



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SIXTH SESSION)

VOTES AND PROCEEDINGS

THURSDAY, JUNE 16, 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 Speaker.
3. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair-

i.) Visiting Delegation from the Prisons Headquarters and a Public Servant from the United Republic of Tanzania

Hon. Senators,

I would like to acknowledge the presence in the Speaker's Gallery this afternoon of a delegation from the Prisons Headquarters who are on an attachment programme in the Senate. I request each member of the group to stand when called out so that he or she may be acknowledged in the usual Senate tradition.

They are:

1. Ms. Violet Nanjala Wasilwa - Chief Inspector (Head of Delegation)
2. Ms. Alice Ondili - Sergeant
3. Ms. Emily Ongera - Constable

Hon. Senators,

I would also like to acknowledge the presence in the Speaker's Gallery of Ms. Hollo Steven Kazi, a public servant from the Office of the Registrar of Political Parties in the United Republic of Tanzania.

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to the delegation on behalf of the Senate and on my own behalf. I wish them a fruitful visit.

I thank you!"

ii.) On the Adjournment of The Senate *Sine Die*

“Honourable Senators,

Today, the 16th day of June 2022, is a historic occasion for this August House. It marks the last day of the Ordinary Plenary Sittings of the Senate in the term of the Twelfth Parliament. As such therefore, it is a time to reflect on our time in the Senate, our experiences over the last five years and to ponder on what may come in the Thirteenth Parliament; that is to say, what we envision the next and the future Senate of Kenya to be.

Honourable Senators,

The term of the third Senate in the history of the Republic commenced on 31st August, 2017, pursuant to the President’s notification under Article 126(2) of the Constitution, upon which each one of you took an Oath or Affirmation of office pursuant to Article 74 of the Constitution. In the Oath or Affirmation of Office, we all committed to *bear true faith and allegiance to the People and the Republic of Kenya; obey, respect, uphold, preserve, protect and defend the Constitution and to faithfully and conscientiously discharge our mandate.* In spite of the odds that we faced as a House of Parliament, we have largely held true to this Oath/Affirmation in our collective and individual capacities.

As your Speaker, I have sat on this Chair, presided over the Sittings of the Senate; and I have no doubt in my mind, that you have exemplified true allegiance to the Constitution, guided by our prayer at the start of every sitting, which states that the Almighty God has placed the people’s important trusts in our charge, and that it is our duty to protect those trusts.

Honourable Senators,

We have survived a global pandemic; made history safeguarding the constitutional mandate of the Senate; created a haven for Kenyans from all walks of life to engage with the legislature and held true to the makings of an effective legislature. As one of the principal responsibilities of a legislature, we considered and passed 20 Bills on various issues affecting the country and more specifically, strengthening the devolved system of government. In addition, we have also considered 403 Motions, 103 Petitions and 501 Statements touching on various aspects of everyday lives of Kenyans.

In executing our oversight and representation role, the Senate undertook various inquiries; some of the most notable ones include –

- (i) protecting Kenyan workers in the Middle East;
- (ii) assessment and monitoring of the COVID-19 pandemic situation in Kenya;

- (iii) the condition of correctional facilities in the country;
- (iv) the challenges facing the tea sector, that culminated in the enactment of the Tea Act in 2020;
- (v) the status of Early Childhood Development Education (ECDE) in the counties and the plight of ECD teachers;
- (vi) consideration and approval of Nakuru Municipality to a city;
- (vii) the state of mobile network connectivity in underserved parts of the country through the Universal Service Fund and financing thereof through the Phase I and II;
- (viii) the state of debt management in Kenya and the effective use of IFMIS as a means for accountability; and
- (ix) review of laws on the operations and management of SACCOs.

Further, the reports on various Petitions on matters that directly affect Kenyans continue to strengthen the oversight mandate of the Senate. Members of the public continued to have confidence in the Senate to address their concerns which is evidenced by the high number of Petitions that were submitted from 2017 to 2022. A total of 144 Petitions were submitted out of which 102 were considered and concluded. This accounted for 70% of the total Petitions submitted. However, the next House will need to re-examine and prioritize consideration of Petitions within the given timelines under the Standing Orders and reduce backlog, as this is a cardinal constitutional requirement for Kenyans to exercise their rights.

Another oversight tool that has been utilized to address everyday concerns of Kenyans is Statements. During the term of the 12th Parliament, there were a total of 231 Statements made pursuant to Standing Order 47(1) of which 67 were referred to respective standing committees for further consideration. 53 of these were concluded and where necessary, reports thereon tabled. With respect to Statements under Standing Order 48(1), 576 were sought, out of which 448 were concluded and reported on. This accounted for 78% of the total Statements filed.

Honourable Senators,

The Senate's ability to conduct itself in a sober and bipartisan manner was put to the test on many occasions whenever it was called upon to mediate on a number of critical issues. It must be observed that in undertaking our mandate through the impeachment process, the Senate has mediated in conflicts and misunderstandings in the counties. This has ensured that whatever the outcomes of the trial, the ultimate winner was a strengthened devolved structure.

In the 12th Parliament, the Senate considered five impeachment Motions. Three of the impeachments were considered by way of investigation by a Special Committee with respect to Hon. Granton Graham Samboja, Governor for Taita Taveta County on 9th October, 2019; Hon. Ann Mumbi Waiguru, Governor for

Kirinyaga County on 9th June, 2020; and Hon. Mohamed Abdi Mohamud, Governor of Wajir County on 27th April, 2021. On the other hand, impeachment of Hon. Ferdinand Ndung'u Waititu Babayao, the then Governor for Kiambu County on 19th December, 2019; and that of Hon. Mike Mbuvi Sonko, the then Governor for Nairobi City County on 3rd December, 2020, were considered in Plenary.

One of the key observations from these impeachment processes was that there is need to standardize the procedure applied in considering a Motion for the proposed removal of a President, Deputy President, county governor, a deputy county governor, a cabinet secretary or a county executive committee member. The Senate had initiated a legislative framework in this respect, through the Impeachment Procedure Bill which has unfortunately not been finalized. Therefore, I urge the next Parliament to prioritize passage of this framework to assist in facilitating a more effective process.

Further, border disputes between counties continue to bedevil local communities. The Senate has held several meetings with the leadership in the various counties to have the issues resolved and for lasting peace. However, whereas arbitration is considered to be a more efficient process than litigation, a long-term solution is needed, in particular, to address the county border disputes. I therefore urge the thirteenth Parliament to prioritize passage of a legal framework to give effect to Article 188 of the Constitution, in this case the County Boundaries Bill.

Honourable Senators,

As one of the arms of government, we pride ourselves in the vision to be a democratic and people centered Parliament. We have held true to this vision through various initiatives that we have implemented during our time here. Of importance to note are the sittings of the Senate outside Nairobi or *Senate Mashinani* as it is commonly referred to. In September, 2018, the Senate held its Plenary and committee meetings in Uasin Gishu County, while in September, 2019, the Senate held these meetings in Kitui County. The enormous impact and transformational promise that the *Senate Mashinani* portends cannot be gainsaid. In 2018 for instance, the Senate was able to directly engage with farmers in the bread baskets of the country – Bungoma, Uasin Gishu, Kakamega, Trans Nzoia and Nandi Counties – to address the perennial maize crisis. Further, the matter of returns for tea farmers was also addressed.

In the Kitui County experience in 2019, the *Senate Mashinani* made significant strides in addressing the plight of mung bean farmers and the conditions of correctional facilities in the country. The sittings outside Nairobi improved the visibility of the Senate and enhanced the public's understanding of the Senate and Parliament in general. The COVID – 19 pandemic curtailed our efforts at implementing other sittings outside Nairobi in 2020 and in 2021, but we

envisage that in the years to come, the Senate will continue with this new tradition that not only enhances the oversight and legislative mandate of the Senate, but also strengthens the capacities of counties through transfer and exchange of knowledge between the Senate and county assemblies.

During this term, have also held numerous policy and legislative dialogue sessions with our devolution stakeholders as well as the business community through the annual leadership forums and Speaker's Round Tables with the private sector, where critical discussions and resolutions have been adopted, aimed at enhancing engagement with Parliament and at the same time, fostering investment and improving the business environment in the counties.

Honourable Senators,

Another hallmark of our legislative work has been consideration and passage of the third basis for revenue allocation among county governments. As your Speaker, I must say that presiding over the debates in this process was not easy. However, from this experience, the Senate emerged stronger and more than ever before demonstrated its commitment to protect devolution.

