



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – THIRD SESSION

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, SEPTEMBER 17, 2019 AT 2.30 P.M.

1. The Senate assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer said by the Speaker.
3. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair: -

a) **Sitting of the Senate in Kitui County**

Honourable Senators,

I welcome you all to Kitui County for this auspicious sitting of the Senate, which is the second sitting by the Senate outside Nairobi.

I want to thank the leadership of Kitui County Government, both the Executive and the Assembly, led by Her Excellency, Governor Charity K. Ngilu, EGH, and the Assembly Speaker, the Rt. Hon. George Ndotto, EGH, for the warm welcome since our arrival and for facilitating these sittings.

I request them to stand so that they may be acknowledged in the Senate tradition.

I wish to convey our deep appreciation to the Leadership and Members of the County Assembly for hosting us and for adjourning their sittings to allow the Senate to use your magnificent Chambers for this second Sitting of the Senate outside the capital city.

I request the Members of the Kitui County Assembly present to stand so that they may be recognized and acknowledged.

Our sincere gratitude also goes to the great people of Kitui County for the friendly welcome and the hospitality extended to us.

Honourable Senators,

One of the most fundamental provisions of the 2010 Constitution is the devolved system of government which aims at bringing services closer to the people as a means of accelerating development and enhancing the collective responsibility. A core creation of this Constitution is the Senate whose main function is, inter-alia, to

represent the counties, and serve to protect the interests of the counties and their governments.

The sittings of the Senate outside its traditional seat at Parliament Buildings in Nairobi is designed as an innovative way of enhancing interaction between the national and county levels of government, which are distinct and interdependent. In this manner, we bring the Senate, and indeed Parliament, closer to the people both symbolically and functionally.

Specifically, these unique sittings are expected to –

- i) promote the work and role of the Senate, and highlight opportunities for greater public engagement;
- ii) give an opportunity to County Assembly Members and staff to interact with and borrow practices from the Senate;
- iii) develop and strengthen partnerships at the county level by creating interest among the public regarding the business and work of the Senate; and
- iv) hold public hearings on key legislative proposals and petitions, particularly on issues relating to the area and region where the sittings are held.

Honourable Senators,

Following on the success of the inaugural Senate sittings held in Uasin Gishu County in September last year, the sittings of the Senate outside Nairobi open up the scope for the Senate to operate amidst the people, beyond our country's capital. Let us face it, the Senate is all about our people and their needs. This is reflected throughout our programs this week for both the plenary and committees.

It is imperative to mention that the national Executive has, since 2016, adopted the healthy and commendable practice of holding two out of Kenya's three National Days every year in various counties and regions of our country. These have since been held in Nyeri County which hosted the Madaraka Day celebrations on 1st June, 2016, Machakos County which hosted Mashujaa Day on 20th October, 2016, Nakuru County which hosted Madaraka Day on 1st June, 2017, Meru County which hosted Madaraka Day on 1st June, 2018, Kakamega County which hosted Mashujaa Day on 20th October, 2018 and, most recently, in Narok County which hosted Madaraka Day on 1st June, 2019. The Mashujaa Day celebrations are scheduled to be held next month in Mombasa County.

This outreach endeavour resonates with the evolving practice of the Senate, with plans to hold sittings in each region of the country during the current term of Parliament.

Honourable Senators,

Through this "*Senate Mashinani*" initiative, the Senate is making its contribution towards nurturing more inclusivity in the management of public affairs in our country.

Beginning yesterday, and over the next 4 days, the various activities lined up including plenary and committee sittings, as well as public participation fora, will accord the public a special opportunity to actively engage and participate in the Senate legislative business in line with the letter and spirit of the constitution.

Let us therefore take advantage of this opportunity to engage in open conversations on what needs to be done to achieve prosperity even as we strengthen our institutions of governance.

In holding our sitting at the Kitui County Assembly, the Senate believes that County Assemblies can complement good legislative practices and hold the potential of directly identifying and addressing the people's tribulations, revitalizing hopes and aspirations, as well as deepening a democratic, consultative and participatory governance tradition. I dare add that the County Assemblies are at the core of improving governance in our country.

Honourable Senators,

I now wish to acknowledge the presence, in the Speaker's Gallery this afternoon, of invited dignitaries who have joined us for this historical and memorable occasion of the Senate sitting in Kitui County. I request each one of them to stand when called out so that they may be acknowledged in the Senate tradition.

They are:

Governors of Neighbouring Counties		
1.	Gov. (Dr.) Alfred Mutua, EGH	Machakos County
2.	Gov. (Prof.) Kivutha Kibwana, EGH	Makueni County
3.	Gov. Martin Wambora, EGH	Embu County
4.	Gov. Ali Korane, CBS	Garissa County
5.	Gov. Major (Rtd) Dhadho Godhana	Tana River County
6.	Gov. Muthomi Njuki, EGH	Tharaka Nithi County
Members of Parliament from Kitui County		
7.	Hon. (Dr.) Makali Mulu, MP	MP, Kitui Central
8.	Hon. Edith Vethi Nyenze, MP	MP, Kitui West
9.	Hon. Nimrod Mbai, MP	MP, Kitui East
10.	Hon. Racheal Nyamai, MP	MP, Kitui South
11.	Hon. David Mwalika Mboni, MP	MP, Kitui Rural
12.	Hon. Gideon M. Mulyungi, MP	MP, Mwingi Central
13.	Hon. Charles Ngusya Nguna, MP	MP, Mwingi West
14.	Hon. Paul Musyimi Nzengu, MP	MP, Mwingi North
15.	Hon. (Dr.) Irene Kasalu, MP	Women Representative, Kitui County
Speakers of County Assemblies		
16.	Hon. Florence Mwangangi, MCA	Speaker, Machakos County Assembly

