



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FIFTH SESSION)

VOTES AND PROCEEDINGS

WEDNESDAY, SEPTEMBER 15, 2021 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. **PETITIONS**

- (i) Pursuant to Standing Order 232(2), Sen. (Arch.) Sylvia Kasanga, MP, on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources, presented to the Senate a report by the Makueni County Assembly Committee on Land, Environment and Natural Resources regarding the adverse effects of rock blasting for the construction of Thwake Dam;
- (ii) Pursuant to Standing Order 232(2), Sen. (Arch.) Sylvia Kasanga, MP, on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources, presented to the Senate a Report of the Committee on illegal alienation of land belonging to Kitale Primary School by a private developer; and
- (iii) Pursuant to Standing Order 232(2), Sen. (Arch.) Sylvia Kasanga, MP, on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources presented to the Senate a Report of the Committee on compensation for parcels of land acquired by the government to pave way for the construction of the Standard Gauge Railway (SGR).

4. **STATEMENTS PURSUANT TO STANDING ORDER 48 (1)**

- i) The Senator for Kitui County (Sen. Enoch Wambua, MP) sought a Statement from the Standing Committee on Education regarding the plight of Early Childhood Development Education (ECDE) teachers in the counties.

- ii) The Senator for Kitui County (Sen. Enoch Wambua, MP) sought a Statement from the Standing Committee on Labour and Social Welfare regarding the plight of village administrators appointed by the respective County Public Service Boards (CPSB).
- iii) The Senator for Kitui County (Sen. Enoch Wambua, MP) to sought a Statement from the Standing Committee on Labour and Social Welfare regarding rampant wrongful dismissal of employees in public and private sectors in the country.
- iv) The Senator for Mombasa County (Sen. Mwinyihaji Faki, MP), sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the rise in cases of abductions, detention and forced disappearance of people in the Country, in general, and in Mombasa County in particular.
- v) The Senator for Wajir County (Sen. (Dr.) Abdullahi Ali, MP), sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the rise in cases of abductions and disappearances of members of the public.
- vi) The Senator for Nandi County (Sen. Samson Cherarkey, MP), sought a Statement from the Standing Committee on Energy regarding the increase in fuel prices as set by the Energy and Petroleum Regulatory Authority (EPRA) on 14th September, 2021.

5. **MOTION - ADOPTION OF THE REPORT OF THE SESSIONAL COMMITTEE ON DELEGATED LEGISLATION ON THE PUBLIC FINANCE MANAGEMENT (SINKING FUND) GUIDELINES, 2021**

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Sessional Committee on Delegated Legislation on the Consideration of the Public Finance Management (Sinking Fund) Guidelines, 2021 laid on the Table of the Senate on Wednesday, 8th September, 2021, and that pursuant to Section 18 of the Statutory Instruments Act, Section 205 of the Public Finance Management Act, and Standing Order 221(4)(b), **annuls** in its entirety, the Public Finance Management (Sinking Fund) Guidelines, 2021.

(Chairperson, Sessional Committee on Delegated Legislation – 14.09.2021)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Speaker directed that a Roll Call Vote be taken, pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker dated

17th April, 2020 on Senate plenary and Committee sittings during the Covid-19 pandemic situation, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Samson Cherarkey – AYES
2. Sen. Mercy Chebeni – NOES

Upon the expiry of the two minutes, the Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

AYES: 32

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Abdul Mohammed – voted virtually
7. Sen. Hargura Godana
8. Sen. Imana Malachy Charles Ekal
9. Sen. Kamar Margaret Jepkoech
10. Sen. Khaniri George – voted virtually
11. Sen. Kibiru Charles Reubenson – voted virtually
12. Sen. Kimani Wamatangi Paul – voted virtually
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Ltumbesi
15. Sen. Madzayo Stewart Mwachiru – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu
18. Sen. Mbiti Michael Maling'a – voted virtually
19. Sen. Moi Gideon Kipsielei
20. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
21. Sen. Muthama Agnes Kavindu – voted virtually
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwaruma Johnes Mwashushe
24. Sen. Mwinyihaji Mohamed Faki
25. Sen. Olekina Ledama
26. Sen. Onger Samson Kegengo
27. Sen. Orenge James
28. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation

- 29. Sen. Sakaja Johnson Arthur
- 30. Sen. Wako Amos Sitswila
- 31. Sen. Wambua Enoch Kiio
- 32. Sen. Wetangula Moses Masika

Question agreed to.

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Report of the Sessional Committee on Delegated Legislation on the Consideration of the Public Finance Management (Sinking Fund) Guidelines, 2021 laid on the Table of the Senate on Wednesday, 8th September, 2021, and that pursuant to Section 18 of the Statutory Instruments Act, Section 205 of the Public Finance Management Act, and Standing Order 221(4)(b), **annuls** in its entirety, the Public Finance Management (Sinking Fund) Guidelines, 2021.

6. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(Acting Chairperson of Committees (Sen. (Dr.) Lelegwe Ltumbesi, MP) – In the Chair)

The County Governments Grants Bill (Senate Bills No. 35 of 2021)

Clause 3 – amendment proposed

THAT, the Bill be amended in clause 3-

- (a) by deleting the phrase “187(2) and” appearing immediately after the words “to Article” in paragraph (a); and
- (b) by deleting paragraph (b) and substituting therefor the following new paragraph-
 - (b) facilitate the transfer of conditional and unconditional allocations made to counties under this Act from the Consolidated Fund to the respective County Revenue Funds and special purpose accounts.

*(Vice Chairperson, Standing Committee on Finance and Budget –
14.09.2021)*

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that a Roll Call Vote be taken, pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker dated 17th April, 2020 on Senate plenary and Committee sittings during the Covid-19 pandemic situation, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Samson Cherarkey – AYES
2. Sen. Mercy Chebeni – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

AYES: 31

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu
17. Sen. Mbito Michael Maling'a – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior

22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Sakaja Johnson Arthur
29. Sen. Wako Amos Sitswila
30. Sen. Wambua Enoch Kiio
31. Sen. Wetangula Moses Masika

Clause 3 (as amended) – agreed to

Clause 4 – deletion proposed

THAT, the Bill be amended by deleting clause 4.

*(Vice Chairperson, Standing Committee on Finance and Budget –
14.09.2021)*

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that a Roll Call Vote be taken, pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker dated 17th April, 2020 on Senate plenary and Committee sittings during the Covid-19 pandemic situation, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Samson Cherarkey – AYES
2. Sen. Mercy Chebeni – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

AYES: 31

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Boy Issa Juma – voted virtually

3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu
17. Sen. Mbito Michael Maling'a – voted virtually
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23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Sakaja Johnson Arthur
29. Sen. Wako Amos Sitswila
30. Sen. Wambua Enoch Kiiio
31. Sen. Wetangula Moses Masika

Clause 4 – deleted

Clause 5 – deletion proposed

THAT, the Bill be amended by deleting clause 5.

*(Vice Chairperson, Standing Committee on Finance and Budget –
14.09.2021)*

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that a Roll Call Vote be taken, pursuant to Standing Order 83 (1), and in line with the further Guidelines by the

Speaker dated 17th April, 2020 on Senate plenary and Committee sittings during the Covid-19 pandemic situation, and that the Divison bell be rung for two minutes;

The names of the Tellers were annouced as follows;

1. Sen. Samson Cherarkey – AYES
2. Sen. Mercy Chebeni – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

AYES: 31

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu
17. Sen. Mbito Michael Maling'a – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James

27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Sakaja Johnson Arthur
29. Sen. Wako Amos Sitswila
30. Sen. Wambua Enoch Kiio
31. Sen. Wetangula Moses Masika

Clause 5 – deleted

Clause 6 – deletion proposed

THAT, the Bill be amended by deleting clause 6.

*(Vice Chairperson, Standing Committee on Finance and Budget –
14.09.2021)*

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Samson Cherarkey – AYES
2. Sen. Mercy Chebeni – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

AYES: 31

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana

7. Sen. Imana Malachy Charles Ekal
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu
17. Sen. Mbito Michael Maling’a – voted virtually
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25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Sakaja Johnson Arthur
29. Sen. Wako Amos Sitswila
30. Sen. Wambua Enoch Kiio
31. Sen. Wetangula Moses Masika

Clause 6 – deleted

Clause 7 – deletion proposed

THAT, the Bill be amended by deleting clause 7.