For this, Honourable Senators, I say thank you! Not because it was a duty that we carried out, but it was a duty that despite the various competing opinions and interests, and even when all seemed to be lost, the Senate demonstrated grace, fortitude, focus and determination, to remain a beacon of hope for devolution. Of note has been the consistent increase of allocations to counties from Kshs. 210 Billion in Financial Year 2013/2014 to Kshs. 370 Billion in Financial year 2022/2023. I dare say without any iota of doubt, that this may not have been achieved without the presence and functional participation of the Senate.

Looking forward, as I know there will be a review of the formulae in the 13th Parliament, we take solace in the fact that there is established precedence and jurisprudence in this matter, and that the next Senate will continue to build on the successes of the Second and the Third Senate.

Honourable Senators,

On the other hand, and as is the case with every human endeavor, we have faced some challenges and setbacks. A prominent feature of the challenges is with regard to the fight for space to exercise our legislative and oversight mandate under Article 96 of the Constitution. As Honourable Senators will recall, this necessitated the Senate going all the way to the Supreme Court in 2013, for an advisory opinion on the role of the Senate in the consideration of the Annual Division of Revenue Bill and other Bills affecting counties.

The not-so-amiable relations between the two Houses continued to manifest in the 12th Parliament, resulting in a Resolution on 18th June, 2020, for the Senate to institute legal proceedings to challenge the laws that had been enacted unprocedurally in the 12th Parliament; to seek an interpretation of the term “money Bill”; and to seek a final determination of the procedure to be followed in respect of all the Bills that were pending before Parliament so as to ensure compliance with Article 110(3) of the Constitution. This drastic and monumental stride by a House of Parliament was aimed at ensuring that Bills passed by either House of Parliament should translate to Acts that espouse the utmost integrity in the legislative process and uphold the Constitution.

I regret that owing to the interplay between the two Houses, certain key Bills referred to the National Assembly, have not been concluded. I therefore urge the next Senate to prioritize expeditious passage of the following Bills, which in my opinion will go a long way to strengthen devolution and governance. These are- the Public Participation Bill, Impeachment Procedure Bill, Community Health Bill, Office of the County Printer Bill, Disaster Risk Management Bill, Parliamentary Powers and Privileges (Amendment) Bill, and the Start-up Bill, amongst others, as a matter of urgency. In addition, a referendum Bill will greatly bring clarity in the process of amending the Constitution by popular initiative.

We need no reminding, but for the record, the High Court, in Petition No. 284 of 2019, stated unequivocally that the concurrence process under Article 110(3) of the Constitution was mandatory and is a condition precedent before any House of Parliament can consider a Bill. Further, the Court ordered the immediate cessation of consideration of all Bills that were pending before either House, and for which determination by the Speakers jointly whether or not they affected counties, could not be demonstrated. The judgment fundamentally altered the legislative business of the Senate, as a significant number of Bills, some of which had been considered by the Senate and referred to the National Assembly in 2019, had to be republished in order to comply with the ruling of the Court. On appeal in the Court of Appeal, it is regrettable that vital aspects of the High Court judgment were overturned. It is noteworthy, however, that one of the legislations that both the High Court and the Court of Appeal pronounced to have been unprocedurally and unconstitutionally passed and to therefore to be unconstitutional null and void, is the Parliamentary Service Act; the legislation governing the services and facilities and the governance of Parliament. The next Senate must prioritize the proper introduction and passage of this key legislation.

As these matters are still under consideration by the Supreme Court, I will reserve further comment, except to express optimism that the Senate will emerge victorious once again. We hope that whatever outcome emanates from the apex court will reinforce the foundations of the Senate as anchored in the Constitution and as vindicated by those who came before us in the 11th Parliament, provide a

firm ground for the 13th Parliament, and once and for all settle the matter of the legislative authority of the Senate as one of the Chambers of Parliament.

The next Senate should consider undertaking a critical assessment of the place and mandate of the Senate in devolution. I call upon the incoming Senate to revisit the proposed Constitution amendment Bill that had been introduced in this August House. The amendment Bill proposed ways of strengthening the role of the Senate and enhancing its representation and participation in the Parliamentary Service Commission. Indeed, even within the confines of the Constitution as it now stands, the next Senate must properly construe and utilize Article 127 (2)(c) to ensure that the Senate has the same number of Commissioners in the Parliamentary Service Commission as the National Assembly.

Another challenge that has frustrated the oversight function of the Senate is the realization of the Senate Oversight Fund that has remained a mirage. I urge the next Senate to make concerted efforts and expedite this and the other aforesaid issues in its first year in office, as a matter of urgency.

Honourable Senators,

Amidst the successes and challenges that we had over the past five years, we also experienced low moments where we lost colleagues. These are the then Senator for Migori County, the late Sen. Ben Oluoch Okello; the then Senator for Machakos County, the late Sen. Boniface Mutinda Kabaka; the then Senator for Garissa County, the late Sen. Mohamed Yusuf Haji, EGH; and Nominated Senator representing the youth, the late Sen. Victor Prengei. We salute these gallant legislators for their service to the people of Kenya and although they may not be here with us, their legislative footprint and the camaraderie we shared will forever be remembered in the history of the Senate.

On a sad note too, during this term, we mourned the passing-on of the second and third Presidents of the Republic of Kenya, His Excellency the late Daniel Toroitich Arap Moi, CGH on 4th February, 2020, and His Excellency the late Emilio Mwai Kibaki, CGH on 22nd April, 2022, respectively, who also served as long term Members of Parliament. The two former Presidents lay in state in Parliament for three days and on the third day Parliament bade them farewell after having eulogized them as a last parliamentary honour. In eulogizing the two former Presidents, the Senate noted with appreciation their vision and steadfast service to the country that will endure for generations to come. The eulogy messages contained in the respective Motions were presented to the families of the late Presidents.

Honourable Senators,

As the Senate proceeds to adjourn *sine die* later this afternoon, let me give some guidance with respect to a number of matters.

Regarding the question of what emoluments and benefits Senators will be entitled to on completion of their term, and when and how these are to be paid, the Clerk of the Senate has prepared a detailed Circular that will be shared with Senators. The Circular also addresses matters of office space, handover of assets, as well as the expected transitions of staff serving at the Parliament and county offices.

On the question of what Business may be transacted by the Senate and its Committees once the Senate adjourns *sine die*, the position is that the House and its Committees will cease transacting and Business, save for consideration of very urgent and important national issues, for which a Special Sitting of the Senate may be called, pursuant to Standing Order No. 30. Accordingly, therefore, the sittings of the Plenary and all Committees stand suspended, at the rise of the Senate today.

Honourable Senators,

At a personal level, it was an honor to serve you as your Speaker, and a pleasure and privilege to work with each and every one of you. My interactions with you here in the Chamber, within the precincts of Parliament and at various localities are what have kept me, inspired me, and kept me going even when times were tough. Every day, I have learned from you and you made me a better Speaker, a better leader, and more importantly, a better human being; and that, I will never take for granted.

I cannot forget the immense support I received from the leadership of the Senate - the Senate Majority and Minority Leaders and their Whips who helped to navigate the tumultuous times we faced and whip quorum to expedite legislative business; the Speakers Panel who held brief for me when other exigencies of work called for my absence, Members of the Senate Business Committee and Chairpersons of the respective committees and various ad hoc committees that we formed from time to time who worked tirelessly to ensure that we prioritized business in the House and kept us abreast in debating and addressing emerging issues facing Wanjiku. You stood firm in the face of adversity and for what you believe in even in the face of opposition. For that I commend you. The respective competencies and strengths that you brought to the table created the milestones that we are celebrating today and that will be enjoyed for years to come. And for that I thank you.

It is my sincere hope that when my time as a Speaker is put under the microscope, I will be remembered and judged as a Speaker, who respected and

upheld the rule of law, a Speaker who nurtured the culture of constitutionalism; and a Speaker who was a protector and defender of the Constitution and the mandate and role of the Senate.

Honourable Senators,

Allow me to also take this opportunity to give special recognition and to thank staffers of the Senate led by the Clerk, Mr. Jeremiah Nyegenye. The professionalism, commitment and the invaluable support that they have accorded to the Senate and my office in particular, have been outstanding. They have been the wheels that have kept the Senate running, and for that I salute them.

