



REPUBLIC OF KENYA
TWELFTH PARLIAMENT – (SIXTH SESSION)
THE SENATE
VOTES AND PROCEEDINGS

WEDNESDAY, JUNE 08, 2022 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. **MESSAGE FROM NATIONAL ASSEMBLY ON THE PASSAGE OF THE PERSONS WITH DISABILITIES BILL (NATIONAL ASSEMBLY BILLS NO. 61 OF 2021).**

The Temporary Speaker, (Sen. Rose Nyamunga, MP) conveyed the following Message on Passage of the Persons with Disabilities Bill (National Assembly Bills No. 61 of 2021).

Honourable Senators,

I wish to report to the Senate that, pursuant to Standing Order 41 (3) and (4), I have received the following Message from the Speaker of the National Assembly regarding the passage of the Persons with Disabilities Bill (National Assembly Bills No. 61 of 2021).

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

“PURSUANT to the provisions of Standing Order 41(1) and 142 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

WHEREAS the Persons with Disabilities Bill (National Assembly Bills No.61 of 2021) was published vide Kenya Gazette Supplement No.239 of 31st December, 2021 to repeal the Persons with Disability Act, No. 14 of 2003, to give effect to Article 54 of the Constitution; to restructure the National Council for Persons with Disabilities and to provide for its functions and powers; to provide for institutional framework for protecting, promoting and monitoring the rights of persons with disabilities, and for connected purposes;

WHEREAS the said Bill is a Bill concerning county governments in terms of Article 110(4) of the Constitution;

AND WHEREAS the National Assembly considered the said Bill in the Committee of the Whole House on Tuesday, 24th May, 2022 and passed it on Wednesday, 25th May, 2022 with amendments and in the form attached hereto; and

NOW THEREFORE, in accordance with the provisions of Article 110(4) of the Constitution and Standing Orders 41(1) and 142 of the National Assembly Standing Orders, I hereby refer the said Bill to the Senate for consideration.”

Honourable Senators,

Standing Order 157 requires that a Bill originating in the National Assembly be proceeded with by the Senate in the same manner as a Bill introduced in the Senate by way of First Reading in accordance with Standing Order 139.

In this regard, I direct that the Persons with Disabilities Bill (National Assembly Bills No. 61 of 2021) be read a First Time tomorrow, Thursday, 9th June, 2022.

I thank you.”

4. **PAPERS**

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

- i.) Report of the Standing Committee on Finance and Budget on the County Governments Additional Allocations Cash Disbursement Schedule for Financial Year 2021/2022.
- ii.) Report of the Standing Committee on Finance and Budget on the County Government Additional Allocations, Bill (Senate Bills No. 2 of 2022).
- iii.) Report of the Standing Committee on Finance and Budget on the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bills No. 32 of 2021).

(Sen. Farhiya Haji , Committee Member (on behalf of the Chairperson, Standing Committee on Finance and Budget))

- iv.) Report of the Auditor General on the financial statement of the Kericho County Emergency Fund for the year ended 30th June, 2020.
- v.) Report of the Auditor General on the financial statement of Tana River County Ward Bursary Fund for the year ended 30th June, 2020.
- vi.) Report of the Auditor General on the financial statement of the County Assembly of Kakamega for the year ended 30th June, 2021.

- vii.) Report of the Auditor General on the financial statement of the County Executive of Busia for the year ended 30th June, 2021.
- viii.) Report of the Auditor General on the financial statement of the County Executive of Murangá for the year ended 30th June, 2021.
- ix.) Report of the Auditor General on the financial statement of the County Assembly of Murangá for the year ended 30th June, 2021.
- x.) Report of the Auditor General on the financial statement of the County Executive of Nyeri for the year ended 30th June, 2021.
- xi.) Report of the Auditor General on the financial statement of the County Assembly of Nyeri for the year ended 30th June, 2021.
- xii.) Report of the Auditor General on the financial statement of the County Executive of Baringo for the year ended 30th June, 2021.
- xiii.) Report of the Auditor General on the financial statement of the County Assembly of Baringo for the year ended 30th June, 2021.
- xiv.) Report of the Auditor General on the financial statement of the County Executive of Nakuru for the year ended 30th June, 2021.
- xv.) Report of the Auditor General on the financial statement of the County Assembly of Nakuru for the year ended 30th June, 2021.
- xvi.) Report of the Auditor General on the financial statement of the County Executive of Makueni for the year ended 30th June, 2021.
- xvii.) Report of the Auditor General on the financial statement of the County Assembly of Makueni for the year ended 30th June, 2021.
- xviii.) Report of the Auditor General on the financial statement of the County Executive of Machakos for the year ended 30th June, 2021.
- xix.) Report of the Auditor General on the financial statement of the County Assembly of Machakos for the year ended 30th June, 2021.
- xx.) Report of the Auditor General on the financial statement of the County Executive of Kitui for the year ended 30th June, 2021.
- xxi.) Report of the Auditor General on the financial statement of the County Assembly of Kitui for the year ended 30th June, 2021.
- xxii.) Report of the Auditor General on the financial statement of the County Executive of Samburu for the year ended 30th June, 2021.

- xxiii.) Report of the Auditor General on the financial statement of the County Assembly of Samburu for the year ended 30th June, 2021.
- xxiv.) Report of the Auditor General on the financial statement of the County Executive of Laikipia for the year ended 30th June, 2021.
- xxv.) Report of the Auditor General on the financial statement of the County Assembly of Laikipia for the year ended 30th June, 2021.
- xxvi.) Report of the Auditor General on the financial statement of the County Executive of Kirinyaga for the year ended 30th June, 2021.
- xxvii.) Report of the Auditor General on the financial statement of the County Assembly of Kirinyaga for the year ended 30th June, 2021.
- xxviii.) Report of the Auditor General on the financial statement of the Kirinyaga County Assembly Car Loan Fund for the year ended 30th June, 2021.

(The Senate Majority Leader)

- xxix.) Report of the Standing Committee on Agriculture, Livestock and Fisheries on the Sugar Bill (National Assembly Bills No. 68 of 2019)

(Vice Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

5. **NOTICE OF MOTION-ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS CASH DISBURSEMENT SCHEDULE FOR THE FINANCIAL YEAR 2021/2022 AND APPROVAL OF THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS CASH DISBURSEMENT SCHEDULE FOR THE FINANCIAL YEAR 2021/2022**

(Chairperson, Standing Committee on Finance and Budget)

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments Additional Allocations Cash Disbursement Schedule for the Financial Year 2021/2022 and approval of the County Governments Additional Allocations Cash Disbursement Schedule for the Financial Year 2021/2022 laid on the Table of the Senate on Wednesday, 8th June, 2022, and that pursuant to Section 17 (7) of the Public Finance Management Act and Standing Order 183 (3), the Senate approves the County Governments Additional Allocations Cash Disbursement Schedule for Financial Year 2021/2022.

6. STATEMENTS**a) Pursuant to Standing Order 47(1)**

Nominated Senator (Sen. (Dr.) Gertrude Musuruve, MP) made a statement regarding a topic of general concern, namely, World Environment Day (WED).

Thereupon, the Senator informed the House that every year, World Environment Day is observed on 5th June. This day is celebrated to encourage awareness and environmental protection. According to the United Nations, the commemoration of this day provides us with an opportunity to broaden the basis for an enlightened opinion and responsible conduct by individuals, enterprises and communities in preserving and enhancing the environment. The United Nations General Assembly, in 1972, established the World Environment Day on the first day of the Stockholm Conference on the Human Environment. Two years later, in 1974, the first WED was held with the theme “*Only One Earth.*”

The Senator observed that, after facing over 2 years of the COVID-19 pandemic, the significance of a safe, clean and sustainable environment cannot be overstated, noting that it is everyone’s duty to protect and conserve the environment.

b) Pursuant to Standing Order 48(1)

- i. The Senator for Nandi County, (Sen. Samson Cherarkey, MP) sought a Statement from the Standing Committee on National Security and Foreign Relations on the welfare of Village Administrators (*Wazee wa Mtaa*) and *Nyumba Kumi* elders;
- ii. The Senator for Nandi County, (Sen. Samson Cherarkey, MP) sought Statement from the Standing Committee on Labour and Social Welfare on the allocation and expenditure of funds from the Sports, Arts and Social Development Fund to the various Sports Federations in Kenya

5. THE NATIONAL DISASTER RISK MANAGEMENT BILL (NATIONAL ASSEMBLY BILL NO. 28 OF 2021)

(The Senate Majority Leader)

Order for First Reading read;

Bill read a First Time and committed to the Standing on National Security, Defence and Foreign Relations.

