



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FIFTH SESSION)

VOTES AND PROCEEDINGS

THURSDAY, OCTOBER 21, 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 Temporary Speaker (Sen. Rose Nyamunga, MP).

3. **PETITION**

Pursuant to Standing Order 230(2) (a), the Senator for Migori County (Sen. (Dr.) Ochillo Ayacko, MP), presented to the Senate a petition by Residents of Migori County concerning continuous exclusion of Persons with Disabilities in the Migori County Budget.

Pursuant to Standing Order 231, the Temporary Speaker (Sen. Rose Nyamunga, MP) invited Senators to make comments, observations or seek clarification in relation to the Petition and, subsequently committed it to the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration, pursuant to Standing Order 232(1).

4. **PAPERS**

The following papers were laid on the Table of the Senate –

- i) Report of the Auditor General on the Financial Statements of Kiambu County Youth, Women and People with Disability Enterprise Development Fund (Kiambu County Jijenge Fund) for the year ended 30th June, 2019.
- ii) Report of the Auditor General on the Financial Statements of the Kirinyaga County Education Bursary Fund for the year ended 30th June, 2019.
- iii) Report of the Auditor General on the Financial Statements of the Kirinyaga County Emergency Fund for the year ended 30th June, 2019.
- iv) Report of the Auditor General on the Financial Statements of Kwale County Disaster Management Fund for the year ended 30th June, 2019.

(The Deputy Senate Majority Whip)

- v) Report of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration on the National Cohesion and Peace Building Bill (Senate Bills No. 19 of 2021).

(Sen. (Dr.) Andrew Lang'at, MP, on behalf of the Chairperson, Standing Committee on National Cohesion, Equal Opportunity and Regional Integration)

- vi) Statement on the Business of the Senate for the week commencing Tuesday, 2nd November, 2021.

(The Senate Minority Whip)

5. **NOTICE OF MOTION – APPOINTMENT OF SENATORS TO SERVE IN STANDING COMMITTEES**

(The Deputy Senate Majority Whip)

THAT, NOTWITHSTANDING, the resolutions of the Senate made on 14th December, 2017; 14th February, 2018; 21st February, 2018; 21st November, 2018; 20th March, 2019; 19th June, 2019; 28th April, 2020; and 24th June, 2020 on the approval of Senators to serve in various Standing Committees of the Senate, and pursuant to Standing Orders 189, 218, and the Second Schedule to the Standing Orders, the Senate approves the following Senators nominated by the Senate Business Committee to serve in Standing Committees of the Senate as follows –

(i) Standing Committee on Energy

Sen. Haji Abdul Mohammed, MP to serve as a Member.

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

Sen. Isaac Ngugi Githua, MP to serve as a Member.

(iii) Standing Committee on National Security, Defence and Foreign Relations

Sen. Gideon Moi, CBS, MP to serve as a Member.

6. **STATEMENTS**

a) **Pursuant to Standing Order 47 (1)**

Nominated Senator (Sen. Abshiro Halake, MP) made a statement concerning preparation for the 2022 General Elections.

The Senator informed the Senate that in July, 2021, the Government, through the Ministry of Foreign Affairs, issued a *Note Verbale* to all diplomatic missions, international organizations and other foreign entities interested in supporting Kenya's preparations for the 2022 General Elections, which directed them to wait for the expression of such need from the Government. The Government further required all the said organizations that were engaged

in any programs or activities related to the General Elections to inform the Ministry of Foreign Affairs of such support in order to formalize such arrangements.

The Senator emphasized the role of non-state actors such as civil society organizations in provision of civic education and information to citizens in marginalized communities and alleged that the directive by the Government was a dangerous direction that may stifle preparations towards the General Elections as it affected many players in the management and support for free and fair electoral process. The Senator argued that the directive by the Government was an affront to the democratic gains that Kenya had made over the years and could only be interpreted as an attempt to claw back such gains.

The Senator concluded by calling upon the Government to reverse the directive and noted that this would build the confidence of the population and the global community in the country's political and electoral process leading to the 2022 General Elections.

b) Pursuant to Standing Order 48 (1)

- i) Nominated Senator (Sen. Petronila Were Lokorio, MP) sought a statement from the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration concerning public appointments made by Mr. James Macharia to Parastatals and State Corporations during his tenure as the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works.
- ii) Nominated Senator (Sen. Judith Pareno, MP on behalf of Sen. Mary Seneta, MP) sought a statement from the Standing Committee on Agriculture, Livestock and Fisheries concerning the status of operationalization of the Isinya Tannery in Kaputiei North Ward, Kajiado County.
- iii) The Senator for Bungoma County (Sen. Moses Wetang'ula, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations concerning security of students of Masinde Muliro University of Science and Technology while in and around the University.

c) Pursuant to Standing Order 52(1)

The Senate Minority Whip made a Statement on the Business of the Senate for the week commencing Tuesday, 2nd November, 2021.

7. THE DISASTER RISK MANAGEMENT BILL (SENATE BILLS NO. 14 OF 2021)

Order Read;

Motion made and Question proposed;

THAT, the Disaster Risk Management Bill (Senate Bills No. 14 of 2021) be now read a Second Time.

(Sen. Mutula Kilonzo Jr., MP and Sen. Sakaja Johnson, MP – 21.09.2021)

Debate interrupted on Wednesday, 29th September, 2021, resumed on a Division;

The Deputy Speaker, directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued 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 five minutes;

After the expiry of the five 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. Petronilla Were Lokorio, MP – AYES
2. Sen. Isaac Ngugi Githua, 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 - 34

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
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. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Kibiru Charles Rebenson – voted virtually
12. Sen. Kihika Susan Wakarura
13. Sen. Kimani Wamatangi Paul – voted virtually
14. Sen. Langat Christopher Andrew
15. Sen. Linturi Franklin Mithika- voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu- voted virtually
18. Sen. Mbogo George Ochillo Ayacko

19. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Muthama Agnes Kavindu- voted virtually
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwaruma Johnes Mwashushe – voted virtually
25. Sen. Mwinyihaji Mohamed Faki- voted virtually
26. Sen. Nderitu John Kinyua- voted virtually
27. Sen. Ndwiga Peter Njeru – voted virtually
28. Sen. Ongeri Samson Kegengo – voted virtually
29. Sen. Orengo James
30. Sen. Nyamunga Rose – voted on behalf of Kisumu County Delegation
31. Sen. Poghisio Samuel Losuron – voted virtually
32. Sen. Sakaja Johnson Arthur
33. Sen. Wambua Enoch Kiio
34. Sen. Wetang’ula Moses Masika

Question agreed to.

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

8. **THE KENYA CITIZENSHIP AND IMMIGRATION (AMENDMENT) BILL (SENATE BILLS NO. 33 OF 2021)**

Order read;

Motion made and Question proposed;

THAT, the Kenya Citizenship and Immigration (Amendment) Bill (Senate Bills No. 33 of 2021) be now read a Second Time.

(Sen. (Dr.) Irungu Kang’ata, MP – 30.09.2021)

Debate interrupted on Thursday, 30th September, 2021, resumed on a Division;

The Deputy Speaker, directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued 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 five minutes;

After the expiry of the five 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. Petronilla Were Lokorio, MP – AYES
2. Sen. Isaac Ngugi Githua, 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 - 34

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
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. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Kibiru Charles Rebenson – voted virtually
12. Sen. Kihika Susan Wakarura
13. Sen. Kimani Wamatangi Paul – voted virtually
14. Sen. Langat Christopher Andrew
15. Sen. Linturi Franklin Mithika- voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu- voted virtually
18. Sen. Mbogo George Ochillo Ayacko
19. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Muthama Agnes Kavindu- voted virtually
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwaruma Johnes Mwashushe – voted virtually
25. Sen. Mwinyihaji Mohamed Faki- voted virtually
26. Sen. Nderitu John Kinyua- voted virtually
27. Sen. Ndwiga Peter Njeru – voted virtually
28. Sen. Ongeru Samson Kegengo – voted virtually
29. Sen. Orengo James
30. Sen. Nyamunga Rose – voted on behalf of Kisumu County Delegation
31. Sen. Poghio Samuel Losuron – voted virtually
32. Sen. Sakaja Johnson Arthur
33. Sen. Wambua Enoch Kiio
34. Sen. Wetang'ula Moses Masika

Question agreed to.

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

9. **THE LAW OF SUCCESSION (AMENDMENT) BILL (SENATE BILLS NO. 15 OF 2021)**

Order read;

Motion made and Question proposed;

THAT, the Law of Succession (Amendment) Bill (Senate Bills No. 15 of 2021) be now read a Second Time.