17.	Hon. Michael Nkaduda, MCA	Speaker, Tana River County Assembly
18.	Hon. Douglas Mbilu, MCA	Speaker, Makueni County Assembly
19.	Hon. Josiah M. Thiriku, MCA	Speaker, Embu County Assembly
20.	Hon. David Mbaya, MCA	Speaker, Tharaka Nithi County Assembly
21.	Hon. Ahmed Ibrahim Abass, MCA	Speaker, Garissa County Assembly
Clerks of County Assemblies		
22.	Mr. Elijah Mutambuki	Clerk, Kitui County Assembly
23.	Mr. Abdullahi Hussein	Clerk, Tana River County Assembly
24.	Mr. Robert Mwalu	Clerk, Makueni County Assembly
25.	Mr. Jim Kauma	Clerk, Embu County Assembly
26.	Mr. Amos Kiangwe	Clerk, Tharaka Nithi County Assembly
27.	Mr. Mahmoud Santur	Clerk, Garissa County Assembly
Invited Dignitaries		
28.	Hon. David Musila, EGH	Former Senator for Kitui County, and currently Chairman of the National Museums of Kenya
29.	Hon. Nyiva Mwendwa, EGH	Former MP, Kitui West Constituency
30.	Mr. Nzamba Kitonga, SC	Former Chairman, Committee of Experts on constitutional review
31.	Mr. Eric Mutua	Former Chairperson, Law Society of Kenya
32.	Ms. Selessor Odipoh	Westminster Foundation for Democracy (WFD)
33.	Ms. Roselyn Mungai	Ag. Country Director, AHADI
34.	Mr. Japhet Masya	Former Clerk of the National Assembly
35.	Prof. Geoffrey Muluvu	Vice Chancellor, South Eastern University of Kenya

On behalf of the Senate and on my own behalf, I wish to thank our guests for honouring our invitation and joining us on this occasion.

In conclusion, I want to urge all of us to always remember that, we cannot have counties without the Senate. Conversely, we cannot have a Senate without the counties. Ours is a symbiotic relationship, one which requires mutual learning, experience sharing and leadership for it to grow and thrive.

Once again, I thank the leadership of the Kitui County Government and the great people of Kitui for very warmly receiving the Senate and facilitating our sittings here. I also thank the leadership of the neighbouring counties and the invited dignitaries who have joined us during this momentous occasion.

I thank you.”

b) Visiting Students and Teachers from Kitui Institute of Development Studies, Kitui County

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Kitui Institute of Development Studies.

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 thank you.”

4. **MESSAGE FROM THE NATIONAL ASSEMBLY ON THE DECISION OF THE NATIONAL ASSEMBLY ON THE MEDIATED VERSION OF THE DIVISION OF REVENUE BILL (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 59 OF 2019)**

The Speaker conveyed the following Message from the National Assembly: -

“Honourable Senators,

I wish to bring to the attention of the Senate that, pursuant to Standing Order No.41 (3), the Clerk delivered to me a Message from the National Assembly regarding the decision of the National Assembly on the mediated version of the Division of Revenue Bill (No.2) Bill (National Assembly Bill No. 59 of 2019).

Pursuant to the said Standing Order, I now report the Message-

“Pursuant to the provisions of Standing Order 41 (1) and 150 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly:-

*Whereas the Division of Revenue (No. 2) Bill (National Assembly Bill No. 59 of 2019) was published vide Kenya Gazette Supplement No. 119 of 16th July 2019 to provide for the equitable division of revenue raised nationally between the national and county governments in the 2019/2020 financial year, was considered by the National Assembly and passed **with amendments on 25th July, 2019** and thereafter referred to the Senate for consideration;*

And whereas the Senate considered and passed the Bill with amendments which, upon reconsideration by the National Assembly, were negated on 8th August, 2019 consequently committing the Bill to a Mediation Committee in accordance with Article 112 (2) of the Constitution and Standing Order 148 (b) of the National Assembly;

Further, whereas on 12th September, 2019 the National Assembly considered and approved the version of the Division of Revenue Bill in the form agreed to by the Committee and proposed to the Houses in accordance to Article 113 of the Constitution;

Now, therefore, in accordance with the provision of Article 113 of the Constitution and Standing Order 150 of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate.”

Honourable Senators,

As you are aware, the Senate on Wednesday, 11th September, 2019 debated and adopted the report of the Committee and approved the Mediated version of the same Bill. The Bill will now be transmitted to H.E the President for Assent pursuant to Article 113 of the Constitution.

I thank you!”

5. **PETITION**

The following Report on a Petition was laid on the Table of the Senate-

Report of the Standing Committee on Agriculture, Livestock and Fisheries on the Petition concerning challenges facing small scale tea growers in the Kenya Tea Development Agency (KTDA).

(Sen. Naomi Waqo on behalf of the Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

6. **PAPERS LAID**

The following Paper was laid on the Table of the Senate-

Report of the Standing Committee on Finance and Budget on the County Allocation of Revenue Bill (Senate Bills No. 8 of 2019).

(Chairperson, Standing Committee on Finance and Budget)

7. **NOTICE OF MOTION – ADMINISTRATION OF SNAKE BITES ANTI-VENOM IN PUBLIC HEALTH FACILITIES**

(Sen. Beatrice Kwamboka, MP)

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

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

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

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

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

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

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

8. **NOTICE OF MOTION – ESTABLISHMENT OF AD HOC COMMITTEE TO INVESTIGATE MANAGED EQUIPMENT SERVICES (MES)**

(The Senate Majority Leader and the Senate Minority Leader)

THAT, AWARE THAT while Health is a devolved function, Article 4(3) of the Constitution states that ‘the governments at the national and county levels are distinct and inter-dependent and shall conduct their mutual relations on the basis of consultation and cooperation’;

FURTHER AWARE THAT, there is no existing comprehensive legal framework to guide the consultative and collaborative process between the Ministry of Health (MoH) and County Governments;

COGNIZANT THAT, when the Managed Equipment Services (MES) project was launched on 6th February, 2015, the Ministry of Health entered into arrangements with five foreign firms for the provision of specialized medical equipment worth Kshs. 38 Billion;