*(Vice Chairperson, Standing Committee on Finance and Budget –
14.09.2021)*

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Samson Cherarkey – AYES
2. Sen. Mercy Chebeni – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

AYES: 31

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu
17. Sen. Mbito Michael Maling'a – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Sakaja Johnson Arthur
29. Sen. Wako Amos Sitswila

- 30. Sen. Wambua Enoch Kiio
- 31. Sen. Wetangula Moses Masika

Clause 7 - deleted

Clause 8 - amendment proposed

THAT, clause 8 of the Bill be amended –

(a) in subclause (1) by-

- (i) inserting the words “share of revenue” immediately after the words “from national government” in the introductory phrase;
- (ii) deleting the word “Second” appearing immediately after the words “Column B of the” in paragraph (a) and substituting therefor the word “First”;
- (iii) deleting the word “Second” appearing immediately after the words “Column C of the” in paragraph (b) and substituting therefor the word “First”;

(b) in subclause (2) by -

- (i) deleting the word “Third” appearing immediately after “Column B of the” in paragraph (a) and substituting therefor the word “Second”;
- (ii) deleting the word “Third” appearing immediately after “Column C of the” in paragraph (b) and substituting therefor the word “Second”;
- (iii) deleting the word “Third” appearing immediately after “Column D of the” in paragraph (c) and substituting therefor the word “Second”;
- (iv) deleting the word “Third” appearing immediately after “Column E of the” in paragraph (d) and substituting therefor the word “Second”;
- (v) deleting the word “Third” appearing immediately after “Column F of the” in paragraph (e) and substituting therefor the word “Second”;
- (vi) deleting the word “Third” appearing immediately after “Column G of the” in paragraph (f) and substituting therefor the word “Second”;

- (vii) deleting the word “Third” appearing immediately after “Column H of the” in paragraph (g) and substituting therefor the word “Second”;
 - (viii) deleting the word “Third” appearing immediately after “Column I of the” in paragraph (h) and substituting therefor the word “Second”;
 - (ix) deleting the word “Third” appearing immediately after “Column J of the” in paragraph (i) and substituting therefor the word “Second”;
 - (x) deleting the word “Third” appearing immediately after “Column K of the” in paragraph (j) and substituting therefor the word “Second”;
 - (xi) deleting the word “Third” appearing immediately after “Column L of the” in paragraph (k) and substituting therefor the word “Second”;
 - (xii) deleting the word “Third” appearing immediately after “Column M of the” in paragraph (l) and substituting therefor the word “Second”;
- (c) by inserting the following new subclause immediately after subclause (3)-
- (3A) A county government’s allocation under subsection (2) shall be transferred to the respective county revenue fund in accordance with a payment schedule published in the Kenya Gazette by the Cabinet Secretary in accordance with section 17 of the Public Finance Management Act.
- (d) by deleting the words “subsection 1(b)” appearing immediately after the words “allocations under” and substituting therefor the words “subsections (1) and (2)”; and
- (e) by deleting subclause (6).

*(Vice Chairperson, Standing Committee on Finance and Budget –
14.09.2021)*

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19

pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Samson Cherarkey – AYES
2. Sen. Mercy Chebeni – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 31

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu
17. Sen. Mbito Michael Maling'a – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Olekina Ledama
25. Sen. Onger Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation

28. Sen. Sakaja Johnson Arthur
29. Sen. Wako Amos Sitswila
30. Sen. Wambua Enoch Kiio
31. Sen. Wetangula Moses Masika

Clause 8 (as amended) – agreed to

Clause 9 – amendment proposed

THAT, clause 9 of the Bill be amended by inserting the words “by the 15th day of each subsequent month” immediately after the words “Secretary shall publish”.

*(Vice Chairperson, Standing Committee on Finance and Budget –
14.09.2021)*

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

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2. Sen. Mercy Chebeni – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 31

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana

7. Sen. Imana Malachy Charles Ekal
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu
17. Sen. Mbito Michael Maling’a – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
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23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Sakaja Johnson Arthur
29. Sen. Wako Amos Sitswila
30. Sen. Wambua Enoch Kiio
31. Sen. Wetangula Moses Masika

Clause 9 (as amended) – agreed to

Clause 10

Motion made and Question proposed;

THAT, Clause 10 be part of the Bill.

*(Vice Chairperson, Standing Committee on Finance and Budget –
14.09.2021)*

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19

pandemic situation dated 17th April, 2020, and that the Divison bell be rung for two minutes;

The names of the Tellers were annouced as follows;

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Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

AYES: 31

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Mahamud Mohamed Maalim
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24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation

- 28. Sen. Sakaja Johnson Arthur
- 29. Sen. Wako Amos Sitswila
- 30. Sen. Wambua Enoch Kiio
- 31. Sen. Wetangula Moses Masika

Clause 10 - agreed to

Clause 11 - amendment proposed

THAT, clause 11 of the Bill be amended –

- (a) in paragraph (c) deleting the words “or framework” appearing immediately after the words “the intergovernmental agreement”; and
- (b) in paragraph (d) deleting the words “of framework” appearing immediately after the words “an intergovernmental agreement”.

*(Vice Chairperson, Standing Committee on Finance and Budget –
14.09.2021)*

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

- 1. Sen. Samson Cherarkey – AYES
- 2. Sen. Mercy Chebeni – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 31

NOES: 0

ABSENTIONS: 0

AYES

- 1. Sen. Ali Abdullahi Ibrahim
- 2. Sen. Boy Issa Juma – voted virtually
- 3. Sen. Cherarkey Samson Kiprotich

4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu
17. Sen. Mbito Michael Maling’a – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Sakaja Johnson Arthur
29. Sen. Wako Amos Sitswila
30. Sen. Wambua Enoch Kiio
31. Sen. Wetangula Moses Masika

Clause 11 (as amended) – agreed to

Clause 12 – amendment proposed

THAT, clause 12 of the Bill be amended –

- (a) in paragraph (a) by deleting the marginal note in the proposed new section 42 and substituting therefor the following new marginal note

-

Consideration by Parliament of Bills allocating revenue and additional allocations.

- (b) by deleting paragraph (b) and substituting therefor the following new paragraph-

(b) in section 191 by-

(i) deleting the marginal note and substituting therefor the following new marginal note-

Bills allocating revenue and additional allocations.

(ii) deleting subsection (1) and substituting therefor the following new subsection-

(1) Each year when the Budget Policy Statement is introduced, the Cabinet Secretary shall submit to Parliament a Division of Revenue Bill, a County Allocation of Revenue Bill and a Bill relating to the allocation and transfer of additional allocations under Article 202(2) of the Constitution prepared by the National Treasury as provided in this Act for the financial year to which that Budget relates.

(iii) deleting subsection 3(b);

(iv) inserting the following new subsection immediately after subsection (3)

(3A) A Bill making allocations under Article 202(2) of the Constitution shall specify any other allocations to the counties from the national government's share of that revenue and any conditions to which those allocations shall be made.

(c) by inserting the following new paragraph immediately after paragraph (b) –

(c) by inserting the following new sections immediately after section 191 -

Intergovernmental agreements.

191A. (1) The National Treasury shall enter into an agreement with the respective county government for the transfer of the respective conditional allocation made to the county government pursuant to this Act.

(2) An agreement under subsection (1) shall set out any conditions that may be attached to the conditional allocations made under this Act.

(3) Where a county government intends to enter into an agreement under subsection (1), the county executive committee member shall submit the agreement to the respective County Assembly for approval.

(4) The County Assembly shall, within fourteen days of submission of an agreement under subsection (3), approve or reject the agreement.

(5) Where a County Assembly fails to consider an agreement under subsection (3) within fourteen days, the agreement shall be deemed to be approved.

(6) An agreement under subsection (1) shall set out all conditions attached to an allocation made under this Act.

(7) The respective county government shall forward the agreement approved under this section to the Controller of Budget within seven days of approval.

Public participation.

191B. The county executive committee member shall facilitate public participation on any agreement made pursuant to section 191A.

Execution of agreement for conditional allocation.

191C. An agreement under section 191A shall be –

(a) signed by an authorized person or officer; and

(b) published in the *Kenya Gazette* within a period of seven days of the agreement.

Submission to Senate.

191D. (1) The National Treasury shall, within seven days of entering into an agreement under section 191A, submit to the Senate and the Controller of Budget, the agreement together with any other documents relating to the agreement.

(2) The National Treasury shall publish and publicize all agreements entered into pursuant to section 191A.