(Sen. Abshiro Halake, MP – 04.08.2021)

Debate interrupted on Tuesday, 5th October, 2021, resumed on a Division;

The Deputy Speaker, directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued 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 five minutes;

After the expiry of the five 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. Petronilla Were Lokorio, MP – AYES
2. Sen. Isaac Ngugi Githua, 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 - 34

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
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. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Kibiru Charles Rebenson – voted virtually
12. Sen. Kihika Susan Wakarura
13. Sen. Kimani Wamatangi Paul – voted virtually
14. Sen. Langat Christopher Andrew
15. Sen. Linturi Franklin Mithika- voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu- voted virtually
18. Sen. Mbogo George Ochillo Ayacko
19. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Muthama Agnes Kavindu- voted virtually
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwaruma Johnes Mwashushe – voted virtually
25. Sen. Mwinyihaji Mohamed Faki- voted virtually
26. Sen. Nderitu John Kinyua- voted virtually
27. Sen. Ndwiga Peter Njeru – voted virtually
28. Sen. Ongeru Samson Kegengo – voted virtually
29. Sen. Orengo James
30. Sen. Nyamunga Rose – voted on behalf of Kisumu County Delegation
31. Sen. Poghisio Samuel Losuron – voted virtually
32. Sen. Sakaja Johnson Arthur
33. Sen. Wambua Enoch Kiio
34. Sen. Wetang'ula Moses Masika

Question agreed to.

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

10. **THE PUBLIC PRIVATE PARTNERSHIPS BILL (NATIONAL ASSEMBLY BILLS NO. 6 OF 2021)**

Order read;

Motion made and Question proposed;

THAT, the Public Private Partnerships Bill (National Assembly Bills No. 6 of 2021) be now read a Second Time.

(The Senate Majority Leader – 05.10.2021)

Debate interrupted on Tuesday, 5th October, 2021, resumed on a Division;

The Deputy Speaker, directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued 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 five minutes;

After the expiry of the five 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. Petronilla Were Lokorio, MP – AYES
2. Sen. Isaac Ngugi Githua, 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 - 34

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
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. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Kibiru Charles Rebenson – voted virtually
12. Sen. Kihika Susan Wakarura
13. Sen. Kimani Wamatangi Paul – voted virtually
14. Sen. Langat Christopher Andrew
15. Sen. Linturi Franklin Mithika- voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu- voted virtually
18. Sen. Mbogo George Ochillo Ayacko
19. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Muthama Agnes Kavindu- voted virtually
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually

24. Sen. Mwaruma Johnes Mwashushe – voted virtually
25. Sen. Mwinyihaji Mohamed Faki- voted virtually
26. Sen. Nderitu John Kinyua- voted virtually
27. Sen. Ndwigwa Peter Njeru – voted virtually
28. Sen. Ongeri Samson Kegengo – voted virtually
29. Sen. Orenge James
30. Sen. Nyamunga Rose – voted on behalf of Kisumu County Delegation
31. Sen. Poghisio Samuel Losuron – voted virtually
32. Sen. Sakaja Johnson Arthur
33. Sen. Wambua Enoch Kiio
34. Sen. Wetang'ula Moses Masika

Question agreed to.

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

11. **THE HEALTH (AMENDMENT) BILL (SENATE BILLS NO. 26 OF 2020)**

Order read;

Motion made and Question proposed;

THAT, the Health (Amendment) Bill (Senate Bills No. 26 of 2020) be now read a Second Time.

(Sen. (Dr.) Abdullahi Ali, MP– 05.10.2021)

Debate interrupted on Tuesday, 12th October, 2021, resumed on a Division;

The Deputy Speaker, directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued 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 five minutes;

After the expiry of the five 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. Petronilla Were Lokorio, MP – AYES
2. Sen. Isaac Ngugi Githua, 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 - 34**NOES - 0****ABSTENTION - 0**AYES

1. Sen. Adan Dullo Fatuma
 2. Sen. Ali Abdullahi Ibrahim
 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. Kang’ata Irungu – voted virtually
 10. Sen. Khaniri George – voted virtually
 11. Sen. Kibiru Charles Rebenson – voted virtually
 12. Sen. Kihika Susan Wakarura
 13. Sen. Kimani Wamatangi Paul – voted virtually
 14. Sen. Langat Christopher Andrew
 15. Sen. Linturi Franklin Mithika- voted virtually
 16. Sen. Mahamud Mohamed Maalim
 17. Sen. Malalah Cleophas Wakhungu- voted virtually
 18. Sen. Mbogo George Ochillo Ayacko
 19. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County delegation
 20. Sen. Murkomen Onesimus Kipchumba
 21. Sen. Muthama Agnes Kavindu- voted virtually
 22. Sen. Mutula Kilonzo Junior
 23. Sen. Mwangi Paul Githiomi – voted virtually
 24. Sen. Mwaruma Johnes Mwashushe – voted virtually
 25. Sen. Mwinyihaji Mohamed Faki- voted virtually
 26. Sen. Nderitu John Kinyua- voted virtually
 27. Sen. Ndwiga Peter Njeru – voted virtually
 28. Sen. Ongeri Samson Kegengo – voted virtually
 29. Sen. Orengo James
 30. Sen. Nyamunga Rose – voted on behalf of Kisumu County Delegation
 31. Sen. Poghio Samuel Losuron – voted virtually
 32. Sen. Sakaja Johnson Arthur
 33. Sen. Wambua Enoch Kiio
 34. Sen. Wetang’ula Moses Masika
- Question agreed to.

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

12. **THE COUNTY BOUNDARIES BILL, (SENATE BILLS NO. 20 OF 2021)**

Order read;

Motion made and Question proposed;

THAT, the County Boundaries Bill, (Senate Bills No. 20 of 2021) be now read a Second Time.

(Sen. Mutula Kilonzo Jr, MP- 13.10.2021)

Debate interrupted on Wednesday, 13th October, 2021, resumed on a Division;

The Deputy Speaker, directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued 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 five minutes;

After the expiry of the five 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. Petronilla Were Lokorio, MP – AYES
2. Sen. Isaac Ngugi Githua, 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 - 34

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
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. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Kibiru Charles Rebenson – voted virtually
12. Sen. Kihika Susan Wakarura
13. Sen. Kimani Wamatangi Paul – voted virtually
14. Sen. Langat Christopher Andrew
15. Sen. Linturi Franklin Mithika- voted virtually

16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu- voted virtually
18. Sen. Mbogo George Ochillo Ayacko
19. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Muthama Agnes Kavindu- voted virtually
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwaruma Johnes Mwashushe – voted virtually
25. Sen. Mwinyihaji Mohamed Faki- voted virtually
26. Sen. Nderitu John Kinyua- voted virtually
27. Sen. Ndwiga Peter Njeru – voted virtually
28. Sen. Ongeri Samson Kegengo – voted virtually
29. Sen. Orengo James
30. Sen. Nyamunga Rose – voted on behalf of Kisumu County Delegation
31. Sen. Poghio Samuel Losuron – voted virtually
32. Sen. Sakaja Johnson Arthur
33. Sen. Wambua Enoch Kiio
34. Sen. Wetang'ula Moses Masika

Question agreed to.

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

13. **THE LIFESTYLE AUDIT BILL (SENATE BILLS NO. 36 OF 2021)**

Order read;

Motion made and Question proposed;

THAT, the Lifestyle Audit Bill (Senate Bills No. 36 of 2021) be now read a Second Time.

(Sen. (CPA) Farhiya Ali Haji, MP – 13.10.2021)

Debate interrupted on Thursday, 14th October, 2021, resumed on a Division;

The Deputy Speaker, directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued 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 five minutes;

After the expiry of the five 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. Petronilla Were Lokorio, MP – AYES
2. Sen. Isaac Ngugi Githua, 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 - 34

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
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. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Kibiru Charles Rebenson – voted virtually
12. Sen. Kihika Susan Wakarura
13. Sen. Kimani Wamatangi Paul – voted virtually
14. Sen. Langat Christopher Andrew
15. Sen. Linturi Franklin Mithika- voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu- voted virtually
18. Sen. Mbogo George Ochillo Ayacko
19. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Muthama Agnes Kavindu- voted virtually
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwaruma Johnes Mwashushe – voted virtually
25. Sen. Mwinyihaji Mohamed Faki- voted virtually
26. Sen. Nderitu John Kinyua- voted virtually
27. Sen. Ndwiga Peter Njeru – voted virtually
28. Sen. Ongeru Samson Kegengo – voted virtually
29. Sen. Orengo James
30. Sen. Nyamunga Rose – voted on behalf of Kisumu County Delegation
31. Sen. Poghio Samuel Losuron – voted virtually
32. Sen. Sakaja Johnson Arthur
33. Sen. Wambua Enoch Kiio
34. Sen. Wetang'ula Moses Masika

Question agreed to.