For the Senators who are vying for various leadership positions, I wish you the very best. For those taking a break from politics, I wish you good tidings in your endeavors. It is my hope that wherever we go, we continue to be steadfast in safeguarding devolution and being the voice for *Wanjiku*.

Finally, in my line of duty on this chair and in this position, I may have dealt with you in an unfair way. I want to ask for your pardon even as I also state that I have pardoned those who crossed me. I hope that when we meet after today, we will hold only the good memories even as we learn from the unpleasanties. God bless you all. God bless Kenya.

I thank you.”

4. **PETITIONS**

- i.) Pursuant to Standing Order 232(2), the Senate Majority Leader on behalf of the Chairperson tabled before the Senate the report of the Standing Committee on Land, Environment and Natural Resources on a Petition by residents of Mkamenyi village inn Voi sub county of Taita Taveta county on the alleged encroachment of land belonging to Mkamenyi residents by Voi Point Limited in Taita Taveta county.
- ii.) Pursuant to Standing Order 232(2), the Senate Majority Leader on behalf of the Chairperson tabled before the Senate the report of the Standing Committee on Land, Environment and Natural Resources a Petition by former Kimondi forest evictees regarding their resettlement.
- iii.) Pursuant to Standing Order 232(2), the Senate Majority Leader on behalf of the Chairperson tabled before the Senate the report of the Standing Committee on Land, Environment and Natural Resources a Petition by residents of Bomet and Kericho counties on the status of land owned by multinationals in Kericho and Bomet counties.

- iv.) Pursuant to Standing Order 232(2), the Senate Majority Leader on behalf of the Chairperson tabled before the Senate the report of the Standing Committee on Land, Environment and Natural Resources on a Petition by residents of Webuye, regarding alleged gazettement of Chetambe (Webuye) hill forest, vide Legal Notice No. 106 on the proposed declaration of public forest Chetambe (Webuye) hill forest dated 25th June, 2021.
- v.) Pursuant to Standing Order 232(2), the Senate Majority Leader on behalf of the Chairperson tabled before the Senate the report of the Standing Committee on Tourism, Trade Industrialization on a Petition by residents of Lamu County concerning the compensation of victims of human-wildlife conflict in Lamu County.
- vi.) Pursuant to Standing Order 232(2), the Chairperson, Standing Committee on Health, tabled before the Senate the report of the Standing Committee on a Petition by Ms. Mario Juma and others on the challenges faced by patients suffering from Multiple Sclerosis (MS) and Neuromyelitis Optica (NMO).
- vii.) Pursuant to Standing Order 232(2), the Chairperson, Standing Committee on Health, tabled before the Senate the report of the Standing Committee on a Petition to the Senate by Mr. Daniel Ngumi and others on National Hospital Insurance Fund (NHIF) cover for kidney post-transplant medication.
- viii.) Pursuant to Standing Order 232(2), the Chairperson, Standing Committee on Health, tabled before the Senate the report of the Standing Committee on a Petition to the Senate by Mr. Mikeson Mugo and other patients living with Autoimmune Diseases concerning payment of medical and healthcare costs and provision of health cover for persons living with Autoimmune diseases by the National Hospital Insurance Fund (NHIF).
- ix.) Pursuant to Standing Order 232(2), the Chairperson, Standing Committee on Health, tabled before the Senate the Report of the Standing Committee on a Petition to the Senate by Mr. Collins A. Omolo on alleged taxation of pharmacies in Kenya.
- x.) Pursuant to Standing Order 232(2), the Chairperson, Standing Committee on Health, tabled before the Senate the Report of the Standing Committee on a Petition to the Senate by Dr. Alexander Irungu Wanjiru on the appointment of the Chief Executive Officer (CEO) for the National Hospital Insurance Fund (NHIF).

- xi.) Pursuant to Standing Order 232(2), the Chairperson, Standing Committee on Health, tabled before the Senate the Report of the Standing Committee on a Petition to the Senate by Mr. Ahmed Shahame Mwidani regarding the status of Mkomani Clinic Society Trading as Bomu hospital in Mombasa County.

5. **PAPERS LAID**

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 (Equitable Share) Cash Disbursement Schedule for Financial Year 2022/2023.
- ii.) Report of the Standing Committee on Finance and Budget concerning the approval for the National Government to guarantee Laikipia County Government to borrow by issuance of Kshs.1.16 billion infrastructure bond.
- iii.) Report of the Standing Committee on Finance and Budget on the efficacy of the Integrated Financial Management Information System (IFMIS) and its application in disbursement of funds;
*(The Senate Majority Leader on behalf of the Chairperson,
Standing Committee on Finance and Budget)*
- iv.) Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by residents of Mkamenyi village inn Voi sub-County of Taita Taveta County on the alleged encroachment of land belonging to Mkamenyi residents by Voi Point Limited in Taita Taveta County.
- v.) Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by former Kimondi forest evictees regarding their resettlement.
- vi.) Report of the Standing Committee on Land, Environment and Natural Resources a Petition by residents of Bomet and Kericho counties on the status of land owned by multinationals in Kericho and Bomet counties.
- vii.) Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by residents of Webuye, regarding alleged gazettment of Chetambe (Webuye) hill forest, vide Legal Notice No. 106 on the proposed declaration of public forest Chetambe (Webuye) hill forest dated 25th June, 2021.

- viii.) Report of the Standing Committee on Tourism, Trade Industrialization on a Petition by residents of Lamu County concerning the compensation of victims of human-wildlife conflict in Lamu County.

*(The Senate Majority Leader on behalf of the Chairperson,
Standing Committee on Land, Environment and Natural
Resources.)*

- ix.) Report of the Standing Committee on Health on a Petition by Ms. Mario Juma and others on the challenges faced by patients suffering from Multiple Sclerosis (MS) and Neuromyelitis Optica (NMO).
- x.) Report of the Standing Committee on Health on a Petition to the Senate by Mr. Daniel Ngumi and others on National Hospital Insurance Fund (NHIF) cover for kidney post-transplant medication.
- xi.) Report of the Standing Committee on Health on a Petition to the Senate by Mr. Mikeson Mugo and other patients living with Autoimmune Diseases concerning payment of medical and healthcare costs and provision of health cover for persons living with Autoimmune diseases by the National Hospital Insurance Fund (NHIF).
- xii.) Report of the Standing Committee on Health on a Petition to the Senate by Mr. Collins A. Omolo on alleged taxation of pharmacies in Kenya.
- xiii.) Report of the Standing Committee on Health on a Petition to the Senate by Dr. Alexander Irungu Wanjiru on the appointment of the Chief Executive Officer (CEO) for the National Hospital Insurance Fund (NHIF).
- xiv.) Report of the Standing Committee on Health on a Petition to the Senate by Mr. Ahmed Shahame Mwidani regarding the status of Mkomani Clinic Society Trading as Bomu hospital in Mombasa County.

(Chairperson, Standing Committee on Health.)

6. **NOTICE OF MOTION ON THE ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE COUNTY GOVERNMENTS CASH DISBURSEMENT (EQUITABLE SHARE) SCHEDULE FOR THE FINANCIAL YEAR 2022/2023 AND APPROVAL OF THE COUNTY GOVERNMENTS CASH DISBURSEMENT (EQUITABLE SHARE) SCHEDULE FOR THE FINANCIAL YEAR 2022/2023.**

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Finance and Budget)

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the Cash Disbursement (Equitable Share) Schedule for Financial

year 2022/2023, laid on the Table of the Senate on Thursday, 16th 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 Cash Disbursement (Equitable Share) Schedule for Financial Year 2022/2023.

7. **NOTICE OF MOTION ON THE ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE EFFICACY OF THE INTEGRATED FINANCIAL MANAGEMENT INFORMATION SYSTEM (IFMIS) AND ITS APPLICATION IN DISBURSEMENT OF FUNDS**

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Finance and Budget)

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the efficacy of the Integrated Financial Management Information System (IFMIS) and its application in disbursement of funds laid on the Table of the Senate on Thursday, 16th June, 2022.