191E. Requisition of funds from the county revenue fund for the purposes of a conditional grant shall be supported by the intergovernmental agreement approved under section 191A.

(Vice Chairperson, Standing Committee on Finance and Budget – 14.09.2021)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

- 1. Sen. Samson Cherarkey – AYES
- 2. Sen. Mercy Chebeni – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 31	NOES: 0	ABSENTIONS: 0
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AYES

- 1. Sen. Ali Abdullahi Ibrahim
- 2. Sen. Boy Issa Juma – voted virtually
- 3. Sen. Cherarkey Samson Kiprotich
- 4. Sen. Cheruiyot Aaron Kipkirui
- 5. Sen. Haji Abdul Mohammed – voted virtually
- 6. Sen. Hargura Godana
- 7. Sen. Imana Malachy Charles Ekal
- 8. Sen. Kamar Margaret Jepkoech
- 9. Sen. Khaniri George – voted virtually

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Samson Cherarkey – AYES
2. Sen. Mercy Chebeni – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 31

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu
17. Sen. Mbito Michael Maling'a – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Olekina Ledama
25. Sen. Onger Samson Kegengo
26. Sen. Orengo James

27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
 28. Sen. Sakaja Johnson Arthur
 29. Sen. Wako Amos Sitswila
 30. Sen. Wambua Enoch Kiio
 31. Sen. Wetangula Moses Masika
- New Clause 13 – agreed to

The First Schedule and the Second Schedule

Motion made and Question proposed;

THAT, the First Schedule and the Second Schedule be part of the Bill.

*(Vice Chairperson, Standing Committee on Finance and Budget –
14.09.2021)*

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Samson Cherarkey – AYES
2. Sen. Mercy Chebeni – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 31

NOES: 0

ABSENCES: 0

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kamar Margaret Jepkoech

9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu
17. Sen. Mbito Michael Maling’a – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Sakaja Johnson Arthur
29. Sen. Wako Amos Sitswila
30. Sen. Wambua Enoch Kiio
31. Sen. Wetangula Moses Masika

The First and Second Schedules – agreed to

Clause 2 – amendment proposed

THAT, the Bill be amended in clause 2 –

- (a) in the definition of the term “agreement” by deleting the word “subsection” appearing immediately after the words “into under”;
- (b) in the definition of the term “conditional allocations” by deleting the words “revenue raised nationally” appearing immediately after the words “governments from” and substituting therefor the words “the national government’s share of revenue”;
- (c) by inserting the following definitions in their proper alphabetical order-
“authorized person”-

- (a) in relation to the national government shall be the principal secretary responsible for matters relating to finance or a person appointed by that principal secretary in writing;

(b) in relation to a county government shall be the county executive committee member responsible for matters relating to finance or a person appointed by that county executive committee member in writing.

*(Vice Chairperson, Standing Committee on Finance and Budget –
14.09.2021)*

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Samson Cherarkey – AYES
2. Sen. Mercy Chebeni – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 31

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu
17. Sen. Mbito Michael Maling'a – voted virtually

18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Sakaja Johnson Arthur
29. Sen. Wako Amos Sitswila
30. Sen. Wambua Enoch Kiio
31. Sen. Wetangula Moses Masika

Clause 2 (as amended) – agreed to

The Title – amendment proposed

THAT, the Bill be amended by deleting long title and substituting therefor the following new title—

AN ACT of Parliament to provide for the additional allocations to county governments for the 2021/2022 financial year; the responsibilities of national government and county governments pursuant to such allocation; and for connected purposes.

*(Vice Chairperson, Standing Committee on Finance and Budget –
14.09.2021)*

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Samson Cherarkey – AYES
2. Sen. Mercy Chebeni – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 31

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu
17. Sen. Mbito Michael Maling'a – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Sakaja Johnson Arthur
29. Sen. Wako Amos Sitswila
30. Sen. Wambua Enoch Kiio
31. Sen. Wetangula Moses Masika

The Title (as amended) – agreed to

Clause 1

Motion made and Question proposed;

THAT, Clause 1 be part of the Bill.

*(Vice Chairperson, Standing Committee on Finance and Budget –
14.09.2021)*

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Samson Cherarkey – AYES
2. Sen. Mercy Chebeni – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 31

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu

17. Sen. Mbito Michael Maling'a – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Olekina Ledama
25. Sen. Onger Samson Kegengo
26. Sen. Orenge James
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Sakaja Johnson Arthur
29. Sen. Wako Amos Sitswila
30. Sen. Wambua Enoch Kiio
31. Sen. Wetangula Moses Masika

Clause 1 – agreed to.

Motion made: -

THAT, the Committee of the Whole do report to the House its consideration of the the County Governments Grants Bill (Senate Bills No. 35 of 2021) and its approval thereof with amendments;

(Vice Chairperson, Standing Committee on Finance and Budget)

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

Question put and agreed to.

7. **HOUSE RESUMED** – The Deputy Speaker in the Chair
8. **PROCEDURAL MOTION – EXTENSION OF SITTING TIME 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 time today, Wednesday, 15th September, 2021 until the conclusion of the business appearing as Order Numbers 13 -17 in today's Order Paper.

(Sen. Mutula Kilonzo Junior, MP)

There being no other Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order No. 79 (1), the Deputy Speaker ruled that the Question did not affect counties;

Question put and agreed to.

9. **THE COUNTY GOVERNMENTS GRANTS BILL (SENATE BILLS NO. 35 OF 2021)**

Bill reported **with** amendments;

Motion made and Question proposed-

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

(Vice 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 Governments Grants Bill (Senate Bills No. 35 of 2021) be now read a Third Time.

(Vice 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 one minute; The names of the Tellers were announced as follows;

1. Sen. Mercy Chebeni – AYES
2. Sen. (Arch.) Sylvia Kasanga – NOES

Upon the expiry of one minute, the Deputy Speaker put the Question and directed the Clerk to call out the names of the Senators in alphabetical order;

Following the Division, Question agreed to.

The results of the Division were as follows: -

AYES: 26

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Boy Issa Juma – voted virtually
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Haji Abdul Mohamed – voted virtually
4. Sen. Hargura Godana
5. Sen. Imana Malachy Charles Ekal
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted virtually
8. Sen. Kimani Wamatangi Paul – voted virtually
9. Sen. Kindiki Kithure
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Ltumbesi
12. Sen. Mahamud Mohamed Maalim – voted virtually
13. Sen. Mbito Michael Maling’a – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei – voted virtually
16. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior
19. Sen. Mwinyihaji Mohamed Faki
20. Sen. Ongeru Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
23. Sen. Sakaja Johnson Arthur
24. Sen. Wako Amos Sitswila
25. Sen. Wambua Enoch Kiio
26. Sen. Wetangula Moses Masika

Question agreed to.

Bill Read a Third Time and passed.

10. **COMMITTEE OF THE WHOLE**

Order for Committee Read;

IN THE COMMITTEE

(Acting Chairperson of Committees (Sen. (Dr.) Lelegwe Ltumbesi, MP) – In the Chair)

The Mental Health (Amendment) Bill (Senate Bills No. 28 of 2020)Clause 3 and 4

Motion made and Question proposed;

THAT, Clause 3 and 4 be part of the Bill.

(Chairperson, Standing Committee on Health)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Cleophas Malala, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

The results of the Division were as follows: -

AYES: 29

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Boy Issa Juma- voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Muthama Agnes Kavindu- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George- voted virtually
10. Sen. Kibiru Charles Reubenson- voted virtually
11. Sen. Kimani Wamatangi Paul- voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi

14. Sen. Madzayo Stewart Mwachiru- voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu- voted virtually
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama- voted virtually
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo - voted virtually on behalf of Kisumu County delegation
26. Sen. Kasanga Sylvia Mueni
27. Sen. Wako Sitswila Amos
28. Sen. Wambua Enoch Kiiio- voted virtually
29. Sen. Wetang'ula Moses Masika

Clause 3 and 4 - agreed to

Clause 5 - Amendment proposed

THAT, clause 5 of the Bill be amended in the proposed new section 2E (5) by—

(a) deleting paragraph (e) and substituting therefore the following new paragraph—

(e) is removed by the county executive committee member for being unable to perform the functions of the office by reason of mental or physical infirmity.

(b) inserting the following new subclause immediately after subclause (5)

(5A) Before the removal of a member under subsection (5)(e), the county executive committee member shall request the Council to—

(a) investigate the circumstances giving rise to the proposed removal; and

(c) make recommendations on whether or not the member should be removed from office.