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

14. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

The Acting Chairperson of Committees (Sen. Rose Nyamunga, MP) – in the Chair

The Disaster Risk Management Bill (Senate Bills No. 14 of 2021)

Clauses 3 to 42, the First Schedule, the Second Schedule, Clause 2, the Title and Clause 1

Motion made and Question proposed;

THAT, Clauses 3 to 42, the First Schedule, the Second Schedule, Clause 2, the Title and Clause 1, be part of the Bill.

(Sen. Mutula Kilonzo Jr, MP)

The House proceeded to a division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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. (Dr.) Milgo Alice Chepkorir, MP – AYES
2. Sen. Lokorio Petronilla Were, 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. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kajwang’ Moses Otieno – voted virtually
9. Sen. Kamar Margaret Jepkoech
10. Sen. Kang’ata Irungu – voted virtually
11. Sen. Khaniri George – voted virtually
12. Sen. Kibiru Charles Rebenson – voted virtually
13. Sen. Kihika Susan Wakarura
14. Sen. Kimani Wamatangi Paul – voted virtually
15. Sen. Mahamud Mohamed Maalim
16. Sen. Mbogo George Ochillo Ayacko
17. Sen. Mogeni Eric Okong’o
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwangi Paul Githiomi – voted virtually
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Ongeri Samson Kegengo – voted virtually
25. Sen. Orengo James – voted virtually
26. Sen. Nyamunga Rose – voted on behalf of Kisumu County Delegation
27. Sen. Poghisio Samuel Losuron – voted virtually
28. Sen. Haji Farhiya Ali - voted on behalf of Nairobi County Delegation
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang’ula Moses Masika – voted virtually

Clauses 3 to 42, the First Schedule, the Second Schedule, 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 Disaster Risk Management Bill (Senate Bills No. 14 of 2021) and its approval thereof without amendments.

(Sen. Mutula Kilonzo Jr, MP)

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

Question put and agreed to.

15. **HOUSE RESUMED** – The Deputy Speaker - in the Chair

16. **THE DISASTER RISK MANAGEMENT BILL (SENATE BILLS NO. 14 OF 2021)**
Bill reported without amendments;

Motion made and Question proposed-

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

(Sen. Mutula Kilonzo Jr, MP)

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79(1), the Deputy Speaker ruled that the question did not affect counties;

Question put and agreed to.

Motion made and Question proposed -

THAT, the Disaster Risk Management Bill (Senate Bills No. 14 of 2021 be now Read a Third Time.

(Sen. Mutula Kilonzo Jr, 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 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 one minute;

After the expiry of one minute, 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. Falhada Dekow Iman, MP – AYES
2. Sen. Lokorio Petronilla Were, 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. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kimani Wamatangi Paul – voted virtually
10. Sen. Kindiki Kithure
11. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
12. Sen. Lelegwe Ltumbesi – voted virtually
13. Sen. Mahamud Mohamed Maalim
14. Sen. Mbogo George Ochillo Ayacko
15. Sen. Mogeni Eric Okong’o - voted virtually
16. Sen. Moi Gideon Kipsielei Towett – voted virtually
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Muthama Agnes Kavindu – voted virtually
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwangi Paul Githiomi – voted virtually
22. Sen. Ndwiga Peter Njeru – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Haji Farhiya Ali - voted on behalf of Nairobi County Delegation
26. Sen. Wambua Enoch Kiio

Question - agreed to

Bill Read a Third Time and passed.

17. **COMMITTEE OF THE WHOLE**
THE KENYA CITIZENSHIP AND IMMIGRATION (AMENDMENT) BILL (SENATE BILLS NO. 33 OF 2021)

(Sen. (Dr.) Irungu Kang’ata, MP)

Order deferred.

18. **COMMITTEE OF THE WHOLE**
THE LAW OF SUCCESSION (AMENDMENT) BILL (SENATE BILLS NO. 15 OF 2021)
(Sen. Abshiro Halake, MP)

Order deferred.

19. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

The Acting Chairperson of Committees (Sen. Rose Nyamunga, MP) – in the
Chair

The Public Private Partnerships Bill (National Assembly Bills No. 6 of 2021)

Clauses 3 -5

Motion made and Question proposed;

THAT, Clauses 3 - 5 be part of the Bill.

(Sen. Mutula Kilonzo Jnr, MP on behalf of the Senate Majority Leader)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Mbogo George Ochilo Ayacko
16. Sen. Mogeni Okong’o
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwangi Paul Githiomi – voted virtually
21. Sen. Ndwiga Peter Njeru – voted virtually
22. Sen. Ongeri Samson Kegengo – voted virtually
23. Sen. Orengo James – voted virtually
24. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
25. Sen. Poghisio Samuel Lesuron – voted virtually
26. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
27. Sen. Wambua Enoch Kiio
28. Sen. Wetangula Moses Masika – voted virtually

Clauses 3 - 5 - agreed to

Clause 6 - amendment proposed

THAT Clause 6 of the Bill be amended by deleting paragraph (c) and substituting therefor the following new paragraph-

- (c) the Principal Secretary in the State department responsible for matters relating to infrastructure.

*(Sen. Mutula Kilonzo Junior, MP, on behalf of the Chairperson,
Standing Committee on Finance and Budget)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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

ABSENCES: 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Mbogo George Ochilo Ayacko
16. Sen. Mogeni Okong’o
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwangi Paul Githiomi – voted virtually
21. Sen. Ndwiga Peter Njeru – voted virtually
22. Sen. Ongeri Samson Kegengo – voted virtually
23. Sen. Orenge James – voted virtually
24. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation

25. Sen. Poghisio Samuel Lesuron – voted virtually
26. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
27. Sen. Wambua Enoch Kiio
28. Sen. Wetangula Moses Masika – voted virtually

Clause 6 (as amended) – agreed to

Clauses 7 - 32

Motion made and Question proposed;

THAT, Clauses 7 - 32 be part of the Bill.

(Sen. Mutula Kilonzo Jnr, MP, on behalf of the Senate Majority Leader)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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 annouced as follows;

1. Sen. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually

9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Mbogo George Ochilo Ayacko
16. Sen. Mogeni Okong’o
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwangi Paul Githiomi – voted virtually
21. Sen. Ndwiga Peter Njeru – voted virtually
22. Sen. Ongeri Samson Kegengo – voted virtually
23. Sen. Orengo James – voted virtually
24. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
25. Sen. Poghisio Samuel Lesuron – voted virtually
26. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
27. Sen. Wambua Enoch Kiio
28. Sen. Wetangula Moses Masika – voted virtually

Clauses 7 - 32 – agreed to

Clause 33 – amendment proposed

THAT clause 33 of the Bill be amended in subclause (3) by inserting the words “within twenty-one days of receipt of the evaluation report” immediately after the words “the Committee shall”.

(Sen. Mutula Kilonzo Junior, MP, on behalf of the Chairperson, Standing Committee on Finance and Budget)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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 annouced as follows;

1. Sen. (Dr.) Alice Milgo – AYES

2. Sen. Petronilla Lokorio– NOES

Upon 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

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Mbogo George Ochilo Ayacko
16. Sen. Mogeni Okong’o
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwangi Paul Githiomi – voted virtually
21. Sen. Ndwiga Peter Njeru – voted virtually
22. Sen. Ongeri Samson Kegengo – voted virtually
23. Sen. Orenge James – voted virtually
24. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
25. Sen. Poghio Samuel Lesuron – voted virtually
26. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
27. Sen. Wambua Enoch Kiio
28. Sen. Wetangula Moses Masika – voted virtually

Clause 33 (as amended) – agreed to

Clauses 34 -74

Motion made and Question proposed;

THAT, Clauses 34 – 74 be part of the Bill.

(Sen. Mutula Kilonzo Jnr, MP, on behalf of the Senate Majority Leader)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Mbogo George Ochilo Ayacko
16. Sen. Mogeni Okong'o
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior

20. Sen. Mwangi Paul Githiomi – voted virtually
21. Sen. Ndwiga Peter Njeru – voted virtually
22. Sen. Ongeri Samson Kegengo – voted virtually
23. Sen. Orengo James – voted virtually
24. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
25. Sen. Poghisio Samuel Lesuron – voted virtually
26. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
27. Sen. Wambua Enoch Kiio
28. Sen. Wetangula Moses Masika – voted virtually

Clauses 34 - 74 - agreed to

Clause 75 - amendment proposed

THAT clause 75 of the Bill be amended-

(a) in subclause (2)-

(i) by deleting the word “five” appearing immediately before the words “other persons with” in paragraph (bb) and substituting therefor the word “four”; and

(ii) by deleting the word “one person” appearing immediately before the words “not being a member” in paragraph (cc) and substituting therefor the words “two persons”.