8. **NOTICE OF MOTION ON THE ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET CONCERNING THE APPROVAL FOR THE NATIONAL GOVERNMENT TO GUARANTEE LAIKIPIA COUNTY GOVERNMENT TO BORROW BY ISSUANCE OF KSHS.1.16 BILLION INFRASTRUCTURE BOND.**

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Finance and Budget)

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget concerning the approval for the National Government to guarantee Laikipia County Government to borrow by issuance of Kshs.1.16 billion infrastructure bond laid on the Table of the Senate on Thursday, 16th June, 2022 and pursuant to Section 58 of the Public Finance Management Act **approves** the request by the Cabinet Secretary for the National Treasury to guarantee the County Government of Laikipia to borrow Ksh.1.16 billion for infrastructure bond.

9. **MOTION - ADOPTION OF THE FOURTH REPORT OF THE PROCEDURE AND RULES COMMITTEE ON THE REVIEW OF THE STANDING ORDERS OF THE SENATE**

Order read;

Motion made and Question proposed;

THAT, pursuant to Standing Orders 254 and 255, the Senate **approves** the Fourth Report of the Procedure and Rules Committee on periodic amendments to the Standing Orders of the Senate, laid on the Table of the Senate, on

Wednesday, 15th June, 2022, and pursuant to the provisions of Article 124 (1) of the Constitution and Standing Orders 255 and 257-

- i.) Resolves to amend its Standing Orders as contained in Appendix 1 to the Report; and
- ii.) Orders that the amendments to the Standing Orders as contained in Appendix 1 to the Report come into effect at the commencement of the 13th Parliament.

(The Vice-Chairperson, Procedure and Rules Committee)

Debate arising;

And there being no other Senators wishing to contribute;
Mover replied;

Before the Question was put and pursuant to Standing Order 79(1) Speaker ruled the Motion did not affect counties.

Question put, agreed to.

RESOLVED ACCORDINGLY

THAT, pursuant to Standing Orders 254 and 255, the Senate **approves** the Fourth Report of the Procedure and Rules Committee on periodic amendments to the Standing Orders of the Senate, laid on the Table of the Senate, on Wednesday, 15th June, 2022, and pursuant to the provisions of Article 124 (1) of the Constitution and Standing Orders 255 and 257-

- i.) Resolves to amend its Standing Orders as contained in Appendix 1 to the Report; and
- ii.) Orders that the amendments to the Standing Orders as contained in Appendix 1 to the Report come into effect at the commencement of the 13th Parliament

10. **THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATION BIL (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 – 08.06.2022)

Debate interrupted on Wednesday, 8th June, 2022 resumed on a Division;

The House proceeded to a Division;

The 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 ten minutes;

After the expiry of the ten 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. Farhiya Ali Haji, MP – AYES
2. Sen. Makori Beatrice Kwamboka, 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 - 29

NOES - 0

ABSTENTIONS - 0

AYES

- 1) Sen. Adan, Dullo Fatuma– voted virtually
- 2) Sen. Zani, Agnes Philomena - voted virtually on behalf of the Kwale County Delegation
- 3) Sen. Cherarkey Samson Kiprotich – voted virtually
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Haji Abdul Mohammed – voted virtually
- 6) Sen. Hargura Godana
- 7) Sen. Kajwang’ Moses Otieno– voted virtually
- 8) Sen. Kamar Margaret Jepkoech
- 9) Sen. Kibiru, Charles Reubenson – voted virtually
- 10) Sen. Langat Christopher Andrew
- 11) Sen. Madzayo Stewart Mwachiru
- 12) Sen. Mahamud Mohamed Maalim
- 13) Sen. Mbiti, Michael Maling’a
- 14) Sen. Mbogo, George Ochilo Ayacko – voted virtually
- 15) Sen. Moi Gideon Kipsielei Towett – voted virtually
- 16) Sen. Seneta, Mary Yiane– voted on behalf of the Kajiado County Delegation

- 17) Sen. Murkomen Onesimus Kipchumba
- 18) Sen. Mutula Kilonzo Junior
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Nderitu, John Kinyua
- 21) Sen. Ndwiga Peter Njeru
- 22) Sen. Olekina Ledama
- 23) Sen. Ongeru Samson Kegengo
- 24) Sen. Orengo James
- 25) Sen. Nyamunga Rose – voted virtually on behalf of the Kisumu County Delegation
- 26) Sen. Poghio, Samuel Losuron
- 27) Sen. Sakaja, Johnson Arthur– voted virtually
- 28) Sen. Wako Sitswila Amos
- 29) Sen. Wambua Enoch Kiio

Question agreed to.

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

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

Order for Second Reading Read;

Motion made and Question proposed;

THAT, the Children Bill (National Assembly Bill No. 38 of 2021) be now read a Second Time.

(Senate Majority Leader – 15.06.2022)

Debate interrupted on Wednesday, 15th June, 2022 resumed on a Division;

The 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 ten minutes;

After the expiry of the ten 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. Farhiya Ali Haji, MP – AYES
2. Sen. Makori Beatrice Kwamboka, 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 - 29

NOES - 0

ABSTENTIONS - 0

AYES

- 1) Sen. Adan, Dullo Fatuma- voted virtually
- 2) Sen. Zani, Agnes Philomena - voted virtually on behalf of the Kwale County Delegation
- 3) Sen. Cherarkey Samson Kiprotich – voted virtually
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Haji Abdul Mohammed – voted virtually
- 6) Sen. Hargura Godana
- 7) Sen. Kajwang’ Moses Otieno- voted virtually
- 8) Sen. Kamar Margaret Jepkoech
- 9) Sen. Kibiru, Charles Reubenson – voted virtually
- 10) Sen. Lang’at Christopher Andrew
- 11) Sen. Madzayo Stewart Mwachiru
- 12) Sen. Mahamud Mohamed Maalim
- 13) Sen. Mbito, Michael Maling’
- 14) Sen. Mbogo, George Ochilo Ayacko- voted virtually
- 15) Sen. Moi Gideon Kipsielei Towett – voted virtually
- 16) Sen. Seneta, Mary Yiane- voted on behalf of Kajiado County Delegation
- 17) Sen. Murkomen Onesimus Kipchumba
- 18) Sen. Mutula Kilonzo Junior
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Nderitu, John Kinyua
- 21) Sen. Ndwiga Peter Njeru
- 22) Sen. Olekina Ledama
- 23) Sen. Ongeru Samson Kegengo
- 24) Sen. Orengo James
- 25) Sen. Nyamunga Rose – voted virtually on behalf of Kisumu County Delegation
- 26) Sen. Poghio, Samuel Losuron
- 27) Sen. Sakaja, Johnson Arthur- voted virtually
- 28) Sen. Wako Sitswila Amos
- 29) Sen. Wambua Enoch Kiio

Question agreed to.

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

12. **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**

Order read;

Motion made and Question proposed;

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.

(Chairperson, Standing Committee on Finance and Budget – 14.06.2022)

Debate interrupted on Tuesday, 14th June, 2022 resumed on a Division;
The House proceeded to a Division;

The 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 Divison bell be rung for three minutes;

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

The names of the Tellers were annouced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Makori Beatrice Kwamboka, 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 -27

NOES - 0

ABSTENTIONS – 0

AYES

- 1) Sen. Adan, Dullo Fatuma– voted virtually
- 2) Sen. Zani, Agnes Philomena - voted virtually on behalf of the Kwale County Delegation
- 3) Sen. Cherarkey Samson Kiprotich – voted virtually
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana
- 6) Sen. Kajwang’ Moses Otieno– voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru, Charles Reubenson – voted virtually
- 9) Sen. Linturi, Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim
- 12) Sen. Mbiti, Michael Maling’a – voted virtually
- 13) Sen. Mbogo, George Ochilo Ayacko– voted virtually
- 14) Sen. Moi Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta, Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba
- 17) Sen. Mutula Kilonzo Junior
- 18) Sen. Mwinyihaji Mohamed Faki
- 19) Sen. Nderitu, John Kinyua
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Nyamunga Rose – voted virtually on behalf of Kisumu County Delegation
- 24) Sen. Poghisio, Samuel Losuron
- 25) Sen. Sakaja, Johnson Arthur
- 26) Sen. Wako Sitswila Amos
- 27) Sen. Wambua Enoch Kiio

Question put and agreed to.

RESOLVED ACCORDINGLY

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.