6. **THE CHILDREN BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2021)**

(The Senate Majority Leader)

Order for First Reading read;

Bill read a First Time and committed to the Standing on Labour and Social Welfare.

7. **THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 1 OF 2022)**

Motion made and Question proposed;

THAT, the County Allocation of Revenue Bill (Senate Bills No. 1 of 2022) be now read a Second Time.

(The Senate Majority Leader - 10.02.2022)

Debate interrupted on Wednesday, 11th May, 2022 resumed on a Division;

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that a 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.

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that the Division Bell be rung for two minutes;

Upon the expiry of the two minutes, the Temporary Speaker (Sen. Rose Nyamunga, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Iman, Falhada Dekow MP- AYES
2. Sen. Halake, Abshiro, MP – NOES

The Temporary 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. Adan, Dullo Fatuma- voted virtually
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- - voted virtually on behalf of Kwale County delegation

4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Lelegwe, Ltumbesi- voted virtually
12. Sen. Mbito, Michael- voted virtually
13. Sen. Mogeni, Erick Okongó
14. Sen. Moi, Gideon- voted virtually
15. Sen. Seneta, Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Murkomen, Onesimus Kipchumba
17. Sen. Muthama, Agnes Kavindu- voted virtually
18. Sen. Mutula, Kilonzo Junior
19. Sen. Mwaruma, Johnes Mwashushe- voted virtually
20. Sen. Mwinyihaji, Mohamed Faki
21. Sen. Ndwiga, Peter Njeru- voted virtually
22. Sen. Olekina, Ledama- voted virtually
23. Sen. Nyamunga, Rose Ogendo-voted on behalf of Kisumu County delegation
24. Sen. Poghisio, Samuel Losuron
25. Sen. Haji, Farhiya Ali-voted on behalf of Nairobi County delegation
26. Sen. Wambua, Enoch Kiio

Question agreed to.

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

8. **THE LANDLORD AND TENANT BILL (NATIONAL ASSEMBLY BILLS NO. 3 OF 2021)**

Motion made and Question proposed;

THAT, the Landlord and Tenant Bill (National Assembly Bills No. 3 of 2021) be now read a Second Time.

(The Senate Majority Leader - 10.02.2022)

Debate interrupted on Wednesday, 23rd February, 2022 resumed on a Division;

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that a 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.

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that the Division Bell be rung for two minutes;

Upon the expiry of the two minutes, the Temporary Speaker (Sen. Rose Nyamunga, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Iman, Falhada Dekow MP- AYES
2. Sen. Halake, Abshiro, MP – NOES

The Temporary 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. Adan, Dullo Fatuma- voted virtually
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- - voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Lelegwe, Ltumbesi- voted virtually
12. Sen. Mbitu, Michael- voted virtually
13. Sen. Mogeni, Erick Okongó
14. Sen. Moi, Gideon- voted virtually
15. Sen. Seneta, Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Murkomen, Onesimus Kipchumba
17. Sen. Muthama, Agnes Kavindu- voted virtually
18. Sen. Mutula, Kilonzo Junior
19. Sen. Mwaruma, Johnes Mwashushe- voted virtually
20. Sen. Mwinyihaji, Mohamed Faki
21. Sen. Ndwiga, Peter Njeru- voted virtually
22. Sen. Olekina, Ledama- voted virtually
23. Sen. Nyamunga, Rose Ogendo-voted on behalf of Kisumu County delegation
24. Sen. Poghio, Samuel Losuron
25. Sen. Haji, Farhiya Ali-voted on behalf of Nairobi County delegation
26. Sen. Wambua, Enoch Kiio

Question agreed to.

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

9. **THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE BILLS NO. 29 OF 2020)**

Motion made and Question proposed;

THAT, the Persons with Disabilities (Amendment) Bill (Senate Bills No. 29 of 2020) be now read a Second Time.

(The Senate Majority Leader - 10.02.2022)

Debate interrupted on Wednesday, 10th March, 2022 resumed on a Division;

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that a 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.

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that the Division Bell be rung for two minutes;

Upon the expiry of the two minutes, the Temporary Speaker (Sen. Rose Nyamunga, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Iman, Falhada Dekow MP- AYES
2. Sen. Halake, Abshiro, MP – NOES

The Temporary 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. Adan, Dullo Fatuma- voted virtually
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- - voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno

8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Lelegwe, Ltumbesi- voted virtually
12. Sen. Mbito, Michael- voted virtually
13. Sen. Mogeni, Erick Okongó
14. Sen. Moi, Gideon- voted virtually
15. Sen. Seneta, Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Murkomen, Onesimus Kipchumba
17. Sen. Muthama, Agnes Kavindu- voted virtually
18. Sen. Mutula, Kilonzo Junior
19. Sen. Mwaruma, Johnes Mwashushe- voted virtually
20. Sen. Mwinyihaji, Mohamed Faki
21. Sen. Ndwiga, Peter Njeru- voted virtually
22. Sen. Olekina, Ledama- voted virtually
23. Sen. Nyamunga, Rose Ogendo-voted on behalf of Kisumu County delegation
24. Sen. Poghisio, Samuel Losuron
25. Sen. Haji, Farhiya Ali-voted on behalf of Nairobi County delegation
26. Sen. Wambua, Enoch Kiio

Question agreed to.

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

10. **THE ELECTION CAMPAIGN FINANCING (AMENDMENT) BILL (SENATE BILLS NO. 51 OF 2021)**

Motion made and Question proposed;

THAT, the Election Campaign Financing (Amendment) Bill (Senate Bills No. 51 of 2021) be now read a Second Time.

(The Senate Majority Leader - 10.02.2022)

Debate interrupted on Wednesday, 23rd March, 2022 resumed on a Division;

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that a 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.

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that the Division Bell be rung for two minutes;

Upon the expiry of the two minutes, the Temporary Speaker (Sen. Rose Nyamunga, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Iman, Falhada Dekow MP- AYES
2. Sen. Halake, Abshiro, MP – NOES

The Temporary 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. Adan, Dullo Fatuma- voted virtually
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- - voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Lelegwe, Ltumbesi- voted virtually
12. Sen. Mbito, Michael- voted virtually
13. Sen. Mogeni, Erick Okongó
14. Sen. Moi, Gideon- voted virtually
15. Sen. Seneta, Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Murkomen, Onesimus Kipchumba
17. Sen. Muthama, Agnes Kavindu- voted virtually
18. Sen. Mutula, Kilonzo Junior
19. Sen. Mwaruma, Johnes Mwashushe- voted virtually
20. Sen. Mwinyihaji, Mohamed Faki
21. Sen. Ndwiga, Peter Njeru- voted virtually
22. Sen. Olekina, Ledama- voted virtually
23. Sen. Nyamunga, Rose Ogendo-voted on behalf of Kisumu County delegation
24. Sen. Poghio, Samuel Losuron
25. Sen. Haji, Farhiya Ali-voted on behalf of Nairobi County delegation
26. Sen. Wambua, Enoch Kiio

Question agreed to.

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

11. THE EMPLOYMENT (AMENDMENT) BILL (SENATE BILLS NO. 54 OF 2021)

Motion made and Question proposed;

THAT, the Employment (Amendment) Bill (Senate Bills No. 54 of 2021) be now read a Second Time.

(The Senate Majority Leader - 10.02.2022)

Debate interrupted on Wednesday,30th March, 2022 resumed on a Division;

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that a 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.