(b) by inserting the following new subclause immediately after subclause (6)-
(6A) A person aggrieved by the decision of the Committee may, within seven days of the decision, make an application for review to the Committee in the prescribed form.

*(Sen. Mutula Kilonzo Junior, MP, on behalf of the Chairperson,
Standing Committee on Finance and Budget)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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 annouced as follows;

1. Sen. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Mbogo George Ochilo Ayacko
16. Sen. Mogeni Okong'o
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwangi Paul Githiomi – voted virtually
21. Sen. Ndwiga Peter Njeru – voted virtually
22. Sen. Ongeru Samson Kegengo – voted virtually
23. Sen. Orengo James – voted virtually
24. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
25. Sen. Poghisio Samuel Lesuron – voted virtually
26. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
27. Sen. Wambua Enoch Kii
28. Sen. Wetangula Moses Masika – voted virtually

Clause 75 (as amended) – agreed to

Clauses 76 -88

Motion made and Question proposed;

THAT, Clauses 76 – 88 be part of the Bill.

(Sen. Mutula Kilonzo Jnr, MP, on behalf of the Senate Majority Leader)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Mbogo George Ochilo Ayacko
16. Sen. Mogeni Okong’o
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation

18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwangi Paul Githiomi – voted virtually
21. Sen. Ndwiga Peter Njeru – voted virtually
22. Sen. Ongeru Samson Kegengo – voted virtually
23. Sen. Orengo James – voted virtually
24. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
25. Sen. Poghisio Samuel Lesuron – voted virtually
26. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
27. Sen. Wambua Enoch Kiio
28. Sen. Wetangula Moses Masika – voted virtually

Clauses 76 - 88 – agreed to

New Clause 75A – insertion of new clause proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 75-
Secretary.

75A. (1) The Cabinet Secretary shall designate a public officer to serve as the Secretary to the Committee

(2) A person designated under subsection (1) shall be an Advocate of the High Court of Kenya of at least seven years standing.

(Sen. Mutula Kilonzo Junior, MP, on behalf of the Chairperson, Standing Committee on Finance and Budget)

Motion made and Question proposed;

THAT, New Clause 75A be now read a Second Time.

(Sen. Mutula Kilonzo Junior, MP, on behalf of the Chairperson, Standing Committee on Finance and Budget)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Mbogo George Ochilo Ayacko
16. Sen. Mogeni Okong'o
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwangi Paul Githiomi – voted virtually
21. Sen. Ndwiga Peter Njeru – voted virtually
22. Sen. Ongeru Samson Kegengo – voted virtually
23. Sen. Orenge James – voted virtually
24. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
25. Sen. Poghisio Samuel Lesuron – voted virtually
26. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
27. Sen. Wambua Enoch Kiio
28. Sen. Wetangula Moses Masika – voted virtually

New Clause 75A - agreed to

New Clause 75B - insertion of new Clause proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 75-

Remuneration. **75B.** The members of the Committee shall be paid such salaries and allowances as the Cabinet Secretary shall, in consultation with the Salaries and Remuneration Committee, determine.

(Sen. Mutula Kilonzo Junior, MP, on behalf of the Chairperson, Standing Committee on Finance and Budget)

Motion Made and Question proposed;

THAT, the New Clause 75B be now read a Second Time

(Sen. Mutula Kilonzo Junior, MP, on behalf of the Chairperson, Standing Committee on Finance and Budget)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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 annouced as follows;

1. Sen. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana

6. Sen. Kajwang' Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Mbogo George Ochilo Ayacko
16. Sen. Mogeni Okong'o
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwangi Paul Githiomi – voted virtually
21. Sen. Ndwiga Peter Njeru – voted virtually
22. Sen. Ongeri Samson Kegengo – voted virtually
23. Sen. Orenge James – voted virtually
24. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
25. Sen. Poghisio Samuel Lesuron – voted virtually
26. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
27. Sen. Wambua Enoch Kiio
28. Sen. Wetangula Moses Masika – voted virtually

New Clause 75B - agreed to

New Clause 75C - insertion of new clause proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 75-

Conflict of **75C.** A member of the Committee who interest. has a direct or indirect interest in a matter before the Committee shall declare the interest and shall not participate in any proceedings of the Committee on the matter.

(Sen. Mutula Kilonzo Junior, MP, on behalf of the Chairperson, Standing Committee on Finance and Budget)

Motion made and Question proposed;

THAT, new clause 75C be now read a Second Time.

(Sen. Mutula Kilonzo Junior, MP, on behalf of the Chairperson, Standing Committee on Finance and Budget)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Mbogo George Ochilo Ayacko
16. Sen. Mogeni Okong’o
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwangi Paul Githiomi – voted virtually
21. Sen. Ndwiga Peter Njeru – voted virtually
22. Sen. Ongeri Samson Kegengo – voted virtually
23. Sen. Orenge James – voted virtually

24. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
25. Sen. Poghio Samuel Lesuron – voted virtually
26. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
27. Sen. Wambua Enoch Kiio
28. Sen. Wetangula Moses Masika – voted virtually

New Clause 75C - agreed to

New Clause 75D - insertion of new clause proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 75-

Offences.

75D. (1) A person shall not—

- (a) without reasonable cause or lawful excuse, obstruct or hinder, assault or threaten a member of the Committee acting under this Act;
- (b) without justification, fail to provide information required by the Committee under this Act;
- (c) without justification, fail to provide information within reasonable time that is required by the Committee under this Act;
- (d) submit false or misleading information to the Committee;
- (e) misrepresent to or knowingly mislead a member of the Committee acting under this Act; or
- (f) interfere with or exert undue influence on any member of the Committee.

*(Sen. Mutula Kilonzo Junior, MP, on behalf of the Chairperson,
Standing Committee on Finance and Budget)*

Motion made and Question proposed;

THAT, the New Clause 75D be now read a Second Time

*(Sen. Mutula Kilonzo Junior, MP, on behalf of the Chairperson,
Standing Committee on Finance and Budget)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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 annouced as follows;

1. Sen. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Mbogo George Ochilo Ayacko
16. Sen. Mogeni Okong'o
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwangi Paul Githiomi – voted virtually

21. Sen. Ndwiga Peter Njeru – voted virtually
22. Sen. Ongeru Samson Kegengo – voted virtually
23. Sen. Orengo James – voted virtually
24. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
25. Sen. Poghisio Samuel Lesuron – voted virtually
26. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
27. Sen. Wambua Enoch Kiio
28. Sen. Wetangula Moses Masika – voted virtually

New Clause 75D - agreed to

New Clause 75E - insertion of new clause proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 75-

Decree. **75E.** The Committee shall issue a decree setting out its decision in a particular matter and the decree shall be enforceable in the same manner as a decree of the Court.

(Sen. Mutula Kilonzo Junior, MP, on behalf of the Chairperson, Standing Committee on Finance and Budget)

Motion Made and Question proposed;

THAT, the New Clause 75D be now read Second Time.

(Sen. Mutula Kilonzo Junior, MP, on behalf of the Chairperson, Standing Committee on Finance and Budget)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Mbogo George Ochilo Ayacko
16. Sen. Mogeni Okong'o
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwangi Paul Githiomi – voted virtually
21. Sen. Ndwiga Peter Njeru – voted virtually
22. Sen. Ongeru Samson Kegengo – voted virtually
23. Sen. Orengo James – voted virtually
24. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
25. Sen. Poghisio Samuel Lesuron – voted virtually
26. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
27. Sen. Wambua Enoch Kiio
28. Sen. Wetangula Moses Masika – voted virtually

New Clause 75E - agreed to

The First, Second and Third Schedules, Clause 2, the Title and Clause 1

Motion made and Question proposed;

THAT, the First, Second and Third Schedules, Clause 2, the Title and Clause 1, be part of the Bill.

(Sen. Mutula Kilonzo Jnr, MP, on behalf of the Senate Majority Leader)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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

ABSENTIONS: 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Mbogo George Ochilo Ayacko
16. Sen. Mogeni Okong’o
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior
20. Sen. Mwangi Paul Githiomi – voted virtually
21. Sen. Ndwiga Peter Njeru – voted virtually
22. Sen. Ongeri Samson Kegengo – voted virtually
23. Sen. Orengo James – voted virtually

24. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
25. Sen. Poghisiso Samuel Lesuron – voted virtually
26. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
27. Sen. Wambua Enoch Kiio
28. Sen. Wetangula Moses Masika – voted virtually

The First, Second and Third Schedules, 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 Public Private Partnership Bill (National Assembly Bills No.6 of 2021) and its approval thereof with amendments;

(Sen. Mutula Kilonzo Junior, MP, on behalf of the Senate Majority Leader)

Before the Question was put and pursuant to Standing Order 79(1), the Acting Chairperson (Sen. Judith Pareno, 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 PUBLIC PRIVATE PARTNERSHIP BILL (NATIONAL ASSEMBLY BILLS NO. 6 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, MP, on behalf of the Senate Majority Leader)

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 Public Private Partnership Bill (National Assembly Bills No.6 of 2021) be now read a Third Time.