13. **MOTION - APPROVAL OF THE REVISED DEBT CEILING FOR THE NATIONAL GOVERNMENT**

(Chairperson, Sessional Committee on Delegated Legislation)

THAT, the Senate adopts the Report of the Sessional Committee on Delegated Legislation on the consideration of the Public Finance Management (National Government) (Amendment) Regulations, Legal Notice No. 89 of 2022, laid on the Table of the Senate on Tuesday, 14th June, 2022, and that pursuant to the provisions of section 50(2) of the Public Finance Management Act, the Senate **approves** the amendments to the Public Finance Management (National Government) Regulations, 2015 (Principal Regulations), as effected through Legal Notice No. 89 of 2022, thus varying the Public Debt Ceiling to an amount not exceeding ten trillion shillings.

(Resumption of debate interrupted on Tuesday, 14th June, 2022)

(Division)

Order deferred.

14. **MOTION - ADOPTION OF REPORTS OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON CONSIDERATION OF REPORTS BY THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF VARIOUS COUNTY EXECUTIVES AND COUNTY ASSEMBLIES FOR FINANCIAL YEARS 2018/2019 AND 2019/2020**

Order Read;

Motion made and Question proposed;

THAT, the Senate adopts the Reports of the Sessional Committee on County Public Accounts and Investments on consideration of Reports by the Auditor General on Financial Statements of the following Counties laid on the Table of the Senate on Tuesday 14th June, 2022-

- i.) County Executives of Nyeri, Tharaka Nithi, Murangá, Kitui, Lamu, Siaya, Busia, Meru, Nyamira, Turkana, Makueni, Bungoma, and Elgeyo Marakwet for the for the Financial Year 2018/2019 as contained in Volume I of the Report;
- ii.) County Assemblies of Bomet, Taita Taveta, Kilifi, Nyamira and Garissa for the Financial Year 2018/2019 as contained in Volume II of the Report;
- iii.) County Executives of Narok, Kajiado, Kwale, West Pokot, Trans Nzoia, Turkana, Kericho, Busia, Kilifi, Machakos and Kisii for the Financial Year 2019/2020 as contained in Volume III of the Report; and

- iv.) County Assemblies of Kilifi, Kwale, Taita Taveta, Garissa, Mandera, Kisumu, Mombasa, Kisii and Wajir for Financial Year 2019/2020 as contained in Volume IV of the Report.

(Chairperson, Sessional Committee on County Public Accounts and Investments 15-06-2022)

Debate interrupted on Wednesday, 15th June, 2022 resumed on a Division; The House proceeded to a Division;

The 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 three minutes;

After the expiry of the three 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. Farhiya Ali Haji, MP – AYES
2. Sen. Makori Beatrice Kwamboka, 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 -27

NOES - 0

ABSTENTIONS – 0

AYES

- 1) Sen. Adan, Dullo Fatuma– voted virtually
- 2) Sen. Zani, Agnes Philomena - voted virtually on behalf of the Kwale County Delegation
- 3) Sen. Cherarkey Samson Kiprotich – voted virtually
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana
- 6) Sen. Kajwang’ Moses Otieno– voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru, Charles Reubenson – voted virtually
- 9) Sen. Linturi, Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim
- 12) Sen. Mbitu, Michael Maling’a – voted virtually
- 13) Sen. Mbogo, George Ochilo Ayacko– voted virtually
- 14) Sen. Moi Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta, Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba
- 17) Sen. Mutula Kilonzo Junior
- 18) Sen. Mwinyihaji Mohamed Faki
- 19) Sen. Nderitu, John Kinyua
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo

- 22) Sen. Orengo James
- 23) Sen. Nyamunga Rose – voted virtually on behalf of Kisumu County Delegation
- 24) Sen. Poghisio, Samuel Losuron
- 25) Sen. Sakaja, Johnson Arthur
- 26) Sen. Wako Sitswila Amos
- 27) Sen. Wambua Enoch Kiio

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Reports of the Sessional Committee on County Public Accounts and Investments on consideration of Reports by the Auditor General on Financial Statements of the following Counties laid on the Table of the Senate on Tuesday 14th June, 2022-

- i.) County Executives of Nyeri, Tharaka Nithi, Murangá, Kitui, Lamu, Siaya, Busia, Meru, Nyamira, Turkana, Makueni, Bungoma, and Elgeyo Marakwet for the for the Financial Year 2018/2019 as contained in Volume I of the Report;
- ii.) County Assemblies of Bomet, Taita Taveta, Kilifi, Nyamira and Garissa for the Financial Year 2018/2019 as contained in Volume II of the Report;
- iii.) County Executives of Narok, Kajiado, Kwale, West Pokot, Trans Nzoia, Turkana, Kericho, Busia, Kilifi, Machakos and Kisii for the Financial Year 2019/2020 as contained in Volume III of the Report; and
- iv.) County Assemblies of Kilifi, Kwale, Taita Taveta, Garissa, Mandera, Kisumu, Mombasa, Kisii and Wajir for Financial Year 2019/2020 as contained in Volume IV of the Report.

15. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE COUNTY GOVERNMENTS CASH DISBURSEMENT (EQUITABLE SHARE) SCHEDULE FOR THE FINANCIAL YEAR 2022/2023 AND APPROVAL OF THE COUNTY GOVERNMENTS CASH DISBURSEMENT (EQUITABLE SHARE) SCHEDULE FOR THE FINANCIAL YEAR 2022/2023.**

Order read;

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the Cash Disbursement (Equitable Share) Schedule for

Financial year 2022/2023, laid on the Table of the Senate on Thursday, 16th 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 Cash Disbursement (Equitable Share) Schedule for Financial Year 2022/2023.

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

Debate arising;

And there being no other Senators wishing to contribute;

Mover replied;

Raising a point of order, the Mover requested for the deferment of the putting of the Question to a later date, pursuant to Standing Order 61 (3).

And the Speaker acceding to the request, deferred division to a later time

Debate interrupted on Thursday, 16th June, 2022 resumed on a Division;

The House proceeded to a Division;

The 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 three minutes;

After the expiry of the three 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. Farhiya Ali Haji, MP – AYES
2. Sen. Makori Beatrice Kwamboka, 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 -27

NOES - 0

ABSTENTIONS – 0

AYES

- 1) Sen. Adan, Dullo Fatuma– voted virtually
- 2) Sen. Zani, Agnes Philomena - voted virtually on behalf of the Kwale County Delegation
- 3) Sen. Cherarkey Samson Kiprotich – voted virtually
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana
- 6) Sen. Kajwang’ Moses Otieno– voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru, Charles Reubenson – voted virtually
- 9) Sen. Linturi, Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim
- 12) Sen. Mbitu, Michael Maling’a – voted virtually
- 13) Sen. Mbogo, George Ochilo Ayacko– voted virtually
- 14) Sen. Moi Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta, Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba
- 17) Sen. Mutula Kilonzo Junior
- 18) Sen. Mwinyihaji Mohamed Faki
- 19) Sen. Nderitu, John Kinyua
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Nyamunga Rose – voted virtually on behalf of Kisumu County Delegation
- 24) Sen. Poghisio, Samuel Losuron
- 25) Sen. Sakaja, Johnson Arthur
- 26) Sen. Wako Sitswila Amos
- 27) Sen. Wambua Enoch Kiio

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the Cash Disbursement (Equitable Share) Schedule for Financial year 2022/2023, laid on the Table of the Senate on Thursday, 16th 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 Cash Disbursement (Equitable Share) Schedule for Financial Year 2022/2023.

16. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE EFFICACY OF THE INTEGRATED FINANCIAL MANAGEMENT INFORMATION SYSTEM (IFMIS) AND ITS APPLICATION IN DISBURSEMENT OF FUNDS**

Order read;

Motion made and Question proposed;

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

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the efficacy of the Integrated Financial Management Information System (IFMIS) and its application in disbursement of funds laid on the Table of the Senate on Thursday, 16th June, 2022.

Debate arising;

And there being no other Senators wishing to contribute;
Mover replied;

Raising a point of order, the Mover requested for the deferment of the putting of the Question to a later date, pursuant to Standing Order 61 (3).

And the Speaker acceding to the request, deferred division to a later time.