NOTING THAT, according to the Ministry of Health, the project is aimed at improving health infrastructure and enhancing the capacity of counties to provide specialized health care targeting non-communicable conditions such as cancer and renal conditions, as well as to promote diagnostic, radiological and critical care services;

CONCERNED THAT, the Council of Governors (COG) has voiced opposition to the project on the grounds that County governments were not involved in the tender-procurement process, the monies are debited annually from the accounts of the Counties directly by the Treasury, there was lack of proper consultation between the Ministry of Health and County governments, and, that leasing the medical equipment was ultimately more expensive than direct purchase;

CONCERNED FURTHER THAT, the extent to which county government structures or institutions were involved in the project has remained unclear, and the opposition

raised by the COG reveals serious gaps in the consultative process between the MoH and county governments, including the terms of the contracts which end in 2022;

NOW, THEREFORE, in exercise of its oversight function, the Senate resolves to establish an adhoc committee to investigate and establish the facts surrounding the leasing of the Medical Equipment, in the now 119 beneficiary hospitals country wide, including-

- i. whether county governments were involved in prioritizing the medical equipment in accordance with their needs;
- ii. the details of the company from which the equipment was leased;
- iii. the viability and benefit of leasing versus outright purchase;
- iv. the availability of adequate numbers of health human resource to provide specialized health services as envisaged in this project;
- v. the operation, training and maintenance facilities in place for the equipment;
- vi. the terms and period of the lease of each piece of equipment, where the equipment was supplied, the lease amount, and who bears the cost of the residual value of the equipment at the end of the lease term;
- vii. the schedule of equipment supplied to each hospital, and the cost thereof, including proof that the monies disbursed were utilised for the intended purpose; and,
- viii. the results of the exercise, considering the terms of the contract end in 2022, when equipment has remained unused in some counties despite the county having paid annually for the installation, maintenance and utilisation of the same since 2015;

and submit a report to the House within 90 days;

AND FURTHER THAT, the following Senators be appointed to serve in the committee

—

- | | |
|--------------------------------------|---------------|
| 1. Sen. Mbito Michael, MP | – Member; |
| 2. Sen. Abdullahi Ali, MP | – Member; |
| 3. Sen. Seneta Mary, MP | – Member; |
| 4. Sen. Kinyua John Nderitu, MP | – Member; |
| 5. Sen. Ali Farhiya, MP | - Member; |
| 6. Sen. Wetangula, Moses Masika MP | - Member; |
| 7. Sen. Lokorio, Petronilla Were, MP | - Member; |
| 8. Sen. Masitsa, Naomi Shiyonga, MP | - Member; and |
| 9. Sen. Outa, Frederick Otieno, MP | - Member |

9. **THE CONSTITUTION OF KENYA (AMENDMENT) BILL (SENATE BILLS NO. 16 OF 2019)**

(Sen. CPA. Farhiya Ali, MP and Sen. Mutula Kilonzo Junior, MP)

Order for First Reading Read)

Bill read a First Time and committed to the Standing Committee on Justice Legal Affairs and Human Rights

10. **THE COUNTY LICENSING (UNIFORM PROCEDURES) BILL (SENATE BILLS NO. 17 OF 2019)**

(Sen. Mercy Chebeni, MP)

Order for First Reading Read)

Bill read a First Time and committed to the Standing Committee on Tourism, Trade and Industrialization.

11. **PROCEDURAL MOTION – EXTENSION OF THE SITTING OF THE SENATE PURSUANT TO STANDING ORDER 31 (3) (a)**

Motion made and Question proposed;

THAT, pursuant to Standing Order 31 (3) (a), the Senate resolves to extend its sitting until the conclusion of business listed in Order Nos. 10 and 11 in today’s Supplementary Order Paper.

(The Senate Minority Whip)

And there being no Senator wishing to contribute;

Before the Question was put, and pursuant to Standing Order No. 73, the Deputy Speaker informed the House that the Motion did not affect Counties.

Question put and agreed to.

12. **THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 8 OF 2019)**

Order for Second Reading read;

Motion made and Question proposed: -

THAT, the County Allocation of Revenue Bill (Senate Bills No. 8 of 2019) be now read a Second Time.

(Chairperson, Standing Committee on Finance and Budget)

Debate arising;

And there being no other Senator wishing to contribute;

Mover replied;

The House thereafter proceeded to a Division;

The Deputy Speaker directed that roll call Division be taken pursuant to Standing Order 83 and that the Division Bell be rung for five minutes;

The Deputy Speaker directed that the doors be locked and the bar be drawn;

The names of the Tellers for the “Ayes” and for the “Noes” were announced and directed to take seats at their designated place;

The Deputy Speaker put the Question and directed the Clerk to call out the names of the Senators in alphabetical order;

The results of the Division were as follows;

AYES - 32

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka- voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- voted on behalf of Garissa County Delegation
6. Sen. Hargura Gordana
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Mwaura Isaack- voted on behalf of Kiambu County Delegation
12. Sen. Lang’at Christopher Andrew
13. Sen. Mahamud Mohamed Maalim
14. Sen. Malalah Cleophas Wakhungu
15. Sen. Mbito Michael Maling’a
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Mpaayei Philip Salau
18. Sen. Mutula Kilonzo Junior
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Outa Fredrick Otieno
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kiio

- 31. Sen. Wario Golich Juma
- 32. Sen. Wetang'ula Moses Masika

Question, agreed to.

Bill read a Second Time and Committed to the Committee of the Whole, today.

13. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(Acting Chairperson of Committees (Sen. (Prof.) Margaret Kamar, MP) – in the Chair)

THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 8 OF 2019)

Clauses 3-10

Motion made and Question proposed;

THAT, Clauses 3-10 be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson directed that a roll call Division be taken pursuant to Standing Order 83 and that the Division Bell be rung for five minutes;

The Acting Chairperson directed that the doors be locked and the bar be drawn;

The names of the Tellers for the “Ayes” and for the “Noes” were announced and directed to take seats at their designated place;

The Acting Chairperson put the Question and directed the Clerk to call out the names of the Senators in alphabetical order;

The results of the Division were as follows;

AYES - 32 NOES - 0 ABSTENTIONS – 0

AYES

- 1. Sen. Halake Abshiro Soka- voted on behalf of Isiolo County Delegation
- 2. Sen. Ali Abdullahi Ibrahim
- 3. Sen. Boy Issa Juma
- 4. Sen. Cheruiyot Aaron Kipkirui

5. Sen. Iman Falhada Dekow- voted on behalf of Garissa County Delegation
6. Sen. Hargura Gordana
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Mwaura Isaack- voted on behalf of Kiambu County Delegation
12. Sen. Lang'at Christopher Andrew
13. Sen. Mahamud Mohamed Maalim
14. Sen. Malalah Cleophas Wakhungu
15. Sen. Mbito Michael Maling'a
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Mpaayei Philip Salau
18. Sen. Mutula Kilonzo Junior
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Outa Fredrick Otieno
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kiiro
31. Sen. Wario Golich Juma
32. Sen. Wetang'ula Moses Masika

Clauses 3-10 - agreed to

New Clause 11 - insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 10-

Disbursement **11.** (1) The schedule prepared under section 17(7) of the schedule. Public Finance Management Act shall reflect that the disbursement of monies allocated to counties in financial year 2019/2020 is effective from 1st July, 2019.

No.18 of 2012

(2) Notwithstanding the provisions of subsection (1), the National Treasury shall transfer to the counties the total disbursement due in the first quarter of financial year 2019/2020 within seven days of the approval of the schedule by the Senate.

Motion made and question proposed;

THAT, the New Clause 11 be now read a Second Time.

(Chairperson, Standing Committee on Finance and Budget)

The Committee proceeded to a Division;

The Acting Chairperson directed that a roll call Division be taken pursuant to Standing Order 83 and that the Division Bell be rung for five minutes;

The Acting Chairperson directed that the doors be locked and the bar be drawn;

The names of the Tellers for the “Ayes” and for the “Noes” were announced and directed to take seats at their designated place;

The Acting Chairperson put the Question and directed the Clerk to call out the names of the Senators in alphabetical order;

The results of the Division were as follows;

AYES - 32

NOES - 0

ABSTENTIONS – 0

AYES

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16. Sen. Mbogo George Ochilo Ayacko
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18. Sen. Mutula Kilonzo Junior
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe
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22. Sen. Nderitu John Kinyua
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26. Sen. Orengo James
27. Sen. Outa Fredrick Otieno
28. Sen. Poghio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kiiro
31. Sen. Wario Golich Juma
32. Sen. Wetang'ula Moses Masika

Question, agreed to

Motion made and question proposed;

That New clause 11 be part of the Bill

The Committee proceeded to a Division;

The Acting Chairperson directed that a roll call Division be taken pursuant to Standing Order 83 and that the Division Bell be rung for five minutes;

The Acting Chairperson directed that the doors be locked and the bar be drawn;

The names of the Tellers for the “Ayes” and for the “Noes” were announced and directed to take seats at their designated place;

The Acting Chairperson put the Question and directed the Clerk to call out the names of the Senators in alphabetical order;

The results of the Division were as follows;

AYES - 32

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AYES

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14. Sen. Malalah Cleophas Wakhungu
15. Sen. Mbito Michael Maling'a
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Mpaayei Philip Salau
18. Sen. Mutula Kilonzo Junior
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Outa Fredrick Otieno
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kiio
31. Sen. Wario Golich Juma
32. Sen. Wetang'ula Moses Masika

New Clause 11 – agreed to.

The First Schedule - Amendment Proposed

Motion made and question proposed;

THAT the Bill be amended by deleting the first schedule and substituting therefor the following new schedule-

FIRST SCHEDULE (s. 4(1))

**Allocation of Each County Governments' Equitable Share of Revenue
Raised Nationally in the Financial Year 2019/2020**

No	County	2018/2019		2019/2020	
		Allocation ratio	Equitable Share	Allocation ratio	Equitable Share
	Column A	Column B	Column C	Column D	
1	Baringo	1.62	5,086,800,000	1.61	5,095,650,000
2	Bomet	1.89	5,934,600,000	1.74	5,507,100,000
3	Bungoma	2.85	8,949,000,000	2.81	8,893,650,000
4	Busia	1.90	5,966,000,000	1.90	6,013,500,000
5	Elgeyo Marakwet	1.20	3,768,000,000	1.22	3,861,300,000
6	Embu	1.42	4,458,800,000	1.36	4,304,400,000
7	Garissa	2.21	6,939,400,000	2.22	7,026,300,000
8	Homa bay	2.13	6,688,200,000	2.13	6,741,450,000
9	Isiolo	1.25	3,925,000,000	1.34	4,241,100,000
10	Kajiado	1.91	5,997,400,000	2.03	6,424,950,000
11	Kakamega	3.29	10,330,600,000	3.29	10,412,850,000
12	Kericho	1.82	5,714,800,000	1.70	5,380,500,000
13	Kiambu	2.98	9,357,200,000	2.98	9,431,700,000
14	Kilifi	3.45	10,833,000,000	3.30	10,444,500,000
15	Kirinyaga	1.31	4,113,400,000	1.34	4,241,100,000
16	Kisii	2.45	7,693,000,000	2.46	7,785,900,000