(Chairperson, Standing Committee on Health)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Cleophas Malala, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 29

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Boy Issa Juma- voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Muthama Agnes Kavindu- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George- voted virtually
10. Sen. Kibiru Charles Reubenson- voted virtually
11. Sen. Kimani Wamatangi Paul- voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru- voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu- voted virtually
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama- voted virtually
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County delegation
26. Sen. Kasanga Sylvia Mueni
27. Sen. Wako Sitswila Amos

28. Sen. Wambua Enoch Kiio- voted virtually
29. Sen. Wetang'ula Moses Masika

Clause 5 (as amended) - agreed to

Clause 6 and 7

Motion made and Question proposed;

THAT, Clause 6 and 7 be part of the Bill.

(Chairperson, Standing Committee on Health)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Cleophas Malala, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

AYES: 29

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Boy Issa Juma- voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Muthama Agnes Kavindu- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George- voted virtually
10. Sen. Kibiru Charles Reubenson- voted virtually

- 11. Sen. Kimani Wamatangi Paul- voted virtually
- 12. Sen. Langat Christopher Andrew
- 13. Sen. Lelegwe Ltumbesi
- 14. Sen. Madzayo Stewart Mwachiru- voted virtually
- 15. Sen. Mahamud Mohamed Maalim
- 16. Sen. Malalah Cleophas Wakhungu- voted virtually
- 17. Sen. Mbogo George Ochilo Ayacko
- 18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
- 19. Sen. Mutula Kilonzo Junior
- 20. Sen. Mwaruma Johnes Mwashushe
- 21. Sen. Mwinyihaji Mohamed Faki
- 22. Sen. Olekina Ledama- voted virtually
- 23. Sen. Ongeru Samson Kegengo
- 24. Sen. Orengo James
- 25. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County delegation
- 26. Sen. Kasanga Sylvia Mueni
- 27. Sen. Wako Sitswila Amos
- 28. Sen. Wambua Enoch Kiio- voted virtually
- 29. Sen. Wetang'ula Moses Masika

Clause 6 and 7 - agreed to.

Clause 8 - Amendment proposed

THAT, clause 8 of the Bill be amended by deleting the proposed new section 4B and substituting therefor the following new section—

Removal of member of Board from office. **4B.**(1) A member of the Board may be removed from member of office for —

- (a) inability to perform the functions of the office arising out of physical or mental incapacity;
- (b) gross misconduct;
- (c) incompetence or negligence of duty; or
- (d) any other ground that would justify removal from office under any written law.

(2) Before the removal of a member of the Board under subsection (1)(a), the Cabinet Secretary shall request the Board to—

- (a) investigate the circumstances giving rise to the proposed removal; and
- (b) make recommendations on whether or not the member should be removed from office.

(Chairperson, Standing Committee on Health)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Cleophas Malala, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 29

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Boy Issa Juma- voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Muthama Agnes Kavindu- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George- voted virtually
10. Sen. Kibiru Charles Reubenson- voted virtually
11. Sen. Kimani Wamatangi Paul- voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru- voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu- voted virtually
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama- voted virtually
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James

- 25. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County delegation
- 26. Sen. Kasanga Sylvia Mueni
- 27. Sen. Wako Sitswila Amos
- 28. Sen. Wambua Enoch Kiio- voted virtually
- 29. Sen. Wetang'ula Moses Masika

Clause 8 (as amended) – agreed to

Clauses 9 -14

Motion made and Question proposed;

THAT, Clauses 9 -14 be part of the Bill.

(Chairperson, Standing Committee on Health)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Divison bell be rung for two minutes;

The names of the Tellers were annouced as follows;

- 1. Sen. Cleophas Malala, MP – AYES
- 2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 29

NOES: 0

ABSENTIONS: 0

AYES

- 1. Sen. Adan Dullo Fatuma- voted virtually
- 2. Sen. Boy Issa Juma- voted virtually
- 3. Sen. Cherarkey Samson Kiprotich
- 4. Sen. Haji Abdul Mohammed- voted virtually
- 5. Sen. Hargura Godana
- 6. Sen. Imana Malachy Charles Ekal
- 7. Sen. Muthama Agnes Kavindu- voted virtually
- 8. Sen. Kamar Margaret Jepkoech
- 9. Sen. Khaniri George- voted virtually

10. Sen. Kiburu Charles Reubenson- voted virtually
11. Sen. Kimani Wamatangi Paul- voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru- voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu- voted virtually
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama- voted virtually
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County Delegation
26. Sen. Kasanga Sylvia Mueni
27. Sen. Wako Sitswila Amos
28. Sen. Wambua Enoch Kii- voted virtually
29. Sen. Wetang'ula Moses Masika

Clauses 9-14 - agreed to.

Clause 15 - Amendment proposed

THAT, clause 15 of the Bill be amended -

(a) in the proposed new section 9D by inserting the following new paragraph immediately after paragraph (e)—

(ea) the number of mental health patients admitted on an emergency basis that the mental health facility or unit has discharged, are still under its care or have died in the course of treatment;

(b) in the proposed new section 9F(2) by inserting the words “side effects” immediately after the words “likely duration” in paragraph (b).

(Chairperson , Standing Committee on Health)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate

plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Divison bell be rung for two minutes;

The names of the Tellers were annouced as follows;

1. Sen. Cleophas Malala, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 29

NOES: 0

ABSECTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Boy Issa Juma- voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Muthama Agnes Kavindu- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George- voted virtually
10. Sen. Kibiru Charles Reubenson- voted virtually
11. Sen. Kimani Wamatangi Paul- voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru- voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu- voted virtually
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama- voted virtually
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of the Kisumu County delegation
26. Sen. Kasanga Sylvia Mueni
27. Sen. Wako Sitswila Amos
28. Sen. Wambua Enoch Kiio- voted virtually
29. Sen. Wetang'ula Moses Masika

Clause 15 (as amended) – agreed to

Clauses 16 - 31

Motion made and Question proposed;

THAT, Clauses 16 - 31 be part of the Bill.

(Chairperson, Standing Committee on Health)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Cleophas Malala, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 29

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Boy Issa Juma- voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Muthama Agnes Kavindu- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George- voted virtually
10. Sen. Kibiru Charles Reubenson- voted virtually
11. Sen. Kimani Wamatangi Paul- voted virtually

12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru- voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu- voted virtually
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama- voted virtually
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County delegation
26. Sen. Kasanga Sylvia Mueni
27. Sen. Wako Sitswila Amos
28. Sen. Wambua Enoch Kiio- voted virtually
29. Sen. Wetang'ula Moses Masika

Clauses 16-31 – agreed to

Clause 32 – Amendment proposed

THAT, clause 32 of the Bill be amended in the proposed new section 20A (2) by inserting the following new paragraph immediately after paragraph (b) —

(ba) a supporter of the person with mental illness;

(Chairperson, Standing Committee on Health)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Cleophas Malala, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

AYES: 29

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Boy Issa Juma- voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Muthama Agnes Kavindu- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George- voted virtually
10. Sen. Kibiru Charles Reubenson- voted virtually
11. Sen. Kimani Wamatangi Paul- voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru- voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu- voted virtually
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama- voted virtually
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County Delegation
26. Sen. Kasanga Sylvia Mueni
27. Sen. Wako Sitswila Amos
28. Sen. Wambua Enoch Kiio- voted virtually
29. Sen. Wetang'ula Moses Masika

Clause 32 (as amended) – agreed to

Clause 33 – Amendment proposed

THAT, clause 33 of the Bill be amended in the proposed new section 21 by inserting the words “A person” immediately before the word “with mental illness” in subsection (2).

(Chairperson , Standing Committee on Health)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Cleophas Malala, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

AYES: 29

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Boy Issa Juma- voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Muthama Agnes Kavindu- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George- voted virtually
10. Sen. Kibiru Charles Reubenson- voted virtually
11. Sen. Kimani Wamatangi Paul- voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru- voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu- voted virtually
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama- voted virtually
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo- voted virtually on behalf Kisumu County Delegation

26. Sen. Kasanga Sylvia Mueni – voted on behalf of Nairobi City County Delegation.

27. Sen. Wako Sitswila Amos

28. Sen. Wambua Enoch Kii- voted virtually

29. Sen. Wetang'ula Moses Masika

Clause 33 (as amended) – agreed to

Clauses 34 - 37

Motion made and Question proposed;

THAT, Clauses 34 - 37 be part of the Bill.