The Temporary Speaker,(Sen. Rose Nyamunga, MP) directed that the Division Bell be rung for two minutes;

Upon the expiry of the two minutes, the Temporary Speaker (Sen. Rose Nyamunga, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Iman, Falhada Dekow MP- AYES
2. Sen. Halake, Abshiro, MP – NOES

The Temporary 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. Adan, Dullo Fatuma- voted virtually
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- - voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Lelegwe, Ltumbesi- voted virtually
12. Sen. Mbito, Michael- voted virtually

13. Sen. Mogeni, Erick Okongó
14. Sen. Moi, Gideon- voted virtually
15. Sen. Seneta, Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Murkomen, Onesimus Kipchumba
17. Sen. Muthama, Agnes Kavindu- voted virtually
18. Sen. Mutula, Kilonzo Junior
19. Sen. Mwaruma, Johnes Mwashushe- voted virtually
20. Sen. Mwinyihaji, Mohamed Faki
21. Sen. Ndwiga, Peter Njeru- voted virtually
22. Sen. Olekina, Ledama- voted virtually
23. Sen. Nyamunga, Rose Ogendo-voted on behalf of Kisumu County delegation
24. Sen. Poghisio, Samuel Losuron
25. Sen. Haji, Farhiya Ali-voted on behalf of Nairobi County delegation
26. Sen. Wambua, Enoch Kiio

Question agreed to.

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

12. **THE COTTON INDUSTRY DEVELOPMENT BILL (SENATE BILLS NO. 55 OF 2021)**

Motion made and Question proposed;

THAT, the Cotton Industry Development Bill (Senate Bills No. 55 of 2021) be now read a Second Time.

(The Senate Majority Leader - 10.02.2022)

Debate interrupted on Wednesday,31st March, 2022 resumed on a Division;

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that a 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.

The Temporary Speaker,(Sen. Rose Nyamunga, MP) directed that the Division Bell be rung for two minutes;

Upon the expiry of the two minutes, the Temporary Speaker (Sen. Rose Nyamunga, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Iman, Falhada Dekow MP- AYES
2. Sen. Halake, Abshiro, MP – NOES

The Temporary 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. Adan, Dullo Fatuma- voted virtually
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- - voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Lelegwe, Ltumbesi- voted virtually
12. Sen. Mbito, Michael- voted virtually
13. Sen. Mogeni, Erick Okongó
14. Sen. Moi, Gideon- voted virtually
15. Sen. Seneta, Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Murkomen, Onesimus Kipchumba
17. Sen. Muthama, Agnes Kavindu- voted virtually
18. Sen. Mutula, Kilonzo Junior
19. Sen. Mwaruma, Johnes Mwashushe- voted virtually
20. Sen. Mwinyihaji, Mohamed Faki
21. Sen. Ndwiga, Peter Njeru- voted virtually
22. Sen. Olekina, Ledama- voted virtually
23. Sen. Nyamunga, Rose Ogendo-voted on behalf of Kisumu County delegation
24. Sen. Poghisio, Samuel Losuron
25. Sen. Haji, Farhiya Ali-voted on behalf of Nairobi County delegation
26. Sen. Wambua, Enoch Kiio

Question agreed to.

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

13. **THE SUGAR BILL (NATIONAL ASSEMBLY BILLS NO. 68 OF 2019)**

Motion made and Question proposed;

THAT, the Sugar Bill (National Assembly Bills No. 64 of 2019) be now read a Second Time.

(The Senate Majority Leader - 10.02.2022)

Debate interrupted on Thursday, 7th April, 2022 resumed on a Division;

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that a 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.

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that the Division Bell be rung for two minutes;

Upon the expiry of the two minutes, the Temporary Speaker (Sen. Rose Nyamunga, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Iman, Falhada Dekow MP- AYES
2. Sen. Halake, Abshiro, MP – NOES

The Temporary 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. Adan, Dullo Fatuma- voted virtually
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- - voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Lelegwe, Ltumbesi- voted virtually
12. Sen. Mbito, Michael- voted virtually
13. Sen. Mogeni, Erick Okongó
14. Sen. Moi, Gideon- voted virtually
15. Sen. Seneta, Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Murkomen, Onesimus Kipchumba

17. Sen. Muthama, Agnes Kavindu- voted virtually
18. Sen. Mutula, Kilonzo Junior
19. Sen. Mwaruma, Johnes Mwashushe- voted virtually
20. Sen. Mwinyihaji, Mohamed Faki
21. Sen. Ndwiga, Peter Njeru- voted virtually
22. Sen. Olekina, Ledama- voted virtually
23. Sen. Nyamunga, Rose Ogendo-voted on behalf of Kisumu County delegation
24. Sen. Poghisio, Samuel Losuron
25. Sen. Haji, Farhiya Ali-voted on behalf of Nairobi County delegation
26. Sen. Wambua, Enoch Kiio

Question agreed to.

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

14. **THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 32 OF 2021)**

Motion made and Question proposed;

THAT, the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bills No. 32 of 2021) be now read a Second Time.

(The Senate Majority Leader - 10.02.2022)

Debate interrupted on Thursday,28th April, 2022 resumed on a Division;

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that a 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.

The Temporary Speaker,(Sen. Rose Nyamunga, MP) directed that the Division Bell be rung for two minutes;

Upon the expiry of the two minutes, the Temporary Speaker (Sen. Rose Nyamunga, MP) directed that the doors be locked and the bars be drawn;
The names of the Tellers were announced as follows;

1. Sen. Iman, Falhada Dekow MP- AYES
2. Sen. Halake, Abshiro, MP – NOES

The Temporary 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. Adan, Dullo Fatuma- voted virtually
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- - voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Lelegwe, Ltumbesi- voted virtually
12. Sen. Mbito, Michael- voted virtually
13. Sen. Mogeni, Erick Okongó
14. Sen. Moi, Gideon- voted virtually
15. Sen. Seneta, Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Murkomen, Onesimus Kipchumba
17. Sen. Muthama, Agnes Kavindu- voted virtually
18. Sen. Mutula, Kilonzo Junior
19. Sen. Mwaruma, Johnes Mwashushe- voted virtually
20. Sen. Mwinyihaji, Mohamed Faki
21. Sen. Ndwiga, Peter Njeru- voted virtually
22. Sen. Olekina, Ledama- voted virtually
23. Sen. Nyamunga, Rose Ogendo-voted on behalf of Kisumu County delegation
24. Sen. Poghisio, Samuel Losuron
25. Sen. Haji, Farhiya Ali-voted on behalf of Nairobi County delegation
26. Sen. Wambua, Enoch Kiio

Question agreed to.

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

15. **THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 55 OF 2021)**

Motion made and Question proposed;

THAT, the Sacco Societies (Amendment) Bill (National Assembly Bills No. 55 of 2021) be now read a Second Time.

(The Senate Majority Leader - 10.02.2022)

Debate interrupted on Wednesday ,4th May, 2022 resumed on a Division;

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that a 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.

The Temporary Speaker,(Sen. Rose Nyamunga, MP) directed that the Division Bell be rung for two minutes;

Upon the expiry of the two minutes, the Temporary Speaker (Sen. Rose Nyamunga, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Iman, Falhada Dekow MP- AYES
2. Sen. Halake, Abshiro, MP – NOES

The Temporary 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. Adan, Dullo Fatuma- voted virtually
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- - voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Lelegwe, Ltumbesi- voted virtually
12. Sen. Mbito, Michael- voted virtually
13. Sen. Mogeni, Erick Okongó
14. Sen. Moi, Gideon- voted virtually
15. Sen. Seneta, Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Murkomen, Onesimus Kipchumba
17. Sen. Muthama, Agnes Kavindu- voted virtually
18. Sen. Mutula, Kilonzo Junior
19. Sen. Mwaruma, Johnes Mwashushe- voted virtually
20. Sen. Mwinyihaji, Mohamed Faki

21. Sen. Ndwiga, Peter Njeru- voted virtually
22. Sen. Olekina, Ledama- voted virtually
23. Sen. Nyamunga, Rose Ogendo-voted on behalf of Kisumu County delegation
24. Sen. Poghisio, Samuel Losuron
25. Sen. Haji, Farhiya Ali-voted on behalf of Nairobi County delegation
26. Sen. Wambua, Enoch Kiio

Question agreed to.