No	County	2018/2019		2019/2020	
		Allocation ratio	Equitable Share	Allocation ratio	Equitable Share
		Column A	Column B	Column C	Column D
17	Kisumu	2.20	6,908,000,000	2.16	6,836,400,000
18	Kitui	2.78	8,729,200,000	2.79	8,830,350,000
19	Kwale	2.40	7,536,000,000	2.46	7,785,900,000
20	Laikipia	1.31	4,113,400,000	1.32	4,177,800,000
21	Lamu	1.13	3,548,200,000	0.82	2,595,300,000
22	Machakos	2.65	8,321,000,000	2.45	7,754,250,000
23	Makueni	2.27	7,127,800,000	2.34	7,406,100,000
24	Mandera	3.23	10,142,200,000	3.23	10,222,950,000
25	Marsabit	2.23	7,002,200,000	2.14	6,773,100,000
26	Meru	2.55	8,007,000,000	2.54	8,039,100,000
27	Migori	2.14	6,719,600,000	2.14	6,773,100,000
28	Mombasa	2.62	8,226,800,000	2.23	7,057,950,000
29	Murang'a	1.99	6,248,600,000	1.99	6,298,350,000
30	Nairobi	5.03	15,794,200,000	5.03	15,919,950,000
31	Nakuru	3.01	9,451,400,000	3.31	10,476,150,000
32	Nandi	1.71	5,369,400,000	1.69	5,348,850,000
33	Narok	2.03	6,374,200,000	2.54	8,039,100,000
34	Nyamira	1.52	4,772,800,000	1.52	4,810,800,000
35	Nyandarua	1.57	4,929,800,000	1.54	4,874,100,000
36	Nyeri	1.60	5,024,000,000	1.71	5,412,150,000
37	Samburu	1.41	4,427,400,000	1.46	4,620,900,000

No	County	2018/2019		2019/2020	
		Allocation ratio	Equitable Share	Allocation ratio	Equitable Share
		Column A	Column B	Column C	Column D
38	Siaya	1.92	6,028,800,000	1.83	5,791,950,000
39	Taita taveta	1.29	4,050,600,000	1.34	4,241,100,000
40	Tana River	1.77	5,557,800,000	1.85	5,855,250,000
41	Tharaka Nithi	1.16	3,642,400,000	1.24	3,924,600,000
42	Trans Nzoia	1.79	5,620,600,000	1.82	5,760,300,000
43	Turkana	3.43	10,770,200,000	3.33	10,539,450,000
44	Uasin Gishu	1.89	5,934,600,000	2.00	6,330,000,000
45	Vihiga	1.42	4,458,800,000	1.47	4,652,550,000
46	Wajir	2.70	8,478,000,000	2.70	8,545,500,000
47	West Pokot	1.57	4,929,800,000	1.58	5,000,700,000
	Total	100	314,000,000,000	100	316,500,000,000

(Chairperson, Standing Committee on Finance and Budget)

The Committee proceeded to a Division;

The Acting Chairperson directed that a roll call Division be taken pursuant to Standing Order 83 and that the Division Bell be rung for five minutes;

The Acting Chairperson directed that the doors be locked and the bar be drawn;

The names of the Tellers for the “Ayes” and for the “Noes” were announced and directed to take seats at their designated place;

The Acting Chairperson put the Question and directed the Clerk to call out the names of the Senators in alphabetical order;

The results of the Division were as follows;

AYES - 32

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka- voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- voted on behalf of Garissa County Delegation
6. Sen. Hargura Gordana
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Mwaura Isaack- voted on behalf of Kiambu County Delegation
12. Sen. Lang'at Christopher Andrew
13. Sen. Mahamud Mohamed Maalim
14. Sen. Malalah Cleophas Wakhungu
15. Sen. Mbito Michael Maling'a
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Mpaayei Philip Salau
18. Sen. Mutula Kilonzo Junior
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Outa Fredrick Otieno
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kiio
31. Sen. Wario Golich Juma
32. Sen. Wetang'ula Moses Masika

The First Schedule (as amended) - agreed to

The Second Schedule

Motion made and Question proposed;

THAT, the Second Schedule part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson directed that a roll call Division be taken pursuant to Standing Order 83 and that the Division Bell be rung for five minutes;

The Acting Chairperson directed that the doors be locked and the bar be drawn;

The names of the Tellers for the “Ayes” and for the “Noes” were announced and directed to take seats at their designated place;

The Acting Chairperson put the Question and directed the Clerk to call out the names of the Senators in alphabetical order;

The results of the Division were as follows;

AYES - 32

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka- voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- voted on behalf of Garissa County Delegation
6. Sen. Hargura Gordana
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Mwaura Isaack- voted on behalf of Kiambu County Delegation
12. Sen. Lang’at Christopher Andrew
13. Sen. Mahamud Mohamed Maalim
14. Sen. Malalah Cleophas Wakhungu
15. Sen. Mbito Michael Maling’a
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Mpaayei Philip Salau
18. Sen. Mutula Kilonzo Junior
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Outa Fredrick Otieno
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation

- 30. Sen. Wambua Enoch Kiio
- 31. Sen. Wario Golich Juma
- 32. Sen. Wetang'ula Moses Masika

The Second Schedule - agreed to

The Third Schedule - Amendment proposed.

Motion made and question proposed;

THAT the third schedule of the Bill be deleted and substituted therefor with the following new third schedule-

THIRD SCHEDULE (s. 5(2))

Conditional allocations to County Governments from Loans and Grants from Development Partners in Financial Year 2019/2020(Figures are in Kenya Shillings)

