet Secretary to be in the office. If he takes the entire examination period in the field, the business of this House cannot wait.

This is the same Ministry that is digitalizing learning in our schools by providing laptops and iPads. I am sure the same Cabinet Secretary can find one of the laptops and use it to send his electronic signature to the office.

I, therefore, direct that this Statement be issued on Thursday this week. So, the Chairman should proceed to advise the Ministry. As the Chairperson of the Committee on Education, advise the Cabinet Secretary that a signature can be electronically available in the office when he is out in the field.

The Statement will be issued on Thursday this week.

**Sen. Karaba:** Much obliged, Mr. Temporary Speaker, Sir.

*(Statement deferred)*

**The Temporary Speaker** (Sen. Sang): However, it is important to note that the Senator who sought the Statement is not in the House. I hope that this has not confused

Sen. M. Kajwang since you share one name. Kindly, confirm that you did not share the second name. Therefore, this was a statement sought by Sen. Moses Wetangula and not Sen. Moses Kajwang.

**Sen. Karaba:** Mr. Temporary Speaker, Sir, the Senator who sought the statement is not here and I am not sure whether he will be there on Thursday. Do I continue chasing the Cabinet Secretary for Education in desperation?

**The Temporary Speaker** (Sen. Sang): Sen. Karaba, this is a statement that was sought on the Floor of this House. As we have always agreed, it becomes the property of the House. The fact that Sen. Wetangula is not in the House today does not mean that he will not be in the House on Thursday. Therefore, you are completely out of order to insinuate that he might not be in the House on Thursday. Do your job and get the statement.

#### PROLONGED DROUGHT AND FAMINE IN VARIOUS COUNTIES

**Sen. (Prof.) Lesan:** Thank you, Mr. Temporary Speaker, Sir. Last week, I was asked by the Speaker to issue the statement which was requested by Sen. Bule today at 2.30 p.m. I have it with me here, but I need your direction. This is because Sen. Bule approached me and requested that he be given time to read it. It is a statement of about 15 pages with a lot of information that he wishes to digest before he can receive or accept me to read it in the House. Therefore, I need your direction.

Although I know this had a lot of interests from Members in the House, they even asked me to read it whether he is in House or not. However, you can see the situation is a bit different today since many Members who had shown interest on it are not in the House. The question is still a very significant one. I request that you give directions with regard to this Statement.

**The Temporary Speaker** (Sen. Sang): Sen. (Prof.) Lesan, I do direct that the same statement be issued tomorrow. Let Sen. Bule be advised that this statement will appear on the Order Paper tomorrow.

*(Statement deferred)*

Hon. Senators, we are done with Statements. However, we cannot continue with the Order No.16 because we do not have the requisite numbers.

#### COMMITTEE OF THE WHOLE

THE PHYSICAL PLANNING BILL  
(NATIONAL ASSEMBLY BILL NO.46 OF 2015)

*(Committee of the Whole deferred)*

Next Order. The Mover is not in the House. We defer it. Even the next Order, the Mover is not present. So, we defer it.

#### BILLS

*Second Readings*

THE TREATY MAKING AND RATIFICATION (AMENDMENT)  
BILL (SENATE BILL NO.46 OF 2015)

THE IMPEACHMENT PROCEDURE BILL (SENATE BILL NO.8 OF 2016)

*(Bills Deferred)*

**MOTIONS**

COUNTRYWIDE AUDIT OF THE DISTRIBUTION OF TEACHERS IN ALL PUBLIC  
SCHOOLS

CREATION OF THE OFFICE OF AN AUDITOR TO SPECIFICALLY AUDIT THE BASIC  
EDUCATION INSTITUTIONS' FUNDS

INSTALLATION OF CCTV CAMERAS IN ALL POLICE  
STATIONS AND POLICE POSTS

*(Motions Deferred)*

**ADJOURNMENT**

**The Temporary Speaker** (Sen. Sang): Hon. Senators, there being no other business on the Order Paper, the Senate now stands adjourned until Wednesday, 9<sup>th</sup> November 2016, at 2.30 p.m.

The House rose at 5.55 p.m.