(Sen. Mutula Kilonzo Junior, MP, on behalf of the Senate Majority Leader)

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 one minute;

After the expiry of one minute, 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. Falhada Dekow Iman, MP – AYES
2. Sen. Lokorio Petronilla Were, 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. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kimani Wamatangi Paul – voted virtually
10. Sen. Kindiki Kithure
11. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
12. Sen. Lelegwe Ltumbesi – voted virtually
13. Sen. Mahamud Mohamed Maalim
14. Sen. Mbogo George Ochillo Ayacko
15. Sen. Mogeni Eric Okong'o - voted virtually
16. Sen. Moi Gideon Kipsielei Towett – voted virtually
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Muthama Agnes Kavindu – voted virtually

- 20. Sen. Mutula Kilonzo Junior
- 21. Sen. Mwangi Paul Githiomi – voted virtually
- 22. Sen. Ndwiga Peter Njeru – voted virtually
- 23. Sen. Ongeru Samson Kegengo – voted virtually
- 24. Sen. Orengo James – voted virtually
- 25. Sen. Haji Farhiya Ali - voted on behalf of Nairobi County Delegation
- 26. Sen. Wambua Enoch Kiio

Question - agreed to

Bill Read a Third Time and passed.

22. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

The Acting Chairperson of Committees (Sen. Rose Nyamunga, MP) – In the Chair

The Health (Amendment) Bill (Senate Bills No. 26 of 2020)

Clause 2 – amendment proposed

THAT clause 2 of the Bill be amended—

- (a) by deleting paragraph (a);
- (b) by deleting the words “therefore the word three” appearing immediately after the words “and substituting” in paragraph (c) and substituting therefor the words “therefor the word two”;
- (c) by inserting the following new paragraph immediately after paragraph (c) —
- (d) inserting the following new subsection immediately after subsection (1)

—

(1A) The Cabinet Secretary shall appoint the members nominated under subsection (1) (a), (c), (f), (g), (h) and (i) by notice in the *Gazette*.

(Sen. (Dr.) Abdullahi Ali, MP, on behalf of the Chairperson, Standing Committee on Health)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 26

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kimani Wamatangi Paul – voted virtually
10. Sen. Kindiki Kithure
11. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
12. Sen. Mahamud Mohamed Maalim
13. Sen. Mbogo George Ochilo Ayacko
14. Sen. Mogeni Okong'o
15. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Mutula Kilonzo Junior
18. Sen. Mwangi Paul Githiomi – voted virtually
19. Sen. Ndwiga Peter Njeru – voted virtually
20. Sen. Ongeri Samson Kegengo – voted virtually
21. Sen. Orengo James – voted virtually
22. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
23. Sen. Poghisio Samuel Lesuron – voted virtually
24. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation

25. Sen. Wambua Enoch Kiio
26. Sen. Wetangula Moses Masika – voted virtually

Clause 2 (as amended) – agreed to

Clause 3

Motion made and Question proposed;

THAT, Clause 3 be part of the Bill.

(Sen. (Dr.) Abdullahi Ali, MP)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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 annouced as follows;

1. Sen. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 26

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kimani Wamatangi Paul – voted virtually
10. Sen. Kindiki Kithure
11. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually

12. Sen. Mahamud Mohamed Maalim
13. Sen. Mbogo George Ochilo Ayacko
14. Sen. Mogeni Okong'o
15. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Mutula Kilonzo Junior
18. Sen. Mwangi Paul Githiomi – voted virtually
19. Sen. Ndwiga Peter Njeru – voted virtually
20. Sen. Ongeru Samson Kegengo – voted virtually
21. Sen. Orengo James – voted virtually
22. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
23. Sen. Poghisio Samuel Lesuron – voted virtually
24. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
25. Sen. Wambua Enoch Kiiro
26. Sen. Wetangula Moses Masika – voted virtually

Clause 3 – agreed to

New Clause 4 – insertion of new clause proposed

THAT the Bill be amended by inserting the following new clause immediately after Clause 3 —

- Amendment of section 33 of No. 21 of 2017.
- 4.** Section 33 the principal Act be amended —
- (a) in subsection (2) deleting paragraph (a) and substituting therefor the following new paragraph—
 - (a) holds at least a degree in a health related field from a university recognized in Kenya, and
 - (aa) is registered by the relevant health professional regulatory body and is in good standing;
 - (b) by deleting subsection (4).

(Sen. (Dr.) Abdullahi Ali, MP, on behalf of the Chairperson, Standing Committee on Health)

Motion made and Question proposed;

THAT, new clause 4 be now read a Second Time.

(Sen. (Dr.) Abdullahi Ali, MP, on behalf of the Chairperson, Standing Committee on Health)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 26

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kimani Wamatangi Paul – voted virtually
10. Sen. Kindiki Kithure
11. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
12. Sen. Mahamud Mohamed Maalim
13. Sen. Mbogo George Ochilo Ayacko
14. Sen. Mogeni Okong'o
15. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Mutula Kilonzo Junior
18. Sen. Mwangi Paul Githiomi – voted virtually
19. Sen. Ndwiga Peter Njeru – voted virtually
20. Sen. Ongeru Samson Kegengo – voted virtually
21. Sen. Orengo James – voted virtually
22. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
23. Sen. Poghisio Samuel Lesuron – voted virtually
24. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation

25. Sen. Wambua Enoch Kiio
26. Sen. Wetangula Moses Masika – voted virtually

New Clause 4 – agreed to

The Title and Clause 1

Motion made and Question proposed;

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

(Sen. (Dr.) Abdullahi Ali, MP)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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 annouced as follows;

1. Sen. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 26

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Haji Abdul Mohammed – voted virtually
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kimani Wamatangi Paul – voted virtually
10. Sen. Kindiki Kithure
11. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually

12. Sen. Mahamud Mohamed Maalim
13. Sen. Mbogo George Ochilo Ayacko
14. Sen. Mogeni Okong’o
15. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Mutula Kilonzo Junior
18. Sen. Mwangi Paul Githiomi – voted virtually
19. Sen. Ndwiga Peter Njeru – voted virtually
20. Sen. Ongeru Samson Kegengo – voted virtually
21. Sen. Orengo James – voted virtually
22. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
23. Sen. Poghismo Samuel Lesuron – voted virtually
24. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
25. Sen. Wambua Enoch Kiiro
26. Sen. Wetangula Moses Masika – voted virtually

The Title and Clause 1 – agreed to

Motion made: -

THAT, the Committee of the Whole do report to the House its consideration of the Health (Amendment) Bill (Senate Bills No. 26 of 2020) and its approval thereof with amendments;

(Sen. (Dr.) Abdullahi Ali, MP)

Before the Question was put and pursuant to Standing Order 79(1), the Acting Chairperson (Sen. Judith Pareno, MP) ruled that the Question did not affect counties;

Question put and agreed to.

23. **HOUSE RESUMED** – The Deputy Speaker - in the Chair
24. **THE HEALTH (AMENDMENT) BILL (SENATE BILLS NO. 26 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. (Dr.) Abdullahi Ali, MP)

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79(1), the Deputy Speaker ruled that the question did not affect counties;

Question put and agreed to.

Motion made and Question proposed -

THAT, the Health (Amendment) Bill (Senate Bills No. 26 of 2020) be now read a Third Time.

(Sen. (Dr.) Abdullahi Ali, 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 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 one minute;

After the expiry of one minute, 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. Falhada Dekow Iman, MP – AYES
2. Sen. Lokorio Petronilla Were, 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. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kimani Wamatangi Paul – voted virtually
10. Sen. Kindiki Kithure
11. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually

12. Sen. Lelegwe Ltumbesi – voted virtually
13. Sen. Mahamud Mohamed Maalim
14. Sen. Mbogo George Ochillo Ayacko
15. Sen. Mogeni Eric Okong’o - voted virtually
16. Sen. Moi Gideon Kipsielei Towett – voted virtually
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Muthama Agnes Kavindu – voted virtually
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwangi Paul Githiomi – voted virtually
22. Sen. Ndwiga Peter Njeru – voted virtually
23. Sen. Ongeru Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Haji Farhiya Ali - voted on behalf of Nairobi County Delegation
26. Sen. Wambua Enoch Kiio

Question - agreed to

Bill Read a Third Time and passed.

25. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

The Acting Chairperson of Committees (Sen. Rose Nyamunga, MP) – in the Chair

The County Boundaries Bill, (Senate Bills No. 20 of 2021)

Clauses 3 – 9

Motion made and Question proposed;

THAT, Clauses 3 – 9 be part of the Bill.