County	FY 2018/19	FY 2019/20													
	Total Loans and Grants	Transforming Health Systems for Universal Care Project (WB)	IDA (World Bank) credit (National Agricultural and Rural Inclusive Growth Project (NARIGP))	IDA (World Bank) - Kenya Climate Smart Agriculture Project (KCSAP)	IDA (World Bank) credit: Kenya Devolution Support Project (KDSP) " Level 1 grant"	IDA (World Bank) credit: Kenya Urban Support Project(KUSP) - Urban Development Grant (UDG)	DANIDA Grant (Universal Healthcare in Devolved System Program)*	EU Grant (Instruments for Devolution Advice and Support IDEAS)	IDA (World Bank) credit: Water & Sanitation Development Project (WSDP)	IDA (World Bank) credit: Kenya Devolution Support Project (KDSP) " Level 2 grant"	Sweden- Agricultural Sector Development Support Programme (ASDSP) II	EU- Water Tower Protection and Climate Change Mitigation and Adaptation Programme (WaTER)	IDA (World Bank) credit: Kenya Urban Support Project (KUSP)- Urban Institutional Grants (UIG)	German Development Bank (KfW)- Drought Resilience Programme in Northern Kenya (DRPNK)	Total Loans and Grants
	Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H	Column I	Column J	Column K	Column L	Column M	Column N	Column O
Baringo	455,614,301	39,175,834	-	141,097,380	30,000,000	52,360,500	15,187,500	21,118,210	-	-	17,586,468	-	8,800,000	-	325,325,892
Bomet	495,931,469	35,000,000	-	180,000,000	30,000,000	168,334,800	17,718,750	-	-	-	17,416,549	-	8,800,000	-	457,270,099
Bungoma	772,708,758	143,042,792	350,000,000	-	30,000,000	300,977,100	26,718,750	-	-	-	18,814,092	80,000,000	8,800,000	-	958,352,734
Busia	514,468,709	81,106,071	-	116,993,505	30,000,000	101,071,500	17,812,500	-	-	-	18,257,455	80,000,000	8,800,000	-	454,041,031
Elgeyo/Marakwet	448,113,957	35,000,000	-	118,422,545	30,000,000	89,802,100	11,250,000	-	-	-	16,632,723	80,000,000	8,800,000	-	389,907,368
Embu	423,634,353	44,569,827	350,000,000	-	30,000,000	119,892,100	13,312,500	-	-	-	15,418,468	-	8,800,000	-	581,992,895
Garissa	1,619,534,869	47,421,765	-	157,422,850	30,000,000	233,506,000	20,718,750	-	400,000,000	-	20,520,018	-	8,800,000	-	918,389,383
Homa Bay	479,279,189	53,812,849	350,000,000	-	30,000,000	119,361,500	19,968,750	-	-	-	17,858,004	-	8,800,000	-	599,801,103

(No. 63)**TUESDAY, SEPTEMBER 17, 2019****(2304)**

Isiolo	424,751,976	64,373,437	-	170,794,330	30,000,000	93,968,100	16,572,474	-	-	18,540,513	-	8,800,000	-	403,048,854
Kajiado	572,134,165	135,621,176	-	143,531,050	30,000,000	265,950,300	24,844,848	-	-	17,285,908	-	8,800,000	-	626,033,282
Kakamega	847,913,637	61,794,598	-	117,000,000	30,000,000	389,118,800	30,843,750	-	-	19,811,716	80,000,000	8,800,000	-	737,368,864
Kericho	557,172,175	71,544,247	-	199,459,400	30,000,000	256,299,000	17,062,500	-	-	16,415,491	-	8,800,000	-	599,580,638
Kiambu	2,230,951,780	80,079,440	331,195,210	-	30,000,000	1,885,993,000	27,937,500	-	-	17,404,219	-	8,800,000	-	2,381,409,369
Kilifi	1,130,333,518	129,114,721	350,000,000	-	30,000,000	330,534,500	32,343,750	-	600,000,000	19,723,695	-	8,800,000	-	1,500,516,666
Kirinyanga	375,297,242	35,000,000	350,000,000	-	30,000,000	71,302,200	12,281,250	-	-	14,513,506	-	8,800,000	-	521,896,956
Kisii	590,705,381	44,696,901	350,000,000	-	30,000,000	164,053,800	22,968,750	45,697,438	-	18,527,653	-	8,800,000	-	684,744,542
Kisumu	1,260,705,051	35,000,000	-	118,482,110	30,000,000	773,573,300	20,625,000	36,068,231	-	17,029,227	80,000,000	8,800,000	-	1,119,577,868
Kitui	625,053,090	129,886,088	350,000,000	-	30,000,000	232,374,200	26,062,500	-	-	20,392,968	-	8,800,000	-	797,515,756
Kwale	872,997,000	157,706,559	350,000,000	-	30,000,000	50,000,000	22,500,000	44,360,883	300,000,000	19,348,633	-	8,800,000	-	982,716,075
Laikipia	440,883,643	35,000,000	-	131,027,150	30,000,000	50,000,000	12,281,250	21,345,341	-	16,625,223	-	8,800,000	-	305,078,964
Lamu	349,454,694	35,000,000	-	157,507,010	30,000,000	50,000,000	10,593,750	-	-	14,265,997	-	8,800,000	-	306,166,757
Machakos	1,371,260,080	129,858,778	-	150,156,390	30,000,000	1,018,320,500	24,843,750	-	-	17,869,663	-	8,800,000	-	1,379,849,081
Makueni	559,260,092	89,179,782	350,000,000	-	30,000,000	136,261,600	21,281,250	50,180,747	-	19,051,135	-	8,800,000	-	704,754,514
Mandera	586,255,092	125,791,038	-	200,000,000	30,000,000	175,819,500	30,281,250	-	-	22,822,072	-	8,800,000	-	593,513,860
Marsabit	519,678,603	57,240,000	-	156,114,090	30,000,000	50,000,000	29,133,697	23,851,133	-	22,466,188	-	8,800,000	150,000,000	527,605,108
Meru	448,987,235	35,000,000	299,971,780	-	30,000,000	116,890,200	23,906,250	-	-	17,575,209	-	8,800,000	-	532,143,439
Migori	982,299,570	76,811,165	350,000,000	-	30,000,000	518,367,800	20,062,500	43,668,076	-	17,805,472	-	8,800,000	-	1,065,515,013
Mombasa	749,726,174	37,921,806	-	-	30,000,000	-	24562500	-	1,550,000,000	16374963	-	-	-	1,658,859,269
Murang'a	382,120,438	76,894,209	307,623,650	-	30,000,000	62,437,600	18,656,250	-	-	16,369,053	-	8,800,000	-	520,780,762
Nairobi City	215,149,968	96,359,510	-	-	30,000,000	-	47156250	-	-	21183840	-	-	-	194,699,600
Nakuru	1,474,865,158	58,346,857	350,000,000	-	30,000,000	1,084,843,300	41,107,213	-	-	18,507,501	-	8800000	-	1,591,604,871
Nandi	616,995,189	46,342,186	343,929,300	-	30,000,000	177,231,700	16,031,250	-	-	16,507,185	80,000,000	8,800,000	-	718,841,621
Narok	448,450,203	38,282,966	350,000,000	-	30,000,000	74,905,300	19,031,250	-	-	17,793,235	-	8,800,000	-	538,812,751
Nyamira	424,043,052	35,000,000	350,000,000	-	30,000,000	114,705,300	14,250,000	-	-	16,937,554	-	8,800,000	-	569,692,854

(No. 63)**TUESDAY, SEPTEMBER 17, 2019****(2305)**

Nyandarua	466,332,856	35,000,000	-	117,268,690	30,000,000	135,543,400	14,718,750	20,223,224	-	-	15,987,360	-	8,800,000	-	377,541,424
Nyeri	522,609,757	50,181,184	-	186,033,960	30,000,000	236,639,100	15,000,000	-	-	-	15,187,858	-	8,800,000	-	541,842,102
Samburu	473,519,323	35,000,000	350,000,000	-	30,000,000	50,000,000	13,218,750	32,159,348	-	-	18,994,320	-	8,800,000	-	538,172,418
Siaya	428,874,926	42,327,625	-	142,126,290	30,000,000	50,000,000	25,932,368	-	-	-	16,561,840	80,000,000	8,800,000	-	395,748,123
Taita Taveta	820,585,453	56,942,903	-	117,024,000	30,000,000	50,000,000	12,093,750	42,394,162	400,000,000	-	17,060,386	-	8,800,000	-	734,315,201
Tana River	507,651,269	50,849,353	-	200,000,000	30,000,000	50,000,000	16,593,750	15,431,865	-	-	20,358,867	-	8,800,000	-	392,033,835
TharakaNithi	326,966,757	40,049,752	-	152,374,180	30,000,000	50,000,000	10,875,000	-	-	-	15,518,089	-	8,800,000	-	307,617,021
Trans Nzoia	745,728,311	36,686,728	350,000,000	-	30,000,000	299,106,900	16,781,250	-	-	-	16,768,813	80,000,000	8,800,000	-	838,143,691
Turkana	507,247,478	84,141,376	350,000,000	-	30,000,000	95,023,200	32,156,250	-	-	-	25,346,766	-	8,800,000	200,000,000	825,467,592
UasinGishu	1,080,111,632	40,028,573	-	200,000,000	30,000,000	630,147,800	25,961,694	50,223,504	-	-	16,331,289	80,000,000	8,800,000	-	1,081,492,860
Vihiga	661,090,578	56,065,640	350,000,000	-	30,000,000	250,950,700	13,312,500	-	-	-	15,724,263	80,000,000	8,800,000	-	804,853,103
Wajir	1,611,438,084	35,000,000	-	153,172,330	30,000,000	165,643,500	25,312,500	24,481,325	250,000,000	-	23,548,494	-	8,800,000	-	715,958,149
West Pokot	562,497,958	35,000,000	-	117,291,410	30,000,000	73,392,300	14,718,750	21,495,096	-	-	18,586,308	80,000,000	8,800,000	-	399,283,864
Total	36,981,384,138	2,994,247,736	7,232,719,940	3,643,298,670	1,410,000,000	11,464,702,500	986,583,544	492,698,583	3,500,000,000	4,890,000,000	849,626,237	880,000,000	396,000,000	350,000,000	39,089,877,210

(Chairperson, Standing Committee on Finance and Budget)

The Committee proceeded to a Division;

The Acting Chairperson directed that a roll call Division be taken pursuant to Standing Order 83 and that the Division Bell be rung for five minutes;

The Acting Chairperson directed that the doors be locked and the bar be drawn;

The names of the Tellers for the “Ayes” and for the “Noes” were announced and directed to take seats at their designated place;

The Acting Chairperson put the Question and directed the Clerk to call out the names of the Senators in alphabetical order;

The results of the Division were as follows;

AYES - 32 NOES - 0 ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka- voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- voted on behalf of Garissa County Delegation
6. Sen. Hargura Gordana
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Mwaura Isaack- voted on behalf of Kiambu County Delegation
12. Sen. Lang'at Christopher Andrew
13. Sen. Mahamud Mohamed Maalim
14. Sen. Malalah Cleophas Wakhungu
15. Sen. Mbito Michael Maling'a
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Mpaayei Philip Salau
18. Sen. Mutula Kilonzo Junior
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Outa Fredrick Otieno
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kiio
31. Sen. Wario Golich Juma
32. Sen. Wetang'ula Moses Masika

The Third Schedule (as amended) - agreed to

The Fourth Schedule

Motion made and Question proposed;

THAT, the Fourth Schedule be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson directed that a roll call Division be taken pursuant to Standing Order 83 and that the Division Bell be rung for five minutes;

The Acting Chairperson directed that the doors be locked and the bar be drawn;

The names of the Tellers for the “Ayes” and for the “Noes” were announced and directed to take seats at their designated place;

The Acting Chairperson put the Question and directed the Clerk to call out the names of the Senators in alphabetical order;

The results of the Division were as follows;

AYES - 32

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka- voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- voted on behalf of Garissa County Delegation
6. Sen. Hargura Gordana
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Mwaura Isaack- voted on behalf of Kiambu County Delegation
12. Sen. Lang’at Christopher Andrew
13. Sen. Mahamud Mohamed Maalim
14. Sen. Malalah Cleophas Wakhungu
15. Sen. Mbito Michael Maling’a
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Mpaayei Philip Salau
18. Sen. Mutula Kilonzo Junior
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Outa Fredrick Otieno

28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kiio
31. Sen. Wario Golich Juma
32. Sen. Wetang’ula Moses Masika

The Fourth Schedule - agreed to

Clause 2

Motion made and Question proposed;

THAT, Clause 2 be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson directed that a roll call Division be taken pursuant to Standing Order 83 and that the Division Bell be rung for five minutes;

The Acting Chairperson directed that the doors be locked and the bar be drawn;

The names of the Tellers for the “Ayes” and for the “Noes” were announced and directed to take seats at their designated place;

The Acting Chairperson put the Question and directed the Clerk to call out the names of the Senators in alphabetical order;

The results of the Division were as follows;

AYES - 32 NOES - 0 ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka- voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- voted on behalf of Garissa County Delegation
6. Sen. Hargura Gordana
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Mwaura Isaack- voted on behalf of Kiambu County Delegation
12. Sen. Lang’at Christopher Andrew
13. Sen. Mahamud Mohamed Maalim
14. Sen. Malalah Cleophas Wakhungu
15. Sen. Mbito Michael Maling’a

16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Mpaayei Philip Salau
18. Sen. Mutula Kilonzo Junior
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Outa Fredrick Otieno
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kiio
31. Sen. Wario Golich Juma
32. Sen. Wetang'ula Moses Masika

Clause 2 - agreed to

The Title

Motion made and Question proposed;

THAT, the Title be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson directed that a roll call Division be taken pursuant to Standing Order 83 and that the Division Bell be rung for five minutes;

The Acting Chairperson directed that the doors be locked and the bar be drawn;

The names of the Tellers for the “Ayes” and for the “Noes” were announced and directed to take seats at their designated place;

The Acting Chairperson put the Question and directed the Clerk to call out the names of the Senators in alphabetical order;

The results of the Division were as follows;

AYES - 32 NOES - 0 ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka- voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma

4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- voted on behalf of Garissa County Delegation
6. Sen. Hargura Gordana
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Mwaura Isaack- voted on behalf of Kiambu County Delegation
12. Sen. Lang'at Christopher Andrew
13. Sen. Mahamud Mohamed Maalim
14. Sen. Malalah Cleophas Wakhungu
15. Sen. Mbito Michael Maling'a
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Mpaayei Philip Salau
18. Sen. Mutula Kilonzo Junior
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Outa Fredrick Otieno
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kiio
31. Sen. Wario Golich Juma
32. Sen. Wetang'ula Moses Masika

The Title - agreed to

Clause 1 - amendment proposed

Motion made and question proposed;

THAT the short title of the Bill be deleted and substituted therefor with the following new clause-

Short title and commencement. **1.** This Act may be cited as the County Allocation of Revenue Act, 2019, and shall come into force upon publication in the Gazette.

(Chairperson, Standing Committee on Finance and Budget)

The Committee proceeded to a Division;

The Acting Chairperson directed that a roll call Division be taken pursuant to Standing Order 83 and that the Division Bell be rung for five minutes;

The Acting Chairperson directed that the doors be locked and the bar be drawn;

The names of the Tellers for the “Ayes” and for the “Noes” were announced and directed to take seats at their designated place;

The Acting Chairperson put the Question and directed the Clerk to call out the names of the Senators in alphabetical order;

The results of the Division were as follows;

AYES - 32

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka- voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- voted on behalf of Garissa County Delegation
6. Sen. Hargura Gordana
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Mwaura Isaack- voted on behalf of Kiambu County Delegation
12. Sen. Lang’at Christopher Andrew
13. Sen. Mahamud Mohamed Maalim
14. Sen. Malalah Cleophas Wakhungu
15. Sen. Mbito Michael Maling’a
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Mpaayei Philip Salau
18. Sen. Mutula Kilonzo Junior
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Outa Fredrick Otieno
28. Sen. Poghismo Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation

- 30. Sen. Wambua Enoch Kiio
- 31. Sen. Wario Golich Juma
- 32. Sen. Wetang'ula Moses Masika

Clause 1 (as amended) - agreed to.

Motion made: -

THAT, the Committee of the Whole do report to the House its consideration of the County Allocation of Revenue Bill (Senate Bills No. 8 of 2019) and its approval thereof with amendments;

(Chairperson, Standing Committee on Finance and Budget)

Before the Question was put and pursuant to Standing Order 79, the Acting Chairperson (Sen. (Prof.) Margaret Kamar, MP) ruled that the Question did not affect counties;

Question put and agreed to.

- 14. **HOUSE RESUMED** – (Deputy Speaker in the Chair)
- 15. **THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 8 OF 2019)**

Bill reported with amendments;

Motion made and Question proposed-

THAT, the Senate do agree with the Committee of the Whole in the said Report.

(Chairperson, Standing Committee on Finance and Budget)

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79, the Deputy Speaker ruled that the question did not affect counties;

Question put and agreed to.

Motion made and Question proposed-

THAT, the County Allocation of Revenue Bill (Senate Bill No. 8 of 2019) be now Read a Third Time.

(Chairperson, Standing Committee on Finance and Budget)

There being no Senator wishing to contribute;

The House proceeded to a Division on the Third Reading of the Bill;

The Deputy Speaker directed that a roll call Division be taken pursuant to Standing Order 83 and that the Division Bell be rung for five minutes;

The Deputy Speaker directed that the doors be locked and the bar be drawn;

The names of the Tellers for the “Ayes” and for the “Noes” were announced and directed to take seats at their designated place;

The Deputy Speaker put the Question and directed the Clerk to call out the names of the Senators in alphabetical order;

The results of the Division were as follows;

AYES - 32

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka- voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- voted on behalf of Garissa County Delegation
6. Sen. Hargura Gordana
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Mwaura Isaack- voted on behalf of Kiambu County Delegation
12. Sen. Lang’at Christopher Andrew
13. Sen. Mahamud Mohamed Maalim
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15. Sen. Mbito Michael Maling’a
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Mpaayei Philip Salau
18. Sen. Mutula Kilonzo Junior
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Outa Fredrick Otieno
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation

- 30. Sen. Wambua Enoch Kiio
- 31. Sen. Wario Golich Juma
- 32. Sen. Wetang'ula Moses Masika

Question, agreed to.

Bill Read a Third Time and passed.

And there being no other business, the Deputy Speaker adjourned the Senate at Three minutes passed Nine O'clock without Question put, pursuant to the Standing Orders.

- 16. **SENATE ROSE** – at Three minutes passed Nine O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, September 18, 2019 at 2.30 p.m in the Kitui County Assembly
Chamber.*

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