



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – SECOND SESSION

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, SEPTEMBER 18, 2018 AT 2.30 P.M.

1. The Senate assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with prayer said by the Speaker.

3. **PAPERS LAID**

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

- i) Report of the Standing Committee on Land, Environment and Natural Resources on the Physical Planning Bill, National Assembly Bill No. 34 of 2017;

(Sen. Halakhe Abshiro on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources)

- ii) Report of the Auditor-General on the financial statements of Taita Taveta County Assembly Mortgage Fund for the year ended 30th June, 2016;

- iii) Report of the Auditor-General on the financial statements of Mombasa County Consolidated Revolving Fund for the year ended 30th June, 2017;

- iv) Report of the Auditor-General on the financial statements of Mombasa County Alcoholic Drinks Control Fund for the year ended 30th June, 2017.

(The Senate Majority Whip on behalf of the Senate Majority Leader)

4. **STATEMENT PURSUANT TO STANDING ORDER 47 (1)**

The Senator for Nairobi City County (Sen. Johnson Sakaja) issued a statement on an issue of general topical concern, namely the state of Pumwani Maternity Hospital in Nairobi City County.

In the statement, the Senator informed the House that on Monday, 17th September, 2018, the Governor of Nairobi City County made an *impromptu* visit to Pumwani Maternity Hospital, during which he found dead bodies of 12 babies placed in carton boxes and plastic bags at the facility. The Governor had subsequently ordered for the immediate suspension of the Hospital's Board of Management and other senior officers serving at the Hospital.

Noting that there had been conflicting reports as to the cause of death of the 12 babies, Sen. Sakaja requested that the Standing Committee on Health interrogates this matter as well as the general state of health care management in Nairobi City County, with a view of establishing the state of facilities in terms of health practitioners, finances, provision of drugs and human resources.

He also underscored the need to revisit various stalled healthcare projects such as the construction of a 320 bed capacity at Mathare North Hospital, so as to reduce the pressure on hospitals such as Mama Lucy, Pumwani Maternity, Mbagathi Hospital as well as Kenyatta National Hospital.

In concluding, the Senator stated that incidences of child trafficking and swapping of babies at birth had also been reported at the Hospital, and undertook to have the issue addressed comprehensively by the Standing Committee on National Security, Defence and Foreign Relations, together with the Standing Committee on Health.

5. **THE PHYSICAL PLANNING BILL (NATIONAL ASSEMBLY BILLS NO. 34 OF 2017)**

Order for Second Reading read;

Motion made and Question proposed-

THAT, the Physical Planning Bill (National Assembly Bills No. 34 of 2017) be now read a Second Time.

(The Senate Majority Leader – 26.07.2018)

Debate interrupted on Wednesday, 12th September, 2018 resumed on a division;

The House proceeded to a Division;

The Speaker directed that electronic voting be taken pursuant to Standing Order 81 (1);

The Speaker directed that the doors be locked and Senators asked to log-in for electronic voting;

The Speaker put the Question and directed Senators to cast their votes by pressing either the **“Yes”**, **“No”** or **“Abstain”** button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Speaker allowed two Senators to record their vote verbally.

Thereupon, the following Senators recorded their vote as “Yes”-

- 1) Sen. Malalah Cleophas Wakhungu
- 2) Sen. Wetangula Moses Masika

The results of the Division were as follows:-

AYES – 24

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halakhe Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
6. Sen. Kajwang’ Moses Otieno
7. Sen. Khaniri George
8. Sen. Kihika Susan Wakarura
9. Sen. Kilonzo Mutula Junior
10. Sen. Lelegwe Steve Ltumbesi
11. Sen. Mahamud Mohamed Maalim
12. Sen. Malalah Cleophas Wakhungu – voted verbally
13. Sen. Mbito Michael Maling’a
14. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwinyihaji Mohamed Faki
18. Sen. Nderitu John Kinyua
19. Sen. Olekina Ledama
20. Sen. Ongeru Samson Kegengo
21. Sen. Sakaja Johnson Arthur
22. Sen. Wako Sitswila Amos
23. Sen. Wario Golich Juma
24. Sen. Wetangula Moses Masika – voted verbally

Bill read a Second Time and committed to the committee of the Whole tomorrow.

6. **THE CARE AND PROTECTION OF OLDER MEMBERS OF SOCIETY BILL (SENATE BILL NO. 17 OF 2018)**
(Sen. Aaron Cheruiyot, MP)

Order deferred.

7. **MOTION- APPROVAL OF THE REPORT ON THE COUNTY GOVERNMENTS CASH DISBURSEMENT SCHEDULE FOR FISCAL YEAR 2018/19**

Motion made and Question proposed:

THAT, pursuant to Standing Order 183, the Senate approves the Report of the Standing Committee on Finance and Budget on the County Governments Cash Disbursement Schedule for Fiscal Year 2018/2019, laid on the Table of the House on Thursday, 13th September, 2018.

(Chairperson, Standing Committee on Finance and Budget)

Debate arising;

And the time being thirty minutes past Six O'clock, the Temporary Speaker (Sen. Rose Nyamunga) adjourned the Senate without Question put, pursuant to the Standing Orders.

8. **SENATE ROSE** – at thirty minutes past Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, September 19, 2018 at 2.30 p.m.*

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