(Chairperson , Standing Committee on Health)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Divison bell be rung for two minutes;

The names of the Tellers were annouced as follows;

1. Sen. Cleophas Malala, MP – AYES

2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 29

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually

2. Sen. Boy Issa Juma- voted virtually

3. Sen. Cherarkey Samson Kiprotich

4. Sen. Haji Abdul Mohammed- voted virtually

5. Sen. Hargura Godana

6. Sen. Imana Malachy Charles Ekal

7. Sen. Muthama Agnes Kavindu- voted virtually

8. Sen. Kamar Margaret Jepkoech

9. Sen. Khaniri George- voted virtually

10. Sen. Kiburu Charles Reubenson- voted virtually

11. Sen. Kimani Wamatangi Paul- voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru- voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu- voted virtually
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama- voted virtually
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County delegation
26. Sen. Kasanga Sylvia Mueni – voted virtually on behalf of Nairobi City County Delegation
27. Sen. Wako Sitswila Amos
28. Sen. Wambua Enoch Kiio- voted virtually
29. Sen. Wetang'ula Moses Masika

Clauses 34 - 37 - agreed to

Clause 38 - Amendment proposed

THAT, clause 38 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph—

(a) subsection (1) and substituting therefor the following new subsection—

(1) The person in charge or a mental health practitioner in charge of any patient shall enable communication by the patient through letters, telephone calls and emails to the recipients where practicable.

(Chairperson , Standing Committee on Health)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Divison bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Cleophas Malala, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 29

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Boy Issa Juma- voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Muthama Agnes Kavindu- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George- voted virtually
10. Sen. Kibiru Charles Reubenson- voted virtually
11. Sen. Kimani Wamatangi Paul- voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru- voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu- voted virtually
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama- voted virtually
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo- voted virtually
26. Sen. Kasanga Sylvia Mueni – voted on behalf of the Nairobi City County Delegation
27. Sen. Wako Sitswila Amos
28. Sen. Wambua Enoch Kiio- voted virtually
29. Sen. Wetang'ula Moses Masika

Clause 38 (as amended) – agreed to

Clauses 39 - 49

Motion made and Question proposed;

THAT, Clauses 39 - 49 be part of the Bill.

(Chairperson, Standing Committee on Health)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Cleophas Malala, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 29

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Boy Issa Juma- voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Muthama Agnes Kavindu- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George- voted virtually
10. Sen. Kibiru Charles Reubenson- voted virtually
11. Sen. Kimani Wamatangi Paul- voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru- voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu- voted virtually
17. Sen. Mbogo George Ochilo Ayacko

18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama- voted virtually
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County delegation
26. Sen. Kasanga Sylvia Mueni – voted on behalf of Nairobi City County Delegation
27. Sen. Wako Sitswila Amos
28. Sen. Wambua Enoch Kii- voted virtually
29. Sen. Wetang'ula Moses Masika

Clauses 39 - 49 – agreed to.

Clause 50 – Amendment proposed

THAT, the Bill be amended by deleting clause 50 and substituting therefor the following new clause—

Amendment of section 54 of Cap. 248. **50.** The Principal Act is amended by deleting section 54 and substituting therefor the following section—

Regulations. **54.** The Cabinet Secretary shall, in consultation with the Board and the Council of County Governors, make regulations—

- (a) prescribing the form of the supportive decision making agreement;
- (b) generally regulating the equipping, administration, control and management of mental health units;
- (c) for the care, treatment and rehabilitation of person with mental illness;
- (d) prescribing the procedure of admission of out-patient patients; and
- (e) for the better carrying out of the provisions of this Act.

(Chairperson, Standing Committee on Health)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Cleophas Malala, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 29

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Boy Issa Juma- voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Muthama Agnes Kavindu- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George- voted virtually
10. Sen. Kibiru Charles Reubenson- voted virtually
11. Sen. Kimani Wamatangi Paul- voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru- voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu- voted virtually
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama- voted virtually
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County delegation

26. Sen. Kasanga Sylvia Mueni – voted on behalf of Nairobi City County Delegation

27. Sen. Wako Sitswila Amos

28. Sen. Wambua Enoch Kii- voted virtually

29. Sen. Wetang'ula Moses Masika

Clause 50 (as amended) – agreed to

Clauses 51 and 52

Motion made and Question proposed;

THAT, Clauses 51 and 52 be part of the Bill.

(Chairperson, Standing Committee on Health)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Cleophas Malala, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 29

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Boy Issa Juma- voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Muthama Agnes Kavindu- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George- voted virtually
10. Sen. Kibiru Charles Reubenson- voted virtually

11. Sen. Kimani Wamatangi Paul- voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru- voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu- voted virtually
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama- voted virtually
23. Sen. Ongeri Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County delegation
26. Sen. Kasanga Sylvia Mueni -voted on behalf of Nairobi City County Delegation
27. Sen. Wako Sitswila Amos
28. Sen. Wambua Enoch Kiio- voted virtually
29. Sen. Wetang'ula Moses Masika

Clauses 51 and 52 – agreed to.

The Schedule

Motion made and Question proposed;

THAT, the Schedule be part of the Bill.

(Chairperson, Standing Committee on Health)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Cleophas Malala, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order; The results of the Division were as follows:-

AYES: 29

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Boy Issa Juma- voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Muthama Agnes Kavindu- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George- voted virtually
10. Sen. Kibiru Charles Reubenson- voted virtually
11. Sen. Kimani Wamatangi Paul- voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru- voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu- voted virtually
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama- voted virtually
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County delegation
26. Sen. Kasanga Sylvia Mueni – voted on behalf of Nairobi City County Delegation
27. Sen. Wako Sitswila Amos
28. Sen. Wambua Enoch Kii- voted virtually
29. Sen. Wetang'ula Moses Masika

The Schedule – agreed to.

Clause 2, the Title and Clause 1

Motion made and Question proposed;

THAT, Clause 2, the Title and Clause 1 be part of the Bill.

(Chairperson, Standing Committee on Health)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Cleophas Malala, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES: 29

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Boy Issa Juma- voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Muthama Agnes Kavindu- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George- voted virtually
10. Sen. Kibiru Charles Reubenson- voted virtually
11. Sen. Kimani Wamatangi Paul- voted virtually
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Madzayo Stewart Mwachiru- voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Malalah Cleophas Wakhungu- voted virtually
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama- voted virtually
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County delegation

- 30. Sen. Kasanga Sylvia Mueni – voted on behalf of Nairobi City County Delegation
- 26. Sen. Wako Sitswila Amos
- 27. Sen. Wambua Enoch Kii- voted virtually
- 28. Sen. Wetang'ula Moses Masika

Clause 2, the Title and Clause 1 - agreed to.

Motion made:

THAT, the Committee of the Whole do report to the House its consideration of the the Mental Health (Amendment) Bill (Senate Bills No. 28 of 2020) and its approval thereof with amendments;

(Sen. (Arch.) Sylvia Kasanga,MP)

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

Question put and agreed to.

11. **HOUSE RESUMED** – The Deputy Speaker in the Chair

12. **MENTAL HEALTH (AMENDMENT) BILL (SENATE BILLS NO. 28 OF 2020)**

Bill reported with amendments;

Motion made and Question proposed-

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

(Sen. (Arch.) Sylvia Kasanga,MP)

There being no Senator wishing to contribute;

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

Question put and agreed to.

Motion made and question proposed-

THAT, the Mental Health (Amendment) Bill (Senate Bills No. 28 of 2020) be now read a Third time.

(Sen. (Arch.) Sylvia Kasanga,MP)

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 one minute;

The names of the Tellers were announced as follows;

1. Sen. Mercy Chebeni – AYES
2. Sen. (Arch.) Sylvia Kasanga – NOES

Upon the expiry of one minute, the Deputy Speaker put the Question and directed the Clerk to call out the names of the Senators in alphabetical order;

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES: 26

NOES: 0

ABSTENTIONS: 0

AYES

1. Sen. Boy Issa Juma – voted virtually
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Haji Abdul Mohamed – voted virtually
4. Sen. Hargura Godana
5. Sen. Imana Malachy Charles Ekal
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted virtually
8. Sen. Kimani Wamatangi Paul – voted virtually
9. Sen. Kindiki Kithure
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Ltumbesi
12. Sen. Mahamud Mohamed Maalim – voted virtually
13. Sen. Mbito Michael Maling’a – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei – voted virtually
16. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior
19. Sen. Mwinyihaji Mohamed Faki
20. Sen. Onger Samson Kegengo
21. Sen. Orengo James

22. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
23. Sen. Sakaja Johnson Arthur
24. Sen. Wako Amos Sitswila
25. Sen. Wambua Enoch Kiio
26. Sen. Wetangula Moses Masika

Question, agreed to

Bill Read a Third time and **passed.**

13. **COMMITTEE OF THE WHOLE**

Order for Committee Read;

IN THE COMMITTEE

(Acting Chairperson of Committees (Sen. (Dr.) Lelegwe Ltumbesi, MP) – In the Chair)

The Basic Education (Amendment) Bill (Senate Bills No. 4 of 2021)

Clause 3 - Amendment proposed

THAT, clause 3 of the Bill be amended in the new clause 38A by inserting the following new sub-clause immediately after sub-clause (3)—
(4) The Cabinet Secretary shall put in place measures to ensure that alternatives to milk are available for learners who are lactose intolerant.

(Chairperson, Standing Committee on Education – 14.09.2021)

Debate interrupted on Tuesday, 14th September, 2021 resumed on a Division.

The Acting Chairperson directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and directed that the division bell be rung for two minutes;

After the expiry of two minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Sylvia Kasanga, MP – AYES
2. Sen. Mercy Chebeni, MP - NOES

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

The results of the Division were as follows: -

AYES: 30

NOES: 0

ABSTENTIONS: 0

AYES

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kajwang’ Moses Otieno – voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kimani Paul Wamatangi – voted virtually
11. Sen. Lang’at Christopher Andrew
12. Sen. Lelegwe Ltumbesi
13. Sen. Madzayo Stewart Mwachiru – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu – voted virtually
16. Sen. Mbito Michael Maling’a – voted virtually
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Moi Gideon Kipsielei Towett – voted virtually
19. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Olekina Ledama – voted virtually
25. Sen. Onger Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose – voted on behalf of Kisumu County Delegation
28. Sen. Sakaja Johnson Arthur – voted virtually
29. Sen. Wako Sitswila Amos
30. Sen. Wetang’ula Moses Masika

Clause 3 (as amended) - agreed to

Clause 2, the Title and Clause 1

Motion made and Question proposed;

THAT, the Title and Clause 1 be part of the Bill.

(Sen. Mutula Kilonzo Junior on behalf Sen. Beatrice Kwamboka – 14.09.2021)

Debate interrupted on Tuesday, 14th September, 2021 resumed on a Division.

The Acting Chairperson directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the COVID-19 pandemic situation dated 17th April, 2020, and directed that the division bell be rung for two minutes;

After the expiry of two minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Sylvia Kasanga, MP – AYES
2. Sen. Mercy Chebeni, MP - NOES

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

The results of the Division were as follows:-

AYES: 30

NOES: 0

ABSTENTIONS: 0

AYES

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kajwang' Moses Otieno – voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson – voted virtually

10. Sen. Kimani Paul Wamatangi – voted virtually
11. Sen. Lang’at Christopher Andrew
12. Sen. Lelegwe Ltumbesi
13. Sen. Madzayo Stewart Mwachiru – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu – voted virtually
16. Sen. Mbito Michael Maling’a – voted virtually
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Moi Gideon Kipsielei Towett – voted virtually
19. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County delegation
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Olekina Ledama – voted virtually
25. Sen. Onger Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose – voted on behalf of Kisumu County Delegation
28. Sen. Sakaja Johnson Arthur – voted virtually
29. Sen. Wako Sitswila Amos
30. Sen. Wetang’ula Moses Masika

Clause 2, the Title and Clause 1 - agreed to

Motion made: -

THAT, the Committee of the Whole do report to the House its consideration of the Basic Education (Amendment) Bill (Senate Bills No. 4 of 2021) and its approval thereof with amendments;

(Sen. Mutula Kilonzo Junior on behalf Sen. Beatrice Kwamboka - 14.09.2021)

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

Question put and agreed to.

14. **HOUSE RESUMED** – Deputy Speaker - in the Chair

15. THE BASIC EDUCATION (AMENDMENT) BILL (SENATE BILLS NO. 4 OF 2021)

Bill reported **with** amendments;

Motion made and Question proposed-

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

(Sen. Mutula Kilonzo Junior on behalf Sen. Beatrice Kwamboka - 14.09.2021)

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 Basic Education (Amendment) Bill (Senate Bills No. 4 of 2021 be now Read a Third Time.

(Sen. Mutula Kilonzo Junior on behalf Sen. Beatrice Kwamboka - 14.09.2021)

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 roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and directed that the division bell be rung for two minutes;

After the expiry of two minutes, the Deputy Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mercy Chebeni, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

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

The results of the Division were as follows:-

AYES: 26

NOES: 0

ABSTENTIONS: 0

AYES

1. Sen. Boy Issa Juma – voted virtually
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Haji Abdul Mohamed – voted virtually
4. Sen. Hargura Godana
5. Sen. Imana Malachy Charles Ekal
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted virtually
8. Sen. Kimani Wamatangi Paul – voted virtually
9. Sen. Kindiki Kithure
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Ltumbesi
12. Sen. Mahamud Mohamed Maalim – voted virtually
13. Sen. Mbito Michael Maling’a – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei – voted virtually
16. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior
19. Sen. Mwinyihaji Mohamed Faki
20. Sen. Ongeru Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
23. Sen. Sakaja Johnson Arthur
24. Sen. Wako Amos Sitswila
25. Sen. Wambua Enoch Kiio
26. Sen. Wetangula Moses Masika

Question, agreed to

Bill Read a Third Time and **passed.**

16. **COMMITTEE OF THE WHOLE**

Order for Committee Read;

IN THE COMMITTEE

(Acting Chairperson of Committees (Sen. (Dr.) Lelegwe Ltumbesi, MP) – In the Chair)

The County Licensing (Uniform Procedures) Bill (Senate Bills No. 32 of 2020)

Clause 3 - amendment proposed

THAT, clause 3 of the Bill be amended-

(a) deleting paragraph (a) and substituting therefor the following new paragraph-

(a) the need to protect consumers of goods and services, ensure public safety and promote environmental protection;

(b) in paragraph (b) by inserting the word “not” immediately after the words “manner that does”; and

(c) in paragraph (c) by inserting the words “and in accordance with the provisions of the Access to Information Act” immediately after the words “and licensing procedures”.

(Sen. Mercy Chebeni, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization).

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Mercy Chebeni, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES - 28

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kajwang Moses Otieno- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson- voted virtually
10. Sen. Kimani Wamatangi Paul- voted virtually
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Ltumbesi
13. Sen. Madzayo Stewart Mwachiru- voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Muthama Agnes Kavindu- voted virtually
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Sakaja Johnson Arthur
26. Sen. Wako Sitswila Amos
27. Sen. Wambua Enoch Kiio
28. Sen. Wetang'ula Moses Masika

Clause 3 (as amended) - agreed to

Clauses 4 - 6

Motion made and Question proposed;

THAT, Clauses 4 - 6 be part of the Bill.

(Sen. Mercy Chebeni, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization).

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate

plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Divison bell be rung for two minutes;

The names of the Tellers were annouced as follows;

1. Sen. Mercy Chebeni, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES - 28

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kajwang Moses Otieno- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson- voted virtually
10. Sen. Kimani Wamatangi Paul- voted virtually
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Ltumbesi
13. Sen. Madzayo Stewart Mwachiru- voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Muthama Agnes Kavindu- voted virtually
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Sakaja Johnson Arthur
26. Sen. Wako Sitswila Amos
27. Sen. Wambua Enoch Kiio
28. Sen. Wetang'ula Moses Masika

Clauses 4 -6 - agreed to

Clause 7 - amendment proposed

THAT, clause 7 of the Bill be amended-

(a) by deleting subclause (2) and substituting therefor the following new subclause-

(2) A licensing authority shall, within three years of the commencement of this Act, put in place mechanisms to enable the electronic application for, renewal, transfer or replacement of a licence or a variation of a condition for the issuance of a licence.

(Sen. Mercy Chebeni, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization).