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

16. **THE SUSTAINABLE WASTE MANAGEMENT BILL (NATIONAL ASSEMBLY BILLS NO. 22 OF 2021)**

Motion made and Question proposed;

THAT, the Sustainable Waste Management Bill (National Assembly Bills No. 22 of 2021) be now read a Second Time.

(The Senate Majority Leader - 10.02.2022)

Debate interrupted on Tuesday, 10th May, 2022 resumed on a Division;

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that a 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.

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that the Division Bell be rung for two minutes;

Upon the expiry of the two minutes, the Temporary Speaker (Sen. Rose Nyamunga, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Iman, Falhada Dekow MP- AYES
2. Sen. Halake, Abshiro, MP – NOES

The Temporary 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. Adan, Dullo Fatuma- voted virtually
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- - voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Lelegwe, Ltumbesi- voted virtually
12. Sen. Mbito, Michael- voted virtually
13. Sen. Mogeni, Erick Okongó
14. Sen. Moi, Gideon- voted virtually
15. Sen. Seneta, Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Murkomen, Onesimus Kipchumba
17. Sen. Muthama, Agnes Kavindu- voted virtually
18. Sen. Mutula, Kilonzo Junior
19. Sen. Mwaruma, Johnes Mwashushe- voted virtually
20. Sen. Mwinyihaji, Mohamed Faki
21. Sen. Ndwiga, Peter Njeru- voted virtually
22. Sen. Olekina, Ledama- voted virtually
23. Sen. Nyamunga, Rose Ogendo-voted on behalf of Kisumu County delegation
24. Sen. Poghisio, Samuel Losuron
25. Sen. Haji, Farhiya Ali-voted on behalf of Nairobi County delegation
26. Sen. Wambua, Enoch Kiio

Question agreed to.

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

17. THE NATIONAL COHESION AND PEACE BUILDING BILL (SENATE BILLS NO. 19 OF 2021)

Motion made and Question proposed;

THAT, the National Cohesion and Peace Building Bill (Senate Bills No. 19 of 2021) be now read a Second Time.

(The Senate Majority Leader - 10.02.2022)

Debate interrupted on Wednesday, 11th May, 2022 resumed on a Division;

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that a 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.

The Temporary Speaker,(Sen. Rose Nyamunga, MP) directed that the Division Bell be rung for two minutes;

Upon the expiry of the two minutes, the Temporary Speaker (Sen. Rose Nyamunga, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Iman, Falhada Dekow MP- AYES
2. Sen. Halake, Abshiro, MP – NOES

The Temporary 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. Adan, Dullo Fatuma- voted virtually
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- - voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Lelegwe, Ltumbesi- voted virtually
12. Sen. Mbito, Michael- voted virtually
13. Sen. Mogeni, Erick Okongó
14. Sen. Moi, Gideon- voted virtually
15. Sen. Seneta, Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Murkomen, Onesimus Kipchumba
17. Sen. Muthama, Agnes Kavindu- voted virtually
18. Sen. Mutula, Kilonzo Junior
19. Sen. Mwaruma, Johnes Mwashushe- voted virtually
20. Sen. Mwinyihaji, Mohamed Faki
21. Sen. Ndwiga, Peter Njeru- voted virtually
22. Sen. Olekina, Ledama- voted virtually

23. Sen. Nyamunga, Rose Ogendo-voted on behalf of Kisumu County delegation
24. Sen. Poghio, Samuel Losuron
25. Sen. Haji, Farhiya Ali-voted on behalf of Nairobi County delegation
26. Sen. Wambua, Enoch Kiio

Question agreed to.

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

18. THE COUNTY E-HEALTH BILL (SENATE BILLS NO. 39 OF 2021)

Motion made and Question proposed;

THAT, the County E-Health Bill (Senate Bills No. 39 of 2021) be now read a Second Time.

(The Senate Majority Leader - 10.02.2022)

Debate interrupted on Wednesday, 11th May, 2022 resumed on a Division;

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that a 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.

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that the Division Bell be rung for two minutes;

Upon the expiry of the two minutes, the Temporary Speaker (Sen. Rose Nyamunga, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Iman, Falhada Dekow MP- AYES
2. Sen. Halake, Abshiro, MP – NOES

The Temporary 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. Adan, Dullo Fatuma- voted virtually
2. Sen. Ali, Abdullahi Ibrahim- voted virtually

3. Sen. Zani , Agnes Philomena- - voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Lelegwe, Ltumbesi- voted virtually
12. Sen. Mbito, Michael- voted virtually
13. Sen. Mogeni, Erick Okongó
14. Sen. Moi, Gideon- voted virtually
15. Sen. Seneta, Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Murkomen, Onesimus Kipchumba
17. Sen. Muthama, Agnes Kavindu- voted virtually
18. Sen. Mutula, Kilonzo Junior
19. Sen. Mwaruma, Johnes Mwashushe- voted virtually
20. Sen. Mwinyihaji, Mohamed Faki
21. Sen. Ndwiga, Peter Njeru- voted virtually
22. Sen. Olekina, Ledama- voted virtually
23. Sen. Nyamunga, Rose Ogendo-voted on behalf of Kisumu County delegation
24. Sen. Poghisio, Samuel Losuron
25. Sen. Haji, Farhiya Ali-voted on behalf of Nairobi County delegation
26. Sen. Wambua, Enoch Kiio

Question agreed to.

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

19. **MOTION - ADOPTION OF REPORTS OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON CONSIDERATION OF THE REPORTS BY THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF VARIOUS COUNTY EXECUTIVES FOR FINANCIAL YEAR 2018/2019**

Motion made and Question proposed –

THAT, the Senate adopts the Report of the Sessional Committee on County Public Accounts and Investments on consideration of the Reports by the Auditor General on the Financial Statements of the following County Executives for the Financial Year 2018/2019- Embu; Homa-Bay; Kericho; Kilifi; Kirinyaga; Kisii; Kwale; Machakos; Mombasa; Nandi; Baringo; Bomet; Garissa; Kajiado; and West Pokot as contained in Volume 1 of the Report and the following County Executives- Isiolo; Kakamega; Kisumu; Laikipia; Mandera; Marsabit; Nakuru; Narok; Nyandarua; Samburu; Taita Taveta; Trans-Nzoia;

Uasin- Gishu; Vihiga; and Wajir, as contained in Volume 2 of the Report, Laid on the Table of the Senate on Thursday 2nd December, 2021.

(Chairperson, Sessional Committee on County Public Accounts and Investments)

Debate interrupted on Tuesday, 8th March, 2022 resumed on a Division;

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that a 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.

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that the Division Bell be rung for two minutes;

Upon the expiry of the two minutes, the Temporary Speaker (Sen. Rose Nyamunga, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Iman, Falhada Dekow MP- AYES
2. Sen. Mwaura, Isaac, MP – NOES

The Temporary 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: 28

NOES: 0

ABSTENTIONS: 0

AYES

1. Sen. Adan, Dullo Fatuma- voted virtually
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Lelegwe, Ltumbesi- voted virtually
12. Sen. Madzayo, Stewart Mwachiru- voted virtually
13. Sen. Mbitu, Michael- voted virtually
14. Sen. Mogeni, Erick Okongó

15. Sen. Moi, Gideon- voted virtually
16. Sen. Seneta, Mary Yiane- voted on behalf of Kajiado County delegation
17. Sen. Murkomen, Onesimus Kipchumba
18. Sen. Muthama, Agnes Kavindu- voted virtually
19. Sen. Mutula, Kilonzo Junior
20. Sen. Mwaruma, Johnes Mwashushe- voted virtually
21. Sen. Mwinyihaji, Mohamed Faki
22. Sen. Ndwiga, Peter Njeru- voted virtually
23. Sen. Nyamunga, Rose Ogendo-voted on behalf of Kisumu County delegation
24. Sen. Olekina, Ledama- voted virtually
25. Sen. Orengo, James- voted virtually
26. Sen. Poghisio, Samuel Losuron
27. Sen. Sakaja, Johnson Arthur
28. Sen. Wambua, Enoch Kiio

Question agreed to.

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Report of the Sessional Committee on County Public Accounts and Investments on consideration of the Reports by the Auditor General on the Financial Statements of the following County Executives for the Financial Year 2018/2019- Embu; Homa-Bay; Kericho; Kilifi; Kirinyaga; Kisii; Kwale; Machakos; Mombasa; Nandi; Baringo; Bomet; Garissa; Kajiado; and West Pokot as contained in Volume 1 of the Report and the following County Executives- Isiolo; Kakamega; Kisumu; Laikipia; Mandera; Marsabit; Nakuru; Narok; Nyandarua; Samburu; Taita Taveta; Trans-Nzoia; Uasin- Gishu; Vihiga; and Wajir, as contained in Volume 2 of the Report, Laid on the Table of the Senate on Thursday 2nd December, 2021.

20. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE SPECIAL AUDIT REPORT ON UTILIZATION OF COVID-19 FUNDS BY TWENTY EIGHT (28) COUNTY GOVERNMENTS**

Motion made and Question proposed –

THAT, the Senate adopts the Report of the Standing Committee on Health on the special audit report on utilization of COVID-19 funds by twenty eight (28) county governments, laid on the Table of the Senate on Wednesday, 9th February, 2022.

(The Chairperson, Standing Committee on Health)

Debate interrupted on Wednesday, 23rd March, 2022 resumed on a Division;

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that a 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.

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that the Division Bell be rung for two minutes;

Upon the expiry of the two minutes, the Temporary Speaker (Sen. Rose Nyamunga, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Iman, Falhada Dekow MP- AYES
2. Sen. Mwaura, Isaac, MP – NOES

The Temporary 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: 27

NOES: 1

ABSTENTIONS: 0

AYES

1. Sen. Adan, Dullo Fatuma- voted virtually
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani, Agnes Philomena- voted virtually on behalf of Kwale County delegation
4. Sen. Haji, Abdul Mohammed- voted virtually
5. Sen. Hargura, Godana- voted virtually
6. Sen. Kajwang, Moses Otieno
7. Sen. Kamar, Margaret Jepkoech- voted virtually
8. Sen. Khaniri, George
9. Sen. Kibiru, Charles- voted virtually
10. Sen. Lelegwe, Ltumbesi- voted virtually
11. Sen. Madzayo, Stewart Mwachiru- voted virtually
12. Sen. Mbitu, Michael- voted virtually
13. Sen. Mogeni, Erick Okongó
14. Sen. Moi, Gideon- voted virtually
15. Sen. Seneta, Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Murkomen, Onesimus Kipchumba
17. Sen. Muthama, Agnes Kavindu- voted virtually
18. Sen. Mutula, Kilonzo Junior
19. Sen. Mwaruma, Johnes Mwashushe- voted virtually
20. Sen. Mwinyihaji, Mohamed Faki
21. Sen. Ndwiga, Peter Njeru- voted virtually
22. Sen. Nyamunga, Rose Ogendo-voted on behalf of Kisumu County delegation
23. Sen. Olekina, Ledama- voted virtually

24. Sen. Orengo, James- voted virtually
25. Sen. Poghio, Samuel Losuron
26. Sen. Sakaja, Johnson Arthur
27. Sen. Wambua, Enoch Kiio

NOES

1. Sen. Cherarkey, Samson Kiprotich

Question agreed to.

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Report of the Standing Committee on Health on the special audit report on utilization of COVID-19 funds by twenty eight (28) county governments, laid on the Table of the Senate on Wednesday, 9th February, 2022.

21. **MOTION - ADOPTION OF THE REPORT OF THE SESSIONAL COMMITTEE ON DELEGATED LEGISLATION ON ITS CONSIDERATION OF THE CONTROLLER OF BUDGET (COB) REGULATIONS, 2021**

Motion made and Question proposed –

THAT, the Senate adopts the Report of the Sessional Committee on Delegated Legislation on its consideration of the Controller of Budget (COB) Regulations, 2021, laid on the Table of the Senate on Tuesday, 10th May, 2022 and pursuant to Section 18 of the Statutory Instruments Act, 2013 **annuls** the Controller of Budget Regulations, 2021.

(The Chairperson, Sessional Committee on Delegated Legislation)

Debate interrupted on Thursday, 19th May, 2022 resumed on a Division;

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that a 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.

The Temporary Speaker, (Sen. Rose Nyamunga, MP) directed that the Division Bell be rung for two minutes;

Upon the expiry of the two minutes, the Temporary Speaker (Sen. Rose Nyamunga, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Iman, Falhada Dekow MP- AYES
2. Sen. Mwaura, Isaac, MP – NOES

The Temporary 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: 28

NOES: 0

ABSTENTIONS: 0

AYES

1. Sen. Adan, Dullo Fatuma- voted virtually
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Lelegwe, Ltumbesi- voted virtually
12. Sen. Madzayo, Stewart Mwachiru- voted virtually
13. Sen. Mbito, Michael- voted virtually
14. Sen. Mogeni, Erick Okongó
15. Sen. Moi, Gideon- voted virtually
16. Sen. Seneta, Mary Yiane- voted on behalf of Kajiado County delegation
17. Sen. Murkomen, Onesimus Kipchumba
18. Sen. Muthama, Agnes Kavindu- voted virtually
19. Sen. Mutula, Kilonzo Junior
20. Sen. Mwaruma, Johnes Mwashushe- voted virtually
21. Sen. Mwinyihaji, Mohamed Faki
22. Sen. Ndwiga, Peter Njeru- voted virtually
23. Sen. Nyamunga, Rose Ogendo-voted on behalf of Kisumu County delegation
24. Sen. Olekina, Ledama- voted virtually
25. Sen. Orengo, James- voted virtually
26. Sen. Poghisio, Samuel Losuron
27. Sen. Sakaja, Johnson Arthur
28. Sen. Wambua, Enoch Kiio

Question agreed to.

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Report of the Sessional Committee on Delegated Legislation on its consideration of the Controller of Budget (COB) Regulations, 2021, laid on the Table of the Senate on Tuesday, 10th May, 2022 and pursuant to Section 18 of the Statutory Instruments Act, 2013 **annuls** the Controller of Budget Regulations, 2021.

22. **COMMITTEE OF THE WHOLE**
THE INTERGOVERNMENTAL RELATIONS (AMENDMENT) BILL (SENATE BILLS NO. 37 OF 2021)

(The Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

(Resumption of debate interrupted on Wednesday, 22nd December, 2021 – Morning Sitting)

(Division)

Order deferred.

23. **COMMITTEE OF THE WHOLE**
THE LAW OF SUCCESSION (AMENDMENT) BILL, (SENATE BILLS NO. 15 OF 2021)

(Sen. Abshiro Halake, MP)

(Resumption of debate interrupted on Wednesday, 2nd March, 2022 – Morning Sitting)

(Division)

Order deferred.

24. **COMMITTEE OF THE WHOLE**
THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILLS NO. 21 OF 2021)

(Sen. Abshiro Halake, MP)

(Resumption of debate interrupted on Wednesday, 2nd March, 2022 – Morning Sitting)

(Division)

Order deferred.

25. **COMMITTEE OF THE WHOLE**
THE LIFESTYLE AUDIT BILL (SENATE BILLS NO. 36 OF 2021)

(Sen. (CPA). Farhiya Haji, MP)

(Resumption of debate interrupted on Tuesday, 1st March, 2022)

(Division)

Order deferred.

26. **COMMITTEE OF THE WHOLE**
THE SPECIAL NEEDS EDUCATION BILL (SENATE BILLS NO. 44 OF 2021)

(Sen. (Dr.) Getrude Musuruve and Sen. (Prof.) Margaret Kamar, MP)

(Resumption of debate interrupted on Wednesday, 2nd March, 2022 – Morning Sitting)

(Division)

Order deferred.

27. **COMMITTEE OF THE WHOLE**
THE MENTAL HEALTH (AMENDMENT) BILL (SENATE BILLS NO. 28 OF 2020)

Order for Committee read;

IN THE COMMITTEE

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

Consideration of National Assembly Amendments to The Mental Health (Amendment) Bill (Senate Bills No. 28 of 2020)

National Assembly amendment to Clause 3

THAT, clause 3 of the Bill be amended in paragraph (b)–

(a) in the proposed definition of “mental health practitioner” by inserting the following new paragraph immediately after paragraph (a)–

“(aa) medical practitioner under the Medical Practitioners and Dentists Act;”

(b) by deleting the proposed definition of “mental health unit” and substituting therefor the following new definition–

“mental health unit” means a place or a section within a health facility designated to provide mental health services;”

(c) by deleting the proposed definition of “person with mental illness” and substituting therefor the following new definition–

“person with mental illness” means a person diagnosed by a qualified mental health practitioner to be suffering from mental illness, and includes–

(a) a person diagnosed with alcohol or substance use disorder; and

(b) a person with suicidal ideation or behavior;”

(d) by inserting the following new definitions in their proper alphabetic sequence–

“mental health facility” means a facility registered and licensed by the relevant medical regulatory body to provide mental health services;

“mental health services” means the promotion of mental wellbeing, prevention, management or alleviation of disease, illness, injury and other physical and social determinants affecting mental health in individuals;

“rehabilitation” means the multidisciplinary approach aimed at supporting persons with psychosocial, intellectual and cognitive disabilities, access to services geared towards their treatment and recovery process;”

Motion made and Question proposed;

THAT, the National Assembly amendment to Clause 3 of the Bill be approved.

(Sen.(Arch. Sylvia Kasanga, MP)

Debate interrupted on Thursday, 7th April, 2022 resumed on a Division;

The Acting Chairperson (Sen. Rose Nyamunga) directed that roll call voting be taken pursuant to Standing Order 83 (1) 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 drawn;

The names of the Tellers were announced as follows;

1. Ayes : Sen. Falhada Dekow
2. Noes: Sen. Naomi Waqo

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

The results of the Division were as follows: -

AYES: 24

NOES: 0

ABSTENTIONS: 0

AYES

1. Sen. Halake, Abshiro Soka voted on behalf of Isiolo County delegation
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Lang’at, Christopher Andrew- voted virtually
12. Sen. Madzayo, Stewart Mwachiru- voted virtually
13. Sen. Mbiti, Michael- voted virtually
14. Sen. Murkomen, Onesimus Kipchumba
15. Sen. Muthama, Agnes Kavindu- voted virtually

16. Sen. Mutula, Kilonzo Junior
17. Sen. Mwaruma, Johnes Mwashushe- voted virtually
18. Sen. Mwinyihaji, Mohamed Faki
19. Sen. Ndwiga, Peter Njeru- voted virtually
20. Sen. Orenge, James- voted virtually
21. Sen. Nyamunga, Rose- voted on behalf of Kisumu County delegation
22. Sen. Poghio, Samuel Losuron
23. Sen. Sakaja, Johnson Arthur
24. Sen. Wambua, Enoch Kiio

National Assembly amendment to Clause 3 - agreed to

National Assembly amendment to Clause 4

THAT, clause 4 of the Bill be amended in the proposed new section 2A by inserting the following new paragraphs immediately after paragraph (e)—

“(f) adopt a holistic approach to community-based mental health services; and

(g) promote the provision of mental health services in primary health facilities.”

Motion made and Question proposed;

THAT, the National Assembly amendment to Clause 4 of the Bill be approved.

(Sen.(Arch. Sylvia Kasanga, MP)

Debate interrupted on Thursday, 7th April, 2022 resumed on a Division;

The Acting Chairperson (Sen. Rose Nyamunga) directed that roll call voting be taken pursuant to Standing Order 83 (1) 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 drawn;

The names of the Tellers were announced as follows;

1. Ayes : Sen. Falhada Dekow
2. Noes: Sen. Naomi Waqo

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

The results of the Division were as follows: -

AYES

1. Sen. Halake, Abshiro Soka voted on behalf of Isiolo County delegation
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Lang’at, Christopher Andrew- voted virtually
12. Sen. Madzayo, Stewart Mwachiru- voted virtually
13. Sen. Mbito, Michael- voted virtually
14. Sen. Murkomen, Onesimus Kipchumba
15. Sen. Muthama, Agnes Kavindu- voted virtually
16. Sen. Mutula, Kilonzo Junior
17. Sen. Mwaruma, Johnes Mwashushe- voted virtually
18. Sen. Mwinyihaji, Mohamed Faki
19. Sen. Ndwiga, Peter Njeru- voted virtually
20. Sen. Orengo, James- voted virtually
21. Sen. Nyamunga, Rose- voted on behalf of Kisumu County delegation
22. Sen. Poghisio, Samuel Losuron
23. Sen. Sakaja, Johnson Arthur
24. Sen. Wambua, Enoch Kiio

National Assembly amendment to Clause 4 - agreed to

National Assembly amendment to Clause 5

THAT, clause 5 of the Bill be amended in the proposed new section 2C—

- (a) by inserting the following new sub-paragraph immediately after sub-paragraph (b)(ii)—
 - “(iii) expanding and strengthening community and family-based care and support systems for vulnerable persons;”
- (b) by inserting the words “including mechanisms for outpatient comprehensive cover for mental health care and continued care for mental illness” immediately after the word “realised” appearing in paragraph (c);
- (c) by deleting paragraph (f) and substituting therefor the following new paragraph—
 - “(f) develop community-based programmes for the continued care and rehabilitation of persons with mental illness;”

Motion made and Question proposed;

THAT, the National Assembly amendment to Clause 5 of the Bill be approved.

(Sen.(Arch. Sylvia Kasanga, MP)

Debate interrupted on Thursday, 7th April, 2022 resumed on a Division;

The Acting Chairperson (Sen. Rose Nyamunga) directed that roll call voting be taken pursuant to Standing Order 83 (1) 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 drawn;

The names of the Tellers were announced as follows;

1. Ayes : Sen. Falhada Dekow
2. Noes: Sen. Naomi Waqo

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

The results of the Division were as follows: -

AYES: 24

NOES: 0

ABSTENTIONS: 0

AYES

1. Sen. Halake, Abshiro Soka voted on behalf of Isiolo County delegation
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
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7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
11. Sen. Langat, Christopher Andrew- voted virtually
12. Sen. Madzayo, Stewart Mwachiru- voted virtually
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16. Sen. Mutula, Kilonzo Junior
17. Sen. Mwaruma, Johnes Mwashushe- voted virtually
18. Sen. Mwinyihaji, Mohamed Faki
19. Sen. Ndwiga, Peter Njeru- voted virtually

- 20. Sen. Orengo, James- voted virtually
- 21. Sen. Nyamunga, Rose- voted on behalf of Kisumu County delegation
- 22. Sen. Poghio, Samuel Losuron
- 23. Sen. Sakaja, Johnson Arthur
- 24. Sen. Wambua, Enoch Kiio

National Assembly amendment to Clause 5 - agreed to

National Assembly amendment to Clause 7

THAT, clause 7 of the Bill be amended by deleting the proposed new subsection (2) and inserting the following new subsection—

“(2) The Board shall consist of—

- (a) a chairperson appointed by the President who shall—
 - (i) hold a Masters’ degree in psychiatry or its equivalent from a university recognised in Kenya; and
 - (ii) have at least ten years' experience, five of which shall be in a managerial position;
- (b) the Principal Secretary in the ministry for the time being responsible for matters relating to health or a representative appointed in writing;
- (c) the Principal Secretary in the ministry for the time being responsible for matters relating to finance or a representative appointed in writing;
- (d) four persons, not being public officers, appointed by the Cabinet Secretary by virtue of gender, disability and regional balance, with knowledge and experience in mental health care of whom—
 - (i) one shall be a psychiatrist nominated by the Medical Practitioners and Dentists Board;
 - (ii) one shall be a counsellor or psychologist nominated by the Counsellors and Psychologists Board;
 - (iii) one shall be a nurse nominated by the Nursing Council of Kenya; and
 - (iv) one shall be a clinical officer nominated by the Clinical Officers Council;
- (e) one person nominated by the Kenya National Commission on Human Rights with knowledge and experience in matters related to mental health;
- (f) two persons, not being Governors, and having knowledge and experience in matters related to mental health, nominated by the Council of County Governors;
- (g) one county director of health nominated from amongst the forty-seven county directors of health by the Council of County Governors; and

(h) the Director of Mental Health, who shall be the secretary to the Board and an *ex officio* member of the Board.”

Motion made and Question proposed;

THAT, the National Assembly amendment to Clause 7 of the Bill be approved.

(Sen.(Arch. Sylvia Kasanga, MP)

Debate interrupted on Thursday, 7th April, 2022 resumed on a Division;

The Acting Chairperson (Sen. Rose Nyamunga) directed that roll call voting be taken pursuant to Standing Order 83 (1) 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 drawn;

The names of the Tellers were announced as follows;

1. Ayes : Sen. Falhada Dekow
2. Noes: Sen. Naomi Waqo

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

The results of the Division were as follows: -

AYES: 24

NOES: 0

ABSTENTIONS: 0

AYES

1. Sen. Halake, Abshiro Soka voted on behalf of Isiolo County delegation
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
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8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
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14. Sen. Murkomen, Onesimus Kipchumba
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16. Sen. Mutula, Kilonzo Junior
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19. Sen. Ndwiga, Peter Njeru- voted virtually
20. Sen. Orenge, James- voted virtually
21. Sen. Nyamunga, Rose- voted on behalf of Kisumu County delegation
22. Sen. Poghiso, Samuel Losuron
23. Sen. Sakaja, Johnson Arthur
24. Sen. Wambua, Enoch Kiio

National Assembly amendment to Clause 7 - agreed to

National Assembly amendment to Clause 35

THAT, clause 35 of the Bill be amended in paragraph (a) by—

- (a) deleting the words “by order of the Director or the respective county executive committee member” appearing in the proposed new subsection (1) and substituting therefor the words “with the approval of the person in charge”;
- (b) deleting the words “The Director or the county executive committee member, as the case may be, shall” appearing in the proposed new subsection (1A) and substituting therefor the words “The person in charge shall”.

Motion made and Question proposed;

THAT, the National Assembly amendment to Clause 35 of the Bill be approved.

(Sen.(Arch. Sylvia Kasanga, MP)

Debate interrupted on Thursday, 7th April, 2022 resumed on a Division;

The Acting Chairperson (Sen. Rose Nyamunga) directed that roll call voting be taken pursuant to Standing Order 83 (1) 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 drawn;

The names of the Tellers were announced as follows;

1. Ayes : Sen. Falhada Dekow
2. Noes: Sen. Naomi Waqo

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

AYES: 24

NOES: 0

ABSTENTIONS: 0

AYES

1. Sen. Halake, Abshiro Soka- voted on behalf of Isiolo County delegation
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
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9. Sen. Khaniri, George
10. Sen. Kibiru, Charles- voted virtually
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12. Sen. Madzayo, Stewart Mwachiru- voted virtually
13. Sen. Mbito, Michael- voted virtually
14. Sen. Murkomen, Onesimus Kipchumba
15. Sen. Muthama, Agnes Kavindu- voted virtually
16. Sen. Mutula, Kilonzo Junior
17. Sen. Mwaruma, Johnes Mwashushe- voted virtually
18. Sen. Mwinyihaji, Mohamed Faki
19. Sen. Ndwiga, Peter Njeru- voted virtually
20. Sen. Orengo, James- voted virtually
21. Sen. Nyamunga, Rose- voted on behalf of Kisumu County delegation
22. Sen. Poghisio, Samuel Losuron
23. Sen. Sakaja, Johnson Arthur
24. Sen. Wambua, Enoch Kiio

National Assembly amendment to Clause 35 - agreed to

Motion made:

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

(Sen.(Arch. Sylvia Kasanga, MP)

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

Question put and agreed to.

28. **HOUSE RESUMED** –Speaker in the Chair

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

Consideration of the National Assembly Amendments to the Mental Health (Amendment) Bill (Senate Bills No. 28 of 2020) reported;

Motion made and Question Proposed;

THAT, the House do agree with the Committee in the said report.

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

There being no Senator wishing to contribute;

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

Question put and agreed to.

29. **COMMITTEE OF THE WHOLE**
THE IRRIGATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2021)

(The Senate Majority Leader)

(Resumption of debate interrupted on Wednesday, 4th May, 2022)

(Division)

Order deferred.

30. **COMMITTEE OF THE WHOLE**
THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 1 OF 2022)

Order for Committee read;

IN THE COMMITTEE

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

The County Allocation of Revenue Bill (Senate Bills No. 1 of 2022)

Clauses 3, 4, 5, 6, 7, 8, 9, 10, First Schedule

Motion made and Question proposed;

THAT, Clauses 3, 4, 5, 6, 7, 8, 9, 10, First Schedule be part of the Bill.

*(Sen Farhiya Haji, MP-Committee Member on behalf of the Chairperson,
Standing Committee on Finance and Budget)*

There being no Senator wishing to contribute;

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. Falhada Dekow, MP – AYES
2. Sen. Sylvia Kasanga, 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: 24

NOES: 0

ABSTENTIONS: 0

AYES

1. Sen. Halake, Abshiro Soka – voted on behalf of Isiolo County delegation
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- voted virtually on behalf of Kwale County delegation
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16. Sen. Mutula, Kilonzo Junior
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18. Sen. Mwinyihaji, Mohamed Faki
19. Sen. Ndwiga, Peter Njeru- voted virtually
20. Sen. Orengo, James- voted virtually
21. Sen. Nyamunga, Rose- voted on behalf of Kisumu County delegation
22. Sen. Poghiso, Samuel Losuron
23. Sen. Sakaja, Johnson Arthur
24. Sen. Wambua, Enoch Kiio

Clauses 3, 4, 5, 6, 7, 8, 9, 10, First Schedule -agreed to

Second Schedule - Amendment proposed

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

SECOND SCHEDULE

(S.5)

County Government Budget Ceilings on Recurrent Expenditure in Financial Year 2022/2023 (Figures are in Kenya Shillings)					
No.	County Title	County Assembly Ceilings		County Executive Ceilings	
		FY 2021/22	FY 2022/23	FY 2021/22	FY 2022/23
1	Baringo	746,019,020	712,229,059	569,787,017	607,049,529
2	Bomet	648,066,449	621,143,848	552,531,315	588,023,141
3	Bungoma	890,983,497	873,284,854	621,554,119	664,128,690
4	Busia	801,409,679	765,019,229	587,042,718	626,075,916
5	Elgeyo/Marakwet	593,254,972	592,408,337	535,275,615	568,996,754
6	Embu	595,875,448	594,786,279	535,275,615	568,996,754
7	Garissa	829,101,968	815,801,264	569,787,017	607,049,529
8	Homa Bay	931,868,578	872,842,726	604,298,418	645,102,303
9	Isiolo	448,252,685	451,013,358	463,713,275	492,255,576
10	Kajiado	765,404,524	699,076,887	527,830,690	562,230,871
11	Kakamega	1,189,967,209	1,097,653,117	673,321,221	721,207,850
12	Kericho	728,813,928	708,995,621	569,787,017	607,049,529
13	Kiambu	1,206,180,907	1,114,698,533	673,321,221	721,207,850
14	Kilifi	797,062,541	779,167,171	587,042,718	626,075,916

County Government Budget Ceilings on Recurrent Expenditure in Financial Year 2022/2023 (Figures are in Kenya Shillings)					
15	Kirinyaga	634,065,925	582,922,761	522,925,302	556,100,619
16	Kisii	990,572,876	940,958,856	621,554,119	664,128,690
17	Kisumu	745,033,801	718,886,210	587,042,718	626,075,916
18	Kitui	886,616,229	862,047,458	604,298,418	645,102,303
19	Kwale	618,445,792	617,790,583	535,275,615	568,996,754
20	Laikipia	470,108,195	467,754,457	493,319,288	524,178,098
21	Lamu	418,152,304	419,261,939	463,713,275	492,255,576
22	Machakos	907,790,391	865,126,181	604,298,418	645,102,303
23	Makueni	756,641,539	729,754,316	569,787,017	607,049,529
24	Mandera	811,048,184	864,090,152	578,963,987	616,986,522
25	Marsabit	715,654,362	678,317,733	535,275,615	568,996,754
26	Meru	988,437,598	938,478,295	621,554,119	664,128,690
27	Migori	863,486,098	857,185,385	604,298,418	645,102,303
28	Mombasa	679,254,392	674,783,021	569,787,017	607,049,529
29	Murang'a	761,307,014	753,378,653	587,042,718	626,075,916
30	Nairobi City	1,545,872,087	1,446,962,393	759,599,725	816,339,786
31	Nakuru	1,049,146,986	1,006,312,104	656,065,520	702,181,463
32	Nandi	669,452,972	666,771,490	569,787,017	607,049,529
33	Narok	769,346,518	734,655,062	569,787,017	607,049,529
34	Nyamira	612,444,433	610,515,511	535,275,615	568,996,754
35	Nyandarua	664,643,697	651,697,338	552,531,315	588,023,141
36	Nyeri	717,305,285	692,693,761	569,787,017	607,049,529
37	Samburu	518,009,214	517,964,444	480,968,975	533,708,983
38	Siaya	686,651,724	683,152,880	569,787,017	607,049,529
39	Taita/Taveta	631,282,421	620,545,692	535,275,615	568,996,754
40	Tana River	588,396,752	582,990,790	505,669,601	537,074,233
41	Tharaka -Nithi	455,222,064	434,745,770	493,319,288	524,178,098

County Government Budget Ceilings on Recurrent Expenditure in Financial Year 2022/2023 (Figures are in Kenya Shillings)					
42	Trans Nzoia	676,650,593	643,357,859	552,531,315	588,023,141
43	Turkana	821,950,164	818,680,328	569,787,017	607,049,529
44	Uasin Gishu	707,791,808	703,027,730	569,787,017	607,049,529
45	Vihiga	659,609,764	637,128,800	552,531,315	588,023,141
46	Wajir	853,341,593	853,371,986	560,610,046	597,112,535
47	West Pokot	610,173,508	603,044,748	535,275,615	568,996,754
	Total	35,656,167,687	34,576,474,969	26,708,080,067	28,486,731,674

(Sen Farhiya Haji, MP-Committee Member on behalf of the Chairperson, Standing Committee on Finance and Budget)

There being no Senator wishing to contribute;

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. Falhada Dekow, MP – AYES
2. Sen. Sylvia Kasanga, 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: 24

NOES: 0

ABSTENTIONS: 0

AYES

1. Sen. Halake, Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
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18. Sen. Mwinyihaji, Mohamed Faki
19. Sen. Ndwiga, Peter Njeru- voted virtually
20. Sen. Orengo, James- voted virtually
21. Sen. Nyamunga, Rose- voted on behalf of Kisumu County delegation
22. Sen. Poghisio, Samuel Losuron
23. Sen. Sakaja, Johnson Arthur
24. Sen. Wambua, Enoch Kiio

The Second Schedule (as amended) - agreed to

Clause2, Title and Clause 1

Motion made and Question proposed;

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

*(Sen Farhiya Haji, MP-Committee Member on behalf of the Chairperson,
Standing Committee on Finance and Budget)*

There being no Senator wishing to contribute;

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. Falhada Dekow, MP – AYES
2. Sen. Sylvia Kasanga, 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: 24

NOES: 0

ABSTENTIONS: 0

AYES

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21. Sen. Nyamunga, Rose- voted on behalf of Kisumu County delegation
22. Sen. Poghisio, Samuel Losuron
23. Sen. Sakaja, Johnson Arthur
24. Sen. Wambua, Enoch Kiio

Motion made: -

THAT, the Bill be reported with amendments;

*(Sen Farhiya Haji, MP-Committee Member on behalf of the Chairperson,
Standing Committee on Finance and Budget)*

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

Question put and agreed to.

32. **HOUSE RESUMED** – The Speaker - in the Chair

33. **THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 1 OF 2022)**

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 Farhiya Haji, MP-Committee Member on behalf of the Chairperson,
Standing Committee on Finance and Budget)*

There being no Senator wishing to contribute;

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

Question put and agreed to.

Motion made and Question proposed –

THAT, The County Allocation of Revenue Bill (Senate Bills No. 1 of 2022) be now Read a Third Time.

*(Sen Farhiya Haji, MP-Committee Member on behalf of the Chairperson,
Standing Committee on Finance and Budget)*

There being no Senator wishing to contribute;

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

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

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

After the expiry of two minutes, the 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, MP – AYES
2. Sen. Sylvia Kasanga, MP – NOES

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

The results of the Division were as follows:-

AYES: 26

NOES: 0

ABSTENTIONS: 0

AYES

1. Sen. Halake Abshiro Soka- voted on behalf of Isiolo County delegation
2. Sen. Ali, Abdullahi Ibrahim- voted virtually
3. Sen. Zani , Agnes Philomena- voted virtually on behalf of Kwale County delegation
4. Sen. Cherarkey, Samson Kiprotich
5. Sen. Haji, Abdul Mohammed- voted virtually
6. Sen. Hargura, Godana- voted virtually
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamar, Margaret Jepkoech- voted virtually
9. Sen. Khaniri, George
10. Sen. Kihika, Susan- voted virtually
11. Sen. Langat, Christopher Andrew- voted virtually
12. Sen. Lelegwe, Ltumbesi- voted virtually
13. Sen. Madzayo, Stewart Mwachiru- voted virtually
14. Sen. Mbito, Michael- voted virtually
15. Sen. Murkomen, Onesimus Kipchumba
16. Sen. Muthama, Agnes Kavindu- voted virtually
17. Sen. Mutula, Kilonzo Junior
18. Sen. Mwaruma, Johnes Mwashushe- voted virtually
19. Sen. Mwinyihaji, Mohamed Faki
20. Sen. Nderitu, John Kinyua- voted virtually
21. Sen. Ndwiga, Peter Njeru- voted virtually
22. Sen. Orengo, James- voted virtually
23. Sen. Nyamunga, Rose- voted on behalf of Kisumu County delegation
24. Sen. Poghisio, Samuel Losuron
25. Sen. Sakaja, Johnson Arthur
26. Sen. Wambua, Enoch Kiio

Question - agreed to

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

31. **THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATION BILL (SENATE BILLS NO. 2 OF 2022)**

Order for Second Reading read;

Motion made and Question proposed-

THAT, the County Governments Additional Allocation Bill (Senate Bills No. 2 of 2022) be now read a Second Time.

(The Chairperson, Standing Committee on Finance and Budget)

And there being no Senator wishing to contribute;

Mover replied;

Raising a point of order, the Mover Sen. Farhiya Haji , Committee Member (on behalf of the Chairperson, Standing Committee on Finance and Budget) requested that pursuant to Standing Order 61 (3), putting of the Question be deferred to a later date.

And the Speaker acceding to her request deferred putting of the Question to a later date.

33. **COMMITTEE OF THE WHOLE**
THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATION BILL (SENATE BILLS NO. 2 OF 2022)

(The Chairperson, Standing Committee on Finance and Budget)

Order deferred.

And there being no other business on the Order Paper, the Speaker adjourned the Senate at twenty two minutes past Five O'clock without Question put, pursuant to the Standing Orders.

34. **SENATE ROSE** – at twenty two minutes past Five O'clock.

M E M O R A N D U M

The Speaker will take the Chair on Thursday, June 9, 2022 at 2:30 p.m.