Debate interrupted on Thursday, 16th June, 2022 resumed on a Division;
The House proceeded to a Division;

The 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 Divison bell be rung for three minutes;

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

The names of the Tellers were annouced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Makori Beatrice Kwamboka, 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 -27

NOES - 0

ABSTENTIONS – 0

AYES

- 1) Sen. Adan, Dullo Fatuma– voted virtually
- 2) Sen. Zani, Agnes Philomena - voted virtually on behalf of the Kwale County Delegation
- 3) Sen. Cherarkey Samson Kiprotich – voted virtually
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana
- 6) Sen. Kajwang’ Moses Otieno– voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru, Charles Reubenson – voted virtually
- 9) Sen. Linturi, Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim
- 12) Sen. Mbito, Michael Maling’a – voted virtually
- 13) Sen. Mbogo, George Ochilo Ayacko– voted virtually
- 14) Sen. Moi Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta, Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba
- 17) Sen. Mutula Kilonzo Junior
- 18) Sen. Mwinyihaji Mohamed Faki
- 19) Sen. Nderitu, John Kinyua
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Nyamunga Rose – voted virtually on behalf of Kisumu County Delegation
- 24) Sen. Poghisio, Samuel Losuron
- 25) Sen. Sakaja, Johnson Arthur
- 26) Sen. Wako Sitswila Amos
- 27) Sen. Wambua Enoch Kiio

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the efficacy of the Integrated Financial Management Information System (IFMIS) and its application in disbursement of funds laid on the Table of the Senate on Thursday, 16th June, 2022.

17. **MOTION – ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET CONCERNING THE APPROVAL FOR THE NATIONAL GOVERNMENT TO GUARANTEE LAIKIPIA COUNTY GOVERNMENT TO BORROW BY ISSUANCE OF KSHS.1.16 BILLION INFRASTRUCTURE BOND.**

Order read;

Motion made and Question proposed;

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

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget concerning the approval for the National Government to guarantee Laikipia County Government to borrow by issuance of Kshs.1.16 billion infrastructure bond laid on the Table of the Senate on Thursday, 16th June, 2022 and pursuant to Section 58 of the Public Finance Management Act **approves** the request by the Cabinet Secretary for the National Treasury to guarantee the County Government of Laikipia to borrow Ksh.1.16 billion for infrastructure bond.

Debate arising;

And there being no other Senators wishing to contribute;

Mover replied;

Raising a point of order, the Mover requested for the deferment of the putting of the Question to a later date, pursuant to Standing Order 61 (3).

And the Speaker acceding to the request, deferred division to a later time.

18. **PROCEDURAL MOTION – EXTENSION OF SITTING TIME OF THE SENATE**

Motion made and Question proposed;

THAT, pursuant to Standing Order 31(3)(a), the Senate resolves to extend its sitting time, today, Thursday, 16th June, 2022, until conclusion of business appearing on the Order Paper.

(Sen. Mutula Kilonzo Jnr, MP)

And 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.

RESOLVED ACCORDINGLY

THAT, pursuant to Standing Order 31(3)(a), the Senate resolves to extend its sitting time, today, Thursday, 16th June, 2022, until conclusion of business appearing on the Order Paper.

19. **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.

20. **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.

21. **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.

22. **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.

23. **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.

24. **COMMITTEE OF THE WHOLE**

Order for Committee Read:

IN THE COMMITTEE

(The Chairperson of Committees– in the Chair)

The Irrigation (Amendment) Bill (National Assembly Bills No. 12 of 2021)

Clauses 3-16

Motion made and Question proposed;

THAT, Clauses 3-16 be part of the Bill.

(The Senate Majority Leader 04-05-2022)

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

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25**NOES: 0****ABSTENTIONS: 0****AYES**

1. Sen. Halake, Abshiro Soka- voted virtually on behalf of Isiolo County Delegation.
2. Sen. Boy, Issa Juma - voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana- voted virtually
6. Sen. Kajwang' Moses Otieno- voted virtually
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kibiru, Charles Reubenson- voted virtually
9. Sen. Linturi, Franklin Mithika
10. Sen. Madzayo, Stewart Mwachiru
11. Sen. Mahamud Mohamed Maalim- voted virtually
12. Sen. Mbito, Michael Maling'a – voted virtually
13. Sen. Mbogo, George Ochilo Ayacko- voted virtually
14. Sen. Moi, Gideon Kipsielei Towett – voted virtually
15. Sen. Seneta, Mary Yiane- voted on behalf of the Kajiado County Delegation
16. Sen. Murkomen Onesimus Kipchumba- voted virtually
17. Sen. Muthama, Agnes Kavindu- voted virtually
18. Sen. Mutula Kilonzo Junior- voted virtually
19. Sen. Mwinyihaji Mohamed Faki
20. Sen. Ndwiga, Peter Njeru
21. Sen. Onger Samson Kegengo
22. Sen. Orengo, James
23. Sen. Poghisio, Samuel Losuron
24. Sen. Haji, Farhiya Ali- voted on behalf of Nairobi County Delegation
25. Sen. Wako Sitswila Amos

Clauses 3-16-agreed toNew Clause 8A

-

Insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 8—

8A. Section 14 of the principal Act is amended—

(a) by inserting the following new subsection immediately after subsection (2) —

(2A) Each county executive committee member shall, in ensuring that the county government fulfils its obligations under subsection (1) –

- (a) formulate a county irrigation strategy in collaboration with the relevant stake holders, in line with national policies and strategies;
- (b) delineate by notice in the gazette, strategic smallholder irrigation schemes;
- (c) promote the use of efficient irrigation systems in the respective county;
- (d) put in place measures for adaptation to, and mitigation against the effects of climate change and the enhanced sustainable environmental management in the county; and
- (e) report to the county assembly annually, and at such other time as may be necessary, on the state of irrigation development and management in the county.

(b) in subsection (3) by—

(a) deleting the words “formulate and” appearing at the beginning of the paragraph (a);

(b) inserting the following new paragraph immediately after paragraph (a) –

(aa) put in place the irrigation infrastructure in smallholder schemes;

(c) deleting paragraph (f) and substituting therefor the following new paragraph—

(f) prepare and submit to the respective county executive committee member such periodic reports on the performance of its functions as the committee member shall determine; and

(d) inserting the following new paragraph immediately after paragraph (f)—

(g) advise the respective county executive committee member on the development, maintenance, expansion and availability of irrigation support services in the respective county.

(The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries - 04-05-2022)

Amendments withdrawn by the Mover

Clause 2 - Amendment proposed

THAT clause 2 of the Bill be amended by inserting the following new definition immediately after the definition of the term “commercial irrigation

farmer” —

“county executive committee member” means the county executive committee member responsible for matters relating to irrigation.

(The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries - 04-05-2022)

Amendment withdrawn by the Mover

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.

(The Senate Majority Leader)

The Committee proceeded to a Division,

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake, Abshiro Soka– voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy, Issa Juma - voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana- voted virtually

- 6) Sen. Kajwang' Moses Otieno- voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru, Charles Reubenson- voted virtually
- 9) Sen. Linturi, Franklin Mithika
- 10) Sen. Madzayo, Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim- voted virtually
- 12) Sen. Mbitu, Michael Maling'a - voted virtually
- 13) Sen. Mbogo, George Ochilo Ayacko- voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett - voted virtually
- 15) Sen. Seneta, Mary Yiane- voted on behalf of the Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba- voted virtually
- 17) Sen. Muthama, Agnes Kavindu- voted virtually
- 18) Sen. Mutula Kilonzo Junior- voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga, Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo, James
- 23) Sen. Poghisio, Samuel Losuron
- 24) Sen. Haji, Farhiya Ali - voted on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

Clause 2, the Title and Clause 1

-agreed to

Motion made: -

THAT, the Committee do report to the Senate its consideration of the Irrigation (Amendment) Bill (National Assembly Bills No. 12 of 2021) and its approval thereof without amendments.

(The Senate Majority Leader)

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

Question put and agreed to.

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

26. **THE IRRIGATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 12 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.

(The Senate Majority Leader)

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 Irrigation (Amendment) Bill (National Assembly Bills No. 12 of 2021) be now Read a **Third Time**.