(Sen. Mutula Kilonzo Jnr, MP)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 32

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang' Moses Otieno – voted virtually
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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong'o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeri Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghisiio Samuel Lesuron – voted virtually

30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

Clauses 3 – 9 - agreed to

Clause 10 - amendment proposed

THAT clause 10 of the Bill be amended in sub-clause (2) by inserting the word “mediation” immediately after the words “a member of the” in the introductory clause.

(Sen. Mutula Kilonzo Jnr., MP, on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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 annouced as follows;

1. Sen. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 32

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang’ Moses Otieno – voted virtually

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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong’o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeri Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Lesuron – voted virtually
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

Clause 10 (as amended) – agreed to

Clause 11

Motion made and Question proposed;

THAT, Clause 11 be part of the Bill.

(Sen. Mutula Kilonzo Jnr, MP)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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 annouced as follows;

1. Sen. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 32

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang' Moses Otieno – voted virtually
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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong'o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeru Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghismo Samuel Lesuron – voted virtually
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

Clause 12 – amendment proposed

THAT clause 12 of the Bill be amended in sub-clause (5) by inserting the word “mediation” immediately after the words “directions of the”.

(Sen. Mutula Kilonzo Jnr., MP, on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio – NOES

Upon 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: 32

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang’ Moses Otieno – voted virtually
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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim

17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong’o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeru Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Lesuron – voted virtually
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

Clause 12 (as amended) – agreed to

Clauses 13 – 22

Motion made and Question proposed;

THAT, Clauses 13 – 22 be part of the Bill.

(Sen. Mutula Kilonzo Jnr, MP)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio – NOES

Upon 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: 32**NOES: 0****ABSENTIONS: 0**AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang’ Moses Otieno – voted virtually
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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong’o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeru Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Lesuron – voted virtually
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

Clauses 13 – 22 – agreed to

Clause 23 – amendment proposed

THAT Clause 23 of the Bill be amended in sub-clause (7) by deleting the words “county boundaries parliamentary” appearing immediately after the words “establishment of a”.

(Sen. Mutula Kilonzo Jnr., MP, on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 32

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang' Moses Otieno – voted virtually
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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong'o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation

21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeri Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Lesuron – voted virtually
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

Clause 23 (as amended) – agreed to

Clauses 24 and 25

Motion made and Question proposed;
THAT, Clauses 24 and 25 be part of the Bill.

(Sen. Mutula Kilonzo Jnr, MP)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 32

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation

2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang’ Moses Otieno – voted virtually
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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong’o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeri Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Lesuron – voted virtually
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

Clauses 24 and 25 – agreed to

Clause 26 – amendment proposed

THAT clause 26 of the Bill be amended –

- (a) in sub-clause (2) by deleting the expression “25(1)(d)” appearing immediately after the words “under section” and substituting therefor the expression “25(1)(e)”; and
- (b) in sub-clause (3) by deleting the expression “25(1)(a), (c) or (d)” appearing immediately after the words “under section” and substituting therefor the expression “25(1)(a), (e) or (f)”.

(Sen. Mutula Kilonzo Jnr., MP, on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 32

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang' Moses Otieno – voted virtually
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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong'o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation

21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeri Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Lesuron – voted virtually
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

Clause 26 (as amended) – agreed to

Clauses 27 – 39

Motion made and Question proposed;

THAT, Clauses 27 – 39 be part of the Bill.

(Sen. Mutula Kilonzo Jnr, MP)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 32

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation

2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang’ Moses Otieno – voted virtually
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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong’o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeri Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Lesuron – voted virtually
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

Clauses 27 – 39 – agreed to

Clause 40 – amendment proposed

THAT clause 40 of the Bill be amended –

(a) in sub-clause (1) –

(i) by deleting paragraph (c) and substituting therefor the following new paragraph –

(c) an assessment of the effect of the proposed alteration of the boundary of a county and recommendations on the following in relation to a county government, where applicable, –

- (i) assets and liabilities;
 - (ii) employees in the respective county public service;
 - (iii) decisions made including licenses, permits, authorisations, rates, certificates, consents and contracts;
 - (iv) pending and potential legal proceedings;
 - (v) constituency and ward boundaries;
 - (vi) the basis for allocating among the counties the share of national revenue allocated to county governments; and
 - (vii) such other matter as the commission may determine.
- (ii) by inserting the following new paragraph immediately after paragraph (c) –

(ca) mechanisms for the implementation and timelines within which the proposed alteration shall be implemented;

- (b) in subclause (2)(a)(ii) by deleting the word “gazette” appearing immediately after the words “Kenya Gazette and the” and substituting therefor the words “gazettes of the respective counties affected by the proposed alteration of the boundaries of a county”.

(Sen. Mutula Kilonzo Jnr., MP, on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 32**NOES: 0****ABSENTIONS: 0**AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang’ Moses Otieno – voted virtually
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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong’o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeri Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Lesuron – voted virtually
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

Clause 40 (as amended) – agreed to

Clause 41 – amendment proposed

THAT Clause 41 of the Bill be amended in sub-clause (1) by inserting the following new paragraph immediately after paragraph (a) –

(aa) recommending that the boundaries of a county do not be altered;

(Sen. Mutula Kilonzo Jnr., MP, on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 32

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang’ Moses Otieno – voted virtually
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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong’o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation

21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeri Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Lesuron – voted virtually
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

Clause 41(as amended) – agreed to

Clause 42 – amendment proposed

THAT clause 42 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (3) –

(4) A resolution by either House of Parliament to amend a recommendation of the commission to alter the boundaries of a county shall be supported by at least two-thirds of all the delegations in the Senate and two-thirds of all the members of the National Assembly.

(Sen. Mutula Kilonzo Jnr., MP, on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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 annouced as follows;

1. Sen. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 32**NOES: 0****ABSENTIONS: 0**AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang’ Moses Otieno – voted virtually
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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong’o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeri Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Lesuron – voted virtually
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

Clause 42 (as amended) – agreed to

Clauses 43 – 45

Motion made and Question proposed;

THAT, Clauses 43 – 45 be part of the Bill.

(Sen. Mutula Kilonzo Jnr, MP)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 32

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang' Moses Otieno – voted virtually
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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong'o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually

24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeru Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Lesuron – voted virtually
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

Clauses 43 – 45 – agreed to

Clause 46 – amendment proposed

THAT the Bill be amended by deleting clause 46 and substituting therefor the following new clause –

Coming into effect of the resolution. **46.** (1) A resolution for the alteration of the boundaries of a county under section 42(3) shall take effect in such manner as shall be set out in the resolution.

(2) Upon the gazettment of the resolution of Parliament under section 42(3), the Independent Electoral and Boundaries Commission shall –

- (a) revise the register of voters provided for under the Elections Act;
- (b) in its report under section 36(5) of the Independent Electoral and Boundaries Commission Act, state how the resolution has been taken into account in the constituency and ward boundaries review process; and
- (c) submit a report referred under subsection (2)(b) to the Senate and the National Assembly for consideration.

(3) The Independent Electoral and Boundaries Commission, in preparing its final report under section 36(8) Independent Electoral and Boundaries Commission Act, shall take into account the views of the Senate and the National Assembly.

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio – NOES

Upon 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: 32

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang' Moses Otieno – voted virtually
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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong'o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeri Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually

28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghio Samuel Lesuron – voted virtually
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

Clause 46 (as amended) – agreed to

Clause 47 – amendment proposed

THAT clause 47 of the Bill be amended in the introductory clause by inserting the words “of the Senate” immediately after the words “Where the Speaker”.

(Sen. Mutula Kilonzo Jnr., MP, on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 32

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang’ Moses Otieno – voted virtually

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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong’o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeru Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Lesuron – voted virtually
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

Clause 47 (as amended) – agreed to

Clauses 48 – 51

Motion made and Question proposed;

THAT, Clauses 48 – 51 be part of the Bill.

(Sen. Mutula Kilonzo Jnr, MP)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 32

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang' Moses Otieno – voted virtually
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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong'o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeri Samson Kegengo – voted virtually
27. Sen. Orenge James – voted virtually
28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Lesuron – voted virtually
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

Clauses 48 – 51 – agreed to

The First, Second, Third, Fourth and Fifth Schedules, Clause 2, the Title and Clause 1

Motion made and Question proposed;

THAT, the First, Second, Third, Fourth and Fifth Schedules, Clause 2, the Title and Clause 1.

(Sen. Mutula Kilonzo Jnr, MP)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 32

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang' Moses Otieno – voted virtually
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. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Mahamud Mohamed Maalim
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbogo George Ochilo Ayacko
19. Sen. Mogeni Okong’o – voted virtually
20. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mutula Kilonzo Junior
23. Sen. Mwangi Paul Githiomi – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Ongeru Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
29. Sen. Poghisi Samuel Lesuron – voted virtually
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio
32. Sen. Wetangula Moses Masika – voted virtually

The First, Second, Third, Fourth and Fifth Schedules, 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 County Boundaries Bill (Senate Bills No. 20 of 2021) and its approval thereof with amendments;

(Sen. Mutula Kilonzo Jnr., MP)

Before the Question was put and pursuant to Standing Order 79(1), the Acting Chairperson (Sen. Judith Pareno, MP) ruled that the Question did not affect counties;

Question put and agreed to.

26. **HOUSE RESUMED** – The Deputy Speaker - in the Chair
27. **THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 20 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 Jnr., MP)

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79(1), the Deputy Speaker ruled that the question did not affect counties;

Question put and agreed to.

Motion made and Question proposed -

THAT, the County Boundaries Bill (Senate Bills No. 20 of 2021) be now read a Third Time.

(Sen. Mutula Kilonzo Jnr., 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 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 one minute;

After the expiry of one minute, 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. Falhada Dekow Iman, MP – AYES
2. Sen. Lokorio Petronilla Were, 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. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually

4. Sen. Cherarkey Samson Kiprotich
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kimani Wamatangi Paul – voted virtually
10. Sen. Kindiki Kithure
11. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
12. Sen. Lelegwe Ltumbesi – voted virtually
13. Sen. Mahamud Mohamed Maalim
14. Sen. Mbogo George Ochillo Ayacko
15. Sen. Mogeni Eric Okong’o - voted virtually
16. Sen. Moi Gideon Kipsielei Towett – voted virtually
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Muthama Agnes Kavindu – voted virtually
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwangi Paul Githiomi – voted virtually
22. Sen. Ndwiga Peter Njeru – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Haji Farhiya Ali - voted on behalf of Nairobi County Delegation
26. Sen. Wambua Enoch Kiio

Question - agreed to

Bill Read a Third Time and passed.

28. **COMMITTEE OF THE WHOLE**
THE LIFESTYLE AUDIT BILL (SENATE BILLS NO. 36 OF 2021)
(Sen.(CPA) Farhiya Ali Haji, MP)

Order deferred.

29. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

The Acting Chairperson of Committees (Sen. Rose Nyamunga, MP) – in the Chair

The Office of the County Printer Bill (Senate Bills No. 13 of 2021)

Clauses 3 to 13, Clause 2, the Title and Clause 1

Motion made and Question proposed;

THAT, Clauses 3 to 13, Clause 2, the Title and Clause 1, be part of the Bill.

(Sen. Petronila Were – Lokorio, MP)

The Committee proceeded to a division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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

ABSTENTIONS: 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. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang’ Moses Otieno – voted virtually
9. Sen. Kamar Margaret Jepkoech
10. Sen. Kibiru Charles Rebenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Lelegwe Ltumbesi
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu - voted virtually
16. Sen. Mbogo George Ochillo Ayacko
17. Sen. Mogeni Eric Okong’o – voted virtually

18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwangi Paul Githiomi – voted virtually
22. Sen. Mwinyihaji Mohamed Faki- voted virtually
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Ongeri Samson Kegengo – voted virtually
25. Sen. Orengo James – voted virtually
26. Sen. Nyamunga Rose – voted on behalf of Kisumu County Delegation
27. Sen. Poghisio Samuel Losuron – voted virtually
28. Sen. Haji Farhiya Ali - voted on behalf of Nairobi County Delegation
29. Sen. Wambua Enoch Kiio

Clauses 3 to 13, 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 Office of the County Printer Bill (Senate Bills No. 13 of 2021), and its approval thereof without amendments;

(Sen. Petronila Were – Lokorio, MP)

Before the Question was put and pursuant to Standing Order 79(1), the Acting Chairperson (Sen. Judith Pareno, MP) ruled that the Question did not affect counties;

Question put and agreed to.

30. **HOUSE RESUMED** – The Deputy Speaker - in the Chair
31. **THE OFFICE OF THE COUNTY PRINTER BILL (SENATE BILLS NO. 13 OF 2021)**

Bill reported without amendments;

Motion made and Question proposed-

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

(Sen. Petronila Were – Lokorio, MP)

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79(1), the Deputy Speaker ruled that the question did not affect counties;

Question put and agreed to.

Motion made and Question proposed -

THAT, the Office of the County Printer Bill (Senate Bills No. 13 of 2021) be now Read a Third Time.

(Sen. Petronila Were – Lokorio, 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 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 one minute;

After the expiry of one minute, 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. Falhada Dekow Iman, MP – AYES
2. Sen. Lokorio Petronilla Were, 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. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kimani Wamatangi Paul – voted virtually
10. Sen. Kindiki Kithure
11. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
12. Sen. Lelegwe Ltumbesi – voted virtually
13. Sen. Mahamud Mohamed Maalim
14. Sen. Mbogo George Ochillo Ayacko

15. Sen. Mogeni Eric Okong'o - voted virtually
16. Sen. Moi Gideon Kipsielei Towett – voted virtually
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Muthama Agnes Kavindu – voted virtually
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwangi Paul Githiomi – voted virtually
22. Sen. Ndwiga Peter Njeru – voted virtually
23. Sen. Onger Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Haji Farhiya Ali - voted on behalf of Nairobi County Delegation
26. Sen. Wambua Enoch Kiio

Question - agreed to

Bill Read a Third Time and passed.

32. **COMMITTEE OF THE WHOLE**

Order for Committee Read;

IN THE COMMITTEE

The Acting Chairperson of Committees (Sen. Rose Nyamunga, MP) – in the Chair

The Investment Promotion (Amendment) Bill, (Senate Bills No. 2 of 2021)

Clause 3

Motion made and Question proposed;

THAT, Clause 3 be part of the Bill.

(Sen. (Dr.) Alice Milgo, MP)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 30

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana – voted virtually
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang' Moses Otieno – voted virtually
9. Sen. Kamar Margaret Jepkoech
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Lelegwe Ltumbesi – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Mogeni Erick Okong'o - voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu- voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwangi Paul Githiomi – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Ndwiga Peter Njeru – voted virtually
25. Sen. Onger Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Poghisio Samuel Lesuron – voted virtually
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kiio

Clause 3 – agreed to

Clause 4 - amendment proposed

THAT clause 4 of the Bill be amended in the proposed new section 16 by deleting paragraph (g) and substituting therefor the following new paragraph-

- (g) three members, who shall include a person with disability and at least one person of the opposite gender, nominated by the Council of County Governors and appointed by the Cabinet Secretary.

(The Chairperson, Standing Committee on Tourism, Trade and Industrialization)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 30

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana – voted virtually
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang’ Moses Otieno – voted virtually
9. Sen. Kamar Margaret Jepkoech
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Lelegwe Ltumbesi – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually
16. Sen. Mbogo George Ochilo Ayacko

17. Sen. Mogeni Erick Okong'o - voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu- voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwangi Paul Githiomi – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Ndwiga Peter Njeru – voted virtually
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Poghisio Samuel Lesuron – voted virtually
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kii

Clause 4 (as amended) – agreed to

Clause 5

Motion made and Question proposed;

THAT, Clause 5 be part of the Bill.

(Sen. (Dr.) Alice Milgo, MP)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 30

NOES: 0

ABSENCES: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana – voted virtually
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang’ Moses Otieno – voted virtually
9. Sen. Kamar Margaret Jepkoech
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Lelegwe Ltumbesi – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Mogeni Erick Okong’o - voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu- voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwangi Paul Githiomi – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Ndwiga Peter Njeru – voted virtually
25. Sen. Ongeri Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Poghisio Samuel Lesuron – voted virtually
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kii

Clause 5 - agreed to

Clause 6 - amendment proposed

THAT clause 6 of the Bill be amended in the proposed new section 17 by deleting the word “four” appearing immediately after the words “for a term of” and substituting therefor the word “three”.

(Chairperson, Standing Committee on Tourism, Trade and Industrialization)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 30

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana – voted virtually
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang’ Moses Otieno – voted virtually
9. Sen. Kamar Margaret Jepkoech
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Lelegwe Ltumbesi – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Mogeni Erick Okong’o - voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu- voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwangi Paul Githiomi – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Ndwiga Peter Njeru – voted virtually
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually

27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Poghismo Samuel Lesuron – voted virtually
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kiio

Clause 6 (as amended) – agreed to

Clauses 7 -15

Motion made and Question proposed;

THAT, Clauses 7-15 be part of the Bill.

(Sen. (Dr.) Alice Milgo, MP)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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 annouced as follows;

1. Sen. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 30

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana – voted virtually
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang’ Moses Otieno – voted virtually
9. Sen. Kamar Margaret Jepkoech

- 10. Sen. Kibiru Charles Reubenson – voted virtually
- 11. Sen. Kimani Wamatangi Paul – voted virtually
- 12. Sen. Kindiki Kithure
- 13. Sen. Lelegwe Ltumbesi – voted virtually
- 14. Sen. Mahamud Mohamed Maalim
- 15. Sen. Malalah Cleophas Wakhungu- voted virtually
- 16. Sen. Mbogo George Ochilo Ayacko
- 17. Sen. Mogeni Erick Okong’o - voted virtually
- 18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
- 19. Sen. Murkomen Onesimus Kipchumba
- 20. Sen. Muthama Agnes Kavindu- voted virtually
- 21. Sen. Mutula Kilonzo Junior
- 22. Sen. Mwangi Paul Githiomi – voted virtually
- 23. Sen. Mwinyihaji Mohamed Faki- voted virtually
- 24. Sen. Ndwiga Peter Njeru – voted virtually
- 25. Sen. Ongeru Samson Kegengo – voted virtually
- 26. Sen. Orengo James – voted virtually
- 27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
- 28. Sen. Poghisio Samuel Lesuron – voted virtually
- 29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
- 30. Sen. Wambua Enoch Kiio

Clauses 7-15 – agreed to

Clause 16 - amendment proposed

THAT clause 16 of the Bill be amended-

(a) in the proposed new section 26C by deleting the word “county” appearing immediately after the words “by notice in the” in subsection (1);

(b) in the proposed new section 26D by –

(i) renumbering the existing provision as sub clause (1);

(ii) inserting the words “including identifying and addressing barriers that hinder investment” immediately after the words “in the county” in paragraph (b); and

(iii) inserting the following new sub clause immediately after sub clause (1)
–

(2) The Unit shall, in carrying out its functions under subsection (1), undertake public participation through the

modalities and platforms set out under section 91 of the County Governments Act.

(Chairperson, Standing Committee on Tourism, Trade and Industrialization)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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 annouced as follows;

1. Sen. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 30

NOES: 0

ABSENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana – voted virtually
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang’ Moses Otieno – voted virtually
9. Sen. Kamar Margaret Jepkoech
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Lelegwe Ltumbesi – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Mogeni Erick Okong’o - voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba

20. Sen. Muthama Agnes Kavindu- voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwangi Paul Githiomi – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Ndwiga Peter Njeru – voted virtually
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Poghisio Samuel Lesuron – voted virtually
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kiio

Clause 16 (as amended) – 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.

(Sen. (Dr.) Alice Milgo, MP)

The Committee proceeded to a division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) 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;

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 annouced as follows;

1. Sen. (Dr.) Alice Milgo – AYES
2. Sen. Petronilla Lokorio– NOES

Upon 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: 30

NOES: 0

ABSENTIONS: 0

AYES

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

4. Sen. Cherarkey Samson Kiprotich
5. Sen. Haji Abdul Mohammed – voted virtually
6. Sen. Hargura Godana – voted virtually
7. Sen. Imana Malachy Charles Ekal – voted virtually
8. Sen. Kajwang’ Moses Otieno – voted virtually
9. Sen. Kamar Margaret Jepkoech
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Kindiki Kithure
13. Sen. Lelegwe Ltumbesi – voted virtually
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu- voted virtually
16. Sen. Mbogo George Ochilo Ayacko
17. Sen. Mogeni Erick Okong’o - voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu- voted virtually
21. Sen. Mutula Kilonzo Junior
22. Sen. Mwangi Paul Githiomi – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Ndwiga Peter Njeru – voted virtually
25. Sen. Ongeri Samson Kegengo – voted virtually
26. Sen. Orenge James – voted virtually
27. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
28. Sen. Poghio Samuel Lesuron – voted virtually
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kiio

Clause 2, the Title and Clause 1 - agreed to

Motion made: -

THAT, the Committee of the Whole has considered the Investment Promotion (Amendment) Bill (Senate Bills No. 2 of 2021) and its approval thereof with amendments;

(Sen. (Dr.) Alice Milgo, MP)

Before the Question was put and pursuant to Standing Order 79(1), the Acting Chairperson (Sen. Judith Pareno, MP) ruled that the Question did not affect counties;

Question put and agreed to.

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

34. **THE INVESTMENT PROMOTION (AMENDMENT) BILL, (SENATE BILLS NO. 2 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. (Dr.) Alice Milgo, MP)

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79(1), the Deputy Speaker ruled that the question did not affect counties;

Question put and agreed to.

Motion made and Question proposed -

THAT, the Investment Promotion (Amendment) Bill, (Senate Bills No. 2 of 2021) be now Read a Third Time.

(Sen. (Dr.) Alice Milgo, 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 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 one minute;

After the expiry of one minute, 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. Falhada Dekow Iman, MP – AYES
2. Sen. Lokorio Petronilla Were, 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. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma – voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Hargura Godana
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George – voted virtually
9. Sen. Kimani Wamatangi Paul – voted virtually
10. Sen. Kindiki Kithure
11. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
12. Sen. Lelegwe Ltumbesi – voted virtually
13. Sen. Mahamud Mohamed Maalim
14. Sen. Mbogo George Ochillo Ayacko
15. Sen. Mogeni Eric Okong’o - voted virtually
16. Sen. Moi Gideon Kipsielei Towett – voted virtually
17. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Muthama Agnes Kavindu – voted virtually
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwangi Paul Githiomi – voted virtually
22. Sen. Ndwiga Peter Njeru – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Haji Farhiya Ali - voted on behalf of Nairobi County Delegation
26. Sen. Wambua Enoch Kii

Question - agreed to

Bill Read a Third Time and passed.

35. **EXTENSION OF SITTING TIME PURSUANT TO STANDING ORDER 31 (5)**

At half past Six O'clock, the Deputy Speaker directed later interruption of business, pursuant to Standing Order 31 (5), to facilitate conclusion of Divisions on Bills at the Third Reading stage.

36. **COMMITTEE OF THE WHOLE**
THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILLS NO. 25 OF 2020)

(Sen. (Dr.) Agnes Zani, MP)

Order deferred.

37. **MOTION – RESCINDING THE RESOLUTION OF THE SENATE ON APPROVAL OF SENATORS TO SERVE IN THE COMMITTEE OF POWERS AND PRIVILEGES**

(The Senate Majority Whip)

THAT, pursuant to Standing Order 58(2)(a) the Senate rescinds its resolution made on Thursday, 16th September, 2021 on the approval of Senators to serve in the Committee of Powers and Privileges.

Order deferred.

38. **MOTION – APPROVAL OF SENATORS TO SERVE IN STANDING COMMITTEES**

(The Senate Majority Whip)

THAT, NOTWITHSTANDING, the resolutions of the Senate made on 14th December, 2017; 14th February, 2018; 21st February, 2018; 21st November, 2018; 20th March, 2019; 19th June, 2019; 28th April, 2020; and 24th June, 2020 on the approval of Senators to serve in various Standing Committees of the Senate, and pursuant to Standing Orders 189, 218, and the Second Schedule to the Standing Orders, the Senate approves the following Senators nominated by the Senate Business Committee to serve in Standing Committees of the Senate as follows –

(i) Standing Committee on Energy

Sen. Haji Abdul Mohammed, MP to serve as a Member.

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

Sen. Isaac Ngugi Githua, MP to serve as a Member.

(iii) Standing Committee on National Security, Defence and Foreign Relations

Sen. Gideon Moi, CBS, MP to serve as a Member.

Order deferred.

39. **MOTION – ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE STATUS OF KENYA’S STOCK OF PUBLIC DEBT**

(Chairperson, Standing Committee on Finance and Budget)

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the Status of Kenya’s Stock of Public Debt, laid on the Table of the Senate on Thursday, 14th October, 2021.

(Resumption of debate interrupted on Tuesday, 19th October, 2021)

Order deferred.

40. **THE HERITAGE AND MUSEUM BILL (SENATE BILLS NO. 22 OF 2021)**
(Sen. (Dr.) Alice Milgo, MP)

(Second Reading)

(Resumption of debate interrupted on Thursday, 14thOctober, 2021)

Order deferred.

41. **MOTION – ADJOURNMENT OF THE SENATE**

Motion made and Question proposed-

THAT, pursuant to Standing Orders 28 and 29, the Senate do adjourn until Tuesday, 2nd November, 2021.

(The Deputy Senate Majority Whip)

Debate arising;

There being no other Senator wishing to contribute;

Pursuant to Standing Order 31(2), the Deputy Speaker adjourned the Senate at fifty-seven minutes past Six O'clock, without Question put.

42. **SENATE ROSE** – at Fifty-Seven Minutes past Six O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Tuesday, November 02, 2021 at 2.30 p.m.*

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