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Mercy Chebeni, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES - 28

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kajwang Moses Otieno- voted virtually

8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson- voted virtually
10. Sen. Kimani Wamatangi Paul- voted virtually
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Ltumbesi
13. Sen. Madzayo Stewart Mwachiru- voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Muthama Agnes Kavindu- voted virtually
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Sakaja Johnson Arthur
26. Sen. Wako Sitswila Amos
27. Sen. Wambua Enoch Kiiro
28. Sen. Wetang'ula Moses Masika

Clause 7 (as amended) - agreed to

Clauses 8 -14

Motion made and Question proposed;

THAT, Clauses 8 – 14 be part of the Bill.

(Sen. Mercy Chebeni, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization).

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Mercy Chebeni, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES - 28

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kajwang Moses Otieno- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson- voted virtually
10. Sen. Kimani Wamatangi Paul- voted virtually
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Ltumbesi
13. Sen. Madzayo Stewart Mwachiru- voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Muthama Agnes Kavindu- voted virtually
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Sakaja Johnson Arthur
26. Sen. Wako Sitswila Amos
27. Sen. Wambua Enoch Kiio
28. Sen. Wetang’ula Moses Masika

Clauses 8 -14 - agreed to

Clause 15 - amendment proposed

THAT, clause 15 of the Bill be amended in subclause (1) by inserting the words “in writing” immediately after the words “shall inform”.

(Sen. Mercy Chebeni, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization).

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Mercy Chebeni, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES - 28

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kajwang Moses Otieno- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson- voted virtually
10. Sen. Kimani Wamatangi Paul- voted virtually
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Ltumbesi
13. Sen. Madzayo Stewart Mwachiru- voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Muthama Agnes Kavindu- voted virtually
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Sakaja Johnson Arthur
26. Sen. Wako Sitswila Amos
27. Sen. Wambua Enoch Kiio
28. Sen. Wetang'ula Moses Masika

Clause 15 (as amended) - agreed to

Clauses 16 - 18

Motion made and Question proposed;

THAT, Clauses 16 – 18 be part of the Bill.

(Sen. Mercy Chebeni, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization).

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Mercy Chebeni, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES - 28

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kajwang Moses Otieno- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson- voted virtually
10. Sen. Kimani Wamatangi Paul- voted virtually
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Ltumbesi
13. Sen. Madzayo Stewart Mwachiru- voted virtually
14. Sen. Mahamud Mohamed Maalim

- 15. Sen. Malalah Cleophas Wakhungu- voted virtually
- 16. Sen. Mbogo George Ochilo Ayacko
- 17. Sen. Moi Gideon Kipsielei Towett- voted virtually
- 18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
- 19. Sen. Muthama Agnes Kavindu- voted virtually
- 20. Sen. Mutula Kilonzo Junior
- 21. Sen. Mwinyihaji Mohamed Faki
- 22. Sen. Olekina Ledama
- 23. Sen. Onger Samson Kegengo
- 24. Sen. Orengo James
- 25. Sen. Sakaja Johnson Arthur
- 26. Sen. Wako Sitswila Amos
- 27. Sen. Wambua Enoch Kiio
- 28. Sen. Wetang'ula Moses Masika

Clauses 16-18 - agreed to

Clause 19 - amendment proposed

THAT, clause 19 of the Bill be amended in subclause (2) by inserting the words “and through such other media as the authority shall consider appropriate” immediately after the words “nationwide circulation”.

(Sen. Mercy Chebeni, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization).

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

- 1. Sen. Mercy Chebeni, MP – AYES
- 2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES - 28

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kajwang Moses Otieno- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson- voted virtually
10. Sen. Kimani Wamatangi Paul- voted virtually
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Ltumbesi
13. Sen. Madzayo Stewart Mwachiru- voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Muthama Agnes Kavindu- voted virtually
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Sakaja Johnson Arthur
26. Sen. Wako Sitswila Amos
27. Sen. Wambua Enoch Kiio
28. Sen. Wetang'ula Moses Masika

Clause 19 (as amended) - agreed to

Clauses 20 -21

Motion made and Question proposed;

THAT, Clauses 20 – 21 be part of the Bill.

(Sen. Mercy Chebeni, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization).

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate

plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Divison bell be rung for two minutes;

The names of the Tellers were annouced as follows;

1. Sen. Mercy Chebeni, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES - 28

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kajwang Moses Otieno- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson- voted virtually
10. Sen. Kimani Wamatangi Paul- voted virtually
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Ltumbesi
13. Sen. Madzayo Stewart Mwachiru- voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Muthama Agnes Kavindu- voted virtually
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Sakaja Johnson Arthur
26. Sen. Wako Sitswila Amos
27. Sen. Wambua Enoch Kiio
28. Sen. Wetang'ula Moses Masika

Clauses 20 - 21 – agreed to

Clause 22 – amendment proposed

THAT, clause 22 of the Bill be amended by deleting paragraph (b).

(Sen. Mercy Chebeni, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization).

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Mercy Chebeni, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES - 28

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kajwang Moses Otieno- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson- voted virtually
10. Sen. Kimani Wamatangi Paul- voted virtually
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Ltumbesi
13. Sen. Madzayo Stewart Mwachiru- voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually

16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Muthama Agnes Kavindu- voted virtually
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Sakaja Johnson Arthur
26. Sen. Wako Sitswila Amos
27. Sen. Wambua Enoch Kiio
28. Sen. Wetang'ula Moses Masika

Clause 22 (as amended) - agreed to

Clauses 23 - 29

Motion made and Question proposed;

THAT, Clauses 23 – 29 be part of the Bill.

(Sen. Mercy Chebeni, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization).

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Mercy Chebeni, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES - 28

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kajwang Moses Otieno- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson- voted virtually
10. Sen. Kimani Wamatangi Paul- voted virtually
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Ltumbesi
13. Sen. Madzayo Stewart Mwachiru- voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Muthama Agnes Kavindu- voted virtually
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Sakaja Johnson Arthur
26. Sen. Wako Sitswila Amos
27. Sen. Wambua Enoch Kiio
28. Sen. Wetang'ula Moses Masika

Clauses 23 - 29 – agreed to

Clause 2 and Title

Motion made and Question proposed;

THAT, Clause 2 and the Title be part of the Bill.

(Sen. Mercy Chebeni, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization).

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate

plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Divison bell be rung for two minutes;

The names of the Tellers were annouced as follows;

1. Sen. Mercy Chebeni, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES - 28

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kajwang Moses Otieno- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson- voted virtually
10. Sen. Kimani Wamatangi Paul- voted virtually
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Ltumbesi
13. Sen. Madzayo Stewart Mwachiru- voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Muthama Agnes Kavindu- voted virtually
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Sakaja Johnson Arthur
26. Sen. Wako Sitswila Amos
27. Sen. Wambua Enoch Kii
28. Sen. Wetang'ula Moses Masika

Clause 2 and Title – agreed to

Clause 1 - amendment proposed

THAT, the Bill be amended by deleting clause 1 and substituting therefor the following new clause-

Short title and commencement. **1.** This Act may be cited as the County Licensing (Uniform Procedures) Act, 2021 and shall come into operation upon the expiry of six months from the date of assent of this Act.

(Sen. Mercy Chebeni, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization).

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Mercy Chebeni, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order; The results of the Division were as follows:-

AYES - 28

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma- voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Haji Abdul Mohammed- voted virtually
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kajwang Moses Otieno- voted virtually
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson- voted virtually
10. Sen. Kimani Wamatangi Paul- voted virtually
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Ltumbesi

13. Sen. Madzayo Stewart Mwachiru- voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Seneta Mary Yiane- on behalf of the Kajiado County delegation
19. Sen. Muthama Agnes Kavindu- voted virtually
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Sakaja Johnson Arthur
26. Sen. Wako Sitswila Amos
27. Sen. Wambua Enoch Kiio
28. 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 Licensing (Uniform Procedures) Bill (Senate Bills No. 32 of 2020) and its approval thereof with amendments;

(Sen. Mercy Chebeni, MP)

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

Question put and agreed to.

17. **HOUSE RESUMED** – Deputy Speaker - in the Chair

18. **THE COUNTY LICENSING (UNIFORM PROCEDURES) BILL (SENATE BILLS NO. 32 OF 2020)**

Bill reported **with** amendments;

Motion made and Question proposed-

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

(Sen. Mercy Chebeni, MP)

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 Licensing (Uniform Procedures) Bill (Senate Bills No. 32 of 2020) be now Read a Third Time.

(Sen. Mercy Chebeni, MP)

There being no Senator wishing to contribute;

The House proceeded to a Division on the Third Reading to the Bill.

The Deputy Speaker directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and directed that the division bell be rung for two minutes;

After the expiry of two minutes, the Deputy Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mercy Chebeni, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

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

The results of the Division were as follows: -

AYES: 26

NOES: 0

ABSTENTIONS: 0

AYES

1. Sen. Boy Issa Juma – voted virtually
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Haji Abdul Mohamed – voted virtually
4. Sen. Hargura Godana
5. Sen. Imana Malachy Charles Ekal
6. Sen. Kamar Margaret Jepkoech

7. Sen. Kang'ata Irungu – voted virtually
8. Sen. Kimani Wamatangi Paul – voted virtually
9. Sen. Kindiki Kithure
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Ltumbesi
12. Sen. Mahamud Mohamed Maalim – voted virtually
13. Sen. Mbito Michael Maling'a – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei – voted virtually
16. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior
19. Sen. Mwinyihaji Mohamed Faki
20. Sen. Ongeru Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
23. Sen. Sakaja Johnson Arthur
24. Sen. Wako Amos Sitswila
25. Sen. Wambua Enoch Kiio
26. Sen. Wetangula Moses Masika

Question, agreed to

Bill Read a Third Time and passed.

19. **COMMITTEE OF THE WHOLE**

Order for Committee Read;

IN THE COMMITTEE

(Acting Chairperson of Committees (Sen. (Dr.) Lelegwe Ltumbesi, MP) – In the Chair)

The Salaries and Remuneration Commission (Amendment) Bill (Senate Bills No. 31 of 2020)

Clause 2 – amendment proposed

THAT, clause 3 of the Bill be amended in the new clause 38A by inserting the following new sub-clause immediately after sub-clause (3)—

- (4) The Cabinet Secretary shall put in place measures to ensure that alternatives to milk are available for learners who are lactose intolerant.

(Vice Chairperson, Standing Committee on Finance and Budget – 14.09.2021)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for two minutes;

The names of the Tellers were announced as follows;

1. Sen. Mercy Chebeni – AYES
2. Sen. (Arch.) Sylvia Kasanga – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

AYES: 27

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma – voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Hargura Godana
5. Sen. Imana Malachy Charles Ekal
6. Sen. Kajwang' Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted virtually
9. Sen. Kimani Wamatangi Paul – voted virtually
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Ltumbesi
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Mahamud Mohamed Maalim – voted virtually
14. Sen. Malalah Cleophas Wakhungu – voted virtually
15. Sen. Mbito Michael Maling'a – voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
18. Sen. Muthama Agnes Kavindu – voted virtually
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwinyihaji Mohamed Faki
21. Sen. Olekina Ledama – voted virtually
22. Sen. Onger Samson Kegengo
23. Sen. Orengo James
24. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation

- 25. Sen. Sakaja Johnson Arthur
- 26. Sen. Wako Amos Sitswila
- 27. Sen. Wetangula Moses Masika

Clause 2 (as amended) – agreed to

Clause 3

Motion made and Question proposed;

THAT, the Clause 3 be part of the Bill.

(Vice Chairperson, Standing Committee on Finance and Budget – 14.09.2021)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Divison bell be rung for two minutes;

The names of the Tellers were annouced as follows;

- 1. Sen. Mercy Chebeni – AYES
- 2. Sen. (Arch.) Sylvia Kasanga – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

AYES: 27

NOES: 0

ABSENTIONS: 0

AYES

- 1. Sen. Adan Dullo Fatuma – voted virtually
- 2. Sen. Ali Abdullahi Ibrahim – voted virtually
- 3. Sen. Boy Issa Juma – voted virtually
- 4. Sen. Hargura Godana
- 5. Sen. Imana Malachy Charles Ekal
- 6. Sen. Kajwang’ Moses Otieno – voted virtually
- 7. Sen. Kamar Margaret Jepkoech
- 8. Sen. Kang’ata Irungu – voted virtually
- 9. Sen. Kimani Wamatangi Paul – voted virtually
- 10. Sen. Langat Christopher Andrew
- 11. Sen. Lelegwe Ltumbesi

12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Mahamud Mohamed Maalim – voted virtually
14. Sen. Malalah Cleophas Wakhungu – voted virtually
15. Sen. Mbito Michael Maling'a – voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
18. Sen. Muthama Agnes Kavindu – voted virtually
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwinyihaji Mohamed Faki
21. Sen. Olekina Ledama – voted virtually
22. Sen. Onger Samson Kegengo
23. Sen. Orengo James
24. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
25. Sen. Sakaja Johnson Arthur
26. Sen. Wako Amos Sitswila
27. Sen. Wetangula Moses Masika

Clause 3 – agreed to

The Title and Clause 1

Motion made and Question proposed;

THAT, the Title and Clause 1 be part of the Bill.

(Vice Chairperson, Standing Committee on Finance and Budget – 14.09.2021)

Debate interrupted on Tuesday 14th September, 2020 resumed on a Division.

The Acting Chairperson directed that roll call be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Divison bell be rung for two minutes;

The names of the Tellers were annouced as follows;

1. Sen. Mercy Chebeni – AYES
2. Sen. (Arch.) Sylvia Kasanga – NOES

Upon the expiry of the two minutes, the Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order; The results of the Division were as follows: -

AYES: 27

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma – voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Hargura Godana
5. Sen. Imana Malachy Charles Ekal
6. Sen. Kajwang' Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted virtually
9. Sen. Kimani Wamatangi Paul – voted virtually
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Ltumbesi
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Mahamud Mohamed Maalim – voted virtually
14. Sen. Malalah Cleophas Wakhungu – voted virtually
15. Sen. Mbito Michael Maling'a – voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
18. Sen. Muthama Agnes Kavindu – voted virtually
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwinyihaji Mohamed Faki
21. Sen. Olekina Ledama – voted virtually
22. Sen. Ongeru Samson Kegengo
23. Sen. Orengo James
24. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
25. Sen. Sakaja Johnson Arthur
26. Sen. Wako Amos Sitswila
27. Sen. Wetangula Moses Masika

The Title and Clause 1 – agreed to

Motion made: -

THAT, the Committee of the Whole do report to the House its consideration of the Salaries and Remuneration Commission (Amendment) Bill (Senate Bills No. 31 of 2020) and its approval thereof with amendments;

(Vice Chairperson, Standing Committee on Finance and Budget)

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

Question put and **agreed to.**

20. HOUSE RESUMED – The Deputy Speaker in the Chair

21. THE SALARIES AND REMUNERATION COMMISSION (AMENDMENT) BILL (SENATE BILLS NO. 31 OF 2020)

Bill reported **with** amendments;

Motion made and Question proposed-

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

(Vice 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, Salaries and Remuneration Commission (Amendment) Bill (Senate Bills No. 31 of 2020) be now read a Third Time.

(Vice 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 one minute;

The names of the Tellers were announced as follows;

1. Sen. Mercy Chebeni – AYES
2. Sen. (Arch.) Sylvia Kasanga – NOES

Upon the expiry of one minute, the Deputy Speaker put the Question and directed the Clerk to call out the names of the Senators in alphabetical order;

Following the Division, Question agreed to.

The results of the Division were as follows: -

AYES: 26

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Boy Issa Juma – voted virtually
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Haji Abdul Mohamed – voted virtually
4. Sen. Hargura Godana
5. Sen. Imana Malachy Charles Ekal
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted virtually
8. Sen. Kimani Wamatangi Paul – voted virtually
9. Sen. Kindiki Kithure
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Ltumbesi
12. Sen. Mahamud Mohamed Maalim – voted virtually
13. Sen. Mbito Michael Maling’a – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei – voted virtually
16. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior
19. Sen. Mwinyihaji Mohamed Faki
20. Sen. Onger Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
23. Sen. Sakaja Johnson Arthur
24. Sen. Wako Amos Sitswila
25. Sen. Wambua Enoch Kiio
26. Sen. Wetangula Moses Masika

Question; agreed to.

Bill Read a Third Time and passed.

And the time being thirty minutes past six O’clock, the Temporary Speaker (Sen. (Dr.) Lelegwe Ltumbesi, MP) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

22. **SENATE ROSE** – at thirty minutes past Six O’clock.

MEMORANDUM

*The Speaker will take the Chair on
Thursday, September 16, 2021 at 2.30 p.m.*

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