(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 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 that the division bell be rung for three minutes;

After the expiry of three 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. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, 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: 24

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake, Abshiro Soka– voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Zani, Agnes Philomena - voted virtually on behalf of Kwale County Delegation
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Hargura Godana- voted virtually
- 5) Sen. Kajwang’ Moses Otieno – voted virtually
- 6) Sen. Kamar Margaret Jepkoech
- 7) Sen. Kibiru, Charles Reubenson– voted virtually
- 8) Sen. Madzayo, Stewart Mwachiru

- 9) Sen. Mbiti, Michael Maling'a – voted virtually
- 10) Sen. Mbogo, George Ochilo Ayacko– voted virtually
- 11) Sen. Mogeni, Erick Okong'o – voted virtually
- 12) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 13) Sen. Seneta, Mary Yiane– voted on behalf of the Kajiado County Delegation
- 14) Sen. Muthama, Agnes Kavindu– voted virtually
- 15) Sen. Mutula Kilonzo Junior
- 16) Sen. Mwinyihaji Mohamed Faki
- 17) Sen. Ndwiga, Peter Njeru
- 18) Sen. Olekina Ledama
- 19) Sen. Ongeru Samson Kegengo
- 20) Sen. Orengo, James
- 21) Sen. Nyamunga Rose– voted virtually on behalf of the Kisumu County Delegation
- 22) Sen. Poghisio, Samuel Losuron
- 23) Sen. Sakaja, Johnson Arthur– voted virtually
- 24) Sen. Wako Sitswila Amos

Question - agreed to

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

27. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Chairperson of Committees – in the Chair)

The Community Groups Registration Bill (National Assembly Bills No. 20 of 2021)

Clauses 3-40

Motion made and Question proposed;

THAT, Clauses 3-40, First and Second Schedules, be part of the bill,

(The Senate Majority Leader - 14.06.2022)

Debate interrupted on Tuesday, 14th June, 2022 resumed on a Division.

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

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

Upon the expiry of the eleven minutes, the Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Adan, Dullo Fatuma – voted virtually
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang' Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim- voted virtually
- 12) Sen. Mbito Michael Maling'a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo, James
- 23) Sen. Poghio Samuel Losuron
- 24) Sen. Haji, Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

Clauses 3 – 40 – 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,

(The Senate Majority Leader 14.06.2022)

Debate interrupted on Tuesday, 14th June, 2022 resumed on a Division.

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Adan, Dullo Fatuma – voted virtually
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang’ Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim- voted virtually
- 12) Sen. Mbito Michael Maling’a – voted virtually

- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Onger Samson Kegengo
- 22) Sen. Orengo, James
- 23) Sen. Poghisio Samuel Losuron
- 24) Sen. Haji, Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

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

Motion made;

THAT, the Committee do report to the Senate, its consideration of the Community Groups Registration Bill (National Assembly Bills No. 20 of 2021) and its approval thereof without amendments.

(The Senate Majority Leader)

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

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

29. **COMMUNITY GROUPS REGISTRATION BILL (NATIONAL ASSEMBLY BILLS NO. 20 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.

(The Senate Majority Leader)

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 Community Groups Registration Bill (National Assembly Bills No. 20 of 2021) be now Read a **Third Time**.

(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 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 that the division bell be rung for three minutes;

After the expiry of three 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. Ngugi Isaac, MP – AYES
2. Sen. Sen. Kwamboka Beatrice, 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: 24

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
- 2) Sen. Zani Agnes Philomena - voted virtually on behalf of Kwale County Delegation
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Hargura Godana – voted virtually
- 5) Sen. Kajwang' Moses Otieno – voted virtually
- 6) Sen. Kamar Margaret Jepkoech
- 7) Sen. Kibiru Charles Reubenson – voted virtually
- 8) Sen. Madzayo Stewart Mwachiru
- 9) Sen. Mbito Michael Maling'a – voted virtually
- 10) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 11) Sen. Mogeni Erick Okong'o

- 12) Sen. Moi Gideon Kipsielei Towett – voted virtually
- 13) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 14) Sen. Muthama, Agnes Kavindu – voted virtually
- 15) Sen. Mutula Kilonzo Junior – voted virtually
- 16) Sen. Mwinyihaji Mohamed Faki
- 17) Sen. Ndwiga Peter Njeru
- 18) Sen. Olekina Ledama
- 19) Sen. Ongeru Samson Kegengo
- 20) Sen. Orengo James
- 21) Sen. Nyamunga Rose – voted virtually on behalf of Kisumu County Delegation
- 22) Sen. Poghio Samuel Losuron
- 23) Sen. Sakaja Johnson Arthur – voted virtually
- 24) Sen. Wako Sitswila Amos

Question - agreed to.

Bill read a third time and **passed.**

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

(The Senate Majority Leader)

(Resumption of debate interrupted on Tuesday 14th June, 2022)
(Division)

Order deferred.

31. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Chairperson of Committees – in the Chair)

The Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bills No. 32 of 2021)

Clauses 3 - 39

Motion made and Question proposed;

THAT, Clauses 3 - 39 be part of the bill,

(The Senate Majority Leader - 14.06.2022)

Debate interrupted on Tuesday, 14th June, 2022 resumed on a Division.

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

Upon the expiry of the eleven minutes, the Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows:-

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang' Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling'a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo

- 22) Sen. Orengo James
- 23) Sen. Poghio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Amos Sitswila

Clauses 3 - 39 – 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,
(The Senate Majority Leader - 14.06.2022)

Debate interrupted on Tuesday, 14th June, 2022 resumed on a Division.

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

Upon the expiry of the eleven minutes, the Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang' Moses Otieno – voted virtually

- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbitio Michael Maling’a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghisio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Amos Sitswila

Clause 2, the Title and Clause 1 – agreed to

Motion made;

THAT, the Committee do report to the Senate, its consideration of the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bills No. 32 of 2021) and its approval thereof without amendments.

(The Senate Majority Leader)

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

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

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

(The Senate Majority Leader)

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

Question put and agreed to.

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 **Third Time**.

(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 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 that the division bell be rung for three minutes;

Upon the expiry of three 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. Ngugi Isaac, MP – AYES
2. Sen. Sen. Kwamboka Beatrice, 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: 24

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake, Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Zani Agnes Philomena – voted virtually on behalf of Kwale County Delegation.
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Hargura Godana – voted virtually
- 5) Sen. Kajwang' Moses Otieno – voted virtually
- 6) Sen. Kamar Margaret Jepkoech
- 7) Sen. Kibiru Charles Reubenson – voted virtually

- 8) Sen. Madzayo Stewart Mwachiru
- 9) Sen. Mbito Michael Maling'a – voted virtually
- 10) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 11) Sen. Mogeni Erick Okong'o
- 12) Sen. Moi Gideon Kipsielei Towett – voted virtually
- 13) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 14) Sen. Muthama Agnes Kavindu – voted virtually
- 15) Sen. Mutula Kilonzo Junior – voted virtually
- 16) Sen. Mwinyihaji Mohamed Faki
- 17) Sen. Ndwiga Peter Njeru
- 18) Sen. Olekina Ledama
- 19) Sen. Ongeru Samson Kegengo
- 20) Sen. Orengo James
- 21) Sen. Nyamunga Rose – voted virtually on behalf of Kisumu County Delegation
- 22) Sen. Poghisio Samuel Losuron
- 23) Sen. Sakaja Johnson Arthur – voted virtually
- 24) Sen. Wako Amos Sitswila

Question - agreed to.

Bill read a third time and **passed.**

34. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Chairperson of Committees - in the Chair)

The Sacco Societies (Amendment) Bill (National Assembly Bills No. 55 of 2021)

Clauses 3 – 9

Motion made and Question proposed;

THAT, Clauses 3 - 9 be part of the Bill,

(The Senate Majority Leader -14-06-2022)

Debate interrupted on Tuesday, 14th June, 2022 resumed on a Division.

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake, Abshiro Soka– voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy, Issa Juma - voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana- voted virtually
- 6) Sen. Kajwang' Moses Otieno– voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru, Charles Reubenson– voted virtually
- 9) Sen. Linturi, Franklin Mithika
- 10) Sen. Madzayo, Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim- voted virtually
- 12) Sen. Mbitu, Michael Maling'a – voted virtually
- 13) Sen. Mbogo, George Ochilo Ayacko– voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta, Mary Yiane– voted on behalf of the Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba– voted virtually
- 17) Sen. Muthama, Agnes Kavindu– voted virtually
- 18) Sen. Mutula Kilonzo Junior– voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga, Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo, James
- 23) Sen. Poghio, Samuel Losuron
- 24) Sen. Haji, Farhiya Ali– voted on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

Clauses 3 - 9

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,

(The Senate Majority Leader -14-06-2022)

Debate interrupted on Tuesday, 14th June, 2022 resumed on a Division.

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake, Abshiro Soka– voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy, Issa Juma - voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana- voted virtually
- 6) Sen. Kajwang’ Moses Otieno– voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru, Charles Reubenson– voted virtually
- 9) Sen. Linturi, Franklin Mithika
- 10) Sen. Madzayo, Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim- voted virtually
- 12) Sen. Mbiti, Michael Maling’a – voted virtually
- 13) Sen. Mbogo, George Ochilo Ayacko – voted virtually

- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta, Mary Yiane – voted on behalf of the Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba– voted virtually
- 17) Sen. Muthama, Agnes Kavindu– voted virtually
- 18) Sen. Mutula Kilonzo Junior– voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga, Peter Njeru
- 21) Sen. Onger Samson Kegengo
- 22) Sen. Orengo, James
- 23) Sen. Poghisio, Samuel Losuron
- 24) Sen. Haji, Farhiya Ali– voted on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

Clause 2, the Title and Clause 1 agreed to

Motion made;

THAT, the Committee do report to the Senate, its consideration of the Sacco Societies (Amendment) Bill (National Assembly Bills No. 55 of 2021) and its approval thereof without amendments.

(The Senate Majority Leader)

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

Question put and agreed to.

35. **HOUSE RESUMED** –The Speaker in the Chair

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

Bill reported **without** amendments;

Motion made and Question proposed-

THAT the House do agree with the Committee in the said Report.

(The Senate Majority Leader)

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 Sacco Societies (Amendment) Bill (National Assembly Bills No. 55 of 2021) be now Read a **Third Time**.

(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 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 that the division bell be rung for three minutes;

After the expiry of three 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. Ngugi Isaac, MP – AYES
2. Sen. Sen. Kwamboka Beatrice, 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: 24

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake, Abshiro Soka- voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Zani, Agnes Philomena - voted virtually on behalf of Kwale County Delegation
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Hargura Godana- voted virtually
- 5) Sen. Kajwang' Moses Otieno – voted virtually
- 6) Sen. Kamar Margaret Jepkoech
- 7) Sen. Kibiru, Charles Reubenson- voted virtually
- 8) Sen. Madzayo, Stewart Mwachiru
- 9) Sen. Mbito, Michael Maling'a – voted virtually
- 10) Sen. Mbogo, George Ochilo Ayacko- voted virtually
- 11) Sen. Mogeni, Erick Okong'o – voted virtually
- 12) Sen. Moi, Gideon Kipsielei Towett – voted virtually

- 13) Sen. Seneta, Mary Yiane– voted on behalf of the Kajiado County Delegation
- 14) Sen. Muthama, Agnes Kavindu– voted virtually
- 15) Sen. Mutula Kilonzo Junior
- 16) Sen. Mwinyihaji Mohamed Faki
- 17) Sen. Ndwiga, Peter Njeru
- 18) Sen. Olekina Ledama
- 19) Sen. Onger Samson Kegengo
- 20) Sen. Orengo, James
- 21) Sen. Nyamunga Rose– voted virtually on behalf of the Kisumu County Delegation
- 22) Sen. Poghio, Samuel Losuron
- 23) Sen. Sakaja, Johnson Arthur– voted virtually
- 24) Sen. Wako Sitswila Amos

Question - agreed to

Bill read a third time and **passed**.

37. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Chairperson of Committees – in the Chair)

The Sustainable Waste Management Bill (National Assembly Bills No. 22 of 2021)

Clauses 3–35

Motion made and Question proposed;

THAT, Clauses 3 – 35 be part of the bill,

(The Senate Majority Leader 14.06.2022)

Debate interrupted on Tuesday, 14th June, 2022 resumed on a Division.

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

Upon the expiry of the eleven minutes, the Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang’ Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling’a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

Clauses 3 – 35 – agreed to.

First and Second Schedules

Debate interrupted on Tuesday, 14th June, 2022 resumed on a Division.

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

Upon the expiry of the eleven minutes, the Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang' Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling'a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghio Samuel Losuron

- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

First and Second Schedules - 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,

(The Senate Majority Leader 14.06.2022)

Debate interrupted on Tuesday, 14th June, 2022 resumed on a Division.

The Chairperson of Committees (Sen. (Prof.) Margaret Kamar, 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 that the division bell be rung for eleven minutes;

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

The names of the Tellers were announced as follows;

- 1. Sen. Farhiya Ali Haji, MP – AYES
- 2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang’ Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually

- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling'a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

Clause 2, the Title and Clause 1 – agreed to

Motion made;

THAT, the Committee do report to the Senate, its consideration of the Sustainable Waste Management Bill (National Assembly Bills No. 22 of 2021) and its approval thereof without amendments.

(The Senate Majority Leader)

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

Question put and agreed to.

38. **HOUSE RESUMED** – The Speaker in the Chair

39. **THE SUSTAINABLE WASTE MANAGEMENT BILL (NATIONAL ASSEMBLY BILLS NO. 22 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.

(The Senate Majority Leader)

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 Sustainable Waste Management Bill (National Assembly Bills No. 22 of 2021) be now Read a **Third Time**.

(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 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 that the division bell be rung for three minutes;

After the expiry of three 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. Ngugi Isaac, MP – AYES
2. Sen. Sen. Kwamboka Beatrice, 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: 24

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
- 2) Sen. Zani Agnes Philomena - voted virtually on behalf of Kwale County Delegation
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Hargura Godana – voted virtually
- 5) Sen. Kajwang’ Moses Otieno – voted virtually
- 6) Sen. Kamar Margaret Jepkoech
- 7) Sen. Kibiru Charles Reubenson – voted virtually

- 8) Sen. Madzayo Stewart Mwachiru
- 9) Sen. Mbito Michael Maling'a – voted virtually
- 10) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 11) Sen. Mogeni Erick Okong'o
- 12) Sen. Moi Gideon Kipsielei Towett – voted virtually
- 13) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 14) Sen. Muthama, Agnes Kavindu – voted virtually
- 15) Sen. Mutula Kilonzo Junior – voted virtually
- 16) Sen. Mwinyihaji Mohamed Faki
- 17) Sen. Ndwiga Peter Njeru
- 18) Sen. Olekina Ledama
- 19) Sen. Ongeru Samson Kegengo
- 20) Sen. Orengo James
- 21) Sen. Nyamunga Rose – voted virtually on behalf of Kisumu County Delegation
- 22) Sen. Poghisio Samuel Losuron
- 23) Sen. Sakaja Johnson Arthur – voted virtually
- 24) Sen. Wako Sitswila Amos

Question - agreed to.

Bill read a third time and passed.

40. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Chairperson of Committees – in the Chair)

The County Governments Additional Allocations Bill (Senate Bills No. 2 of 2022)

Clause 3

Motion made and Question proposed;

THAT, Clause 3 be part of the Bill

(The Chairperson, Committee on Finance and Budget)

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang' Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling'a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghisio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

Clause 3

-

agreed to

Clause 4 - amendment proposed

THAT clause 4 of the Bill be amended in subclause (1)-

- (a) by deleting the word “grants” appearing immediately after the word “additional” and substituting therefor the word “allocations” appearing in the opening phrase;
- (b) by inserting the words “the national government and” immediately after the words “allocations from” in paragraph (a); and
- (c) by inserting the words “additional allocations in form of” immediately before the words “loans and grants” in paragraph (c).

(Chairperson, Committee on Finance and Budget)

There being no Senator wishing to contribute;

The Chairperson (Sen. (Prof.) Margaret Kamar, 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 that the division bell be rung for eleven minutes;

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

The names of the Tellers were announced as follows;

- 1. Sen. Farhiya Ali Haji, MP – AYES
- 2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually

- 6) Sen. Kajwang’ Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling’a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Onger Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghisio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

Clause 4 (as amended) - agreed to

Clause 5 - Amendment proposed

THAT clause 5 of the Bill be amended-

(a) in subsection (2)-

(i) by deleting the words “Column L” appearing immediately after the words “shall be set out in” and substituting therefor the words “Column M” in the opening phrase;

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

(f) conditional allocations from a World Bank credit to finance Locally-Led Climate Action Program, (FLLoCA) for County Climate Institutional Support (CCIS) as set out in Column G of the Second Schedule.

(iii) by inserting the following new paragraph immediately after paragraph (j)-

(k) conditional allocations financed by a grant from the World Bank to finance Locally- Led Climate Program (FLLoCA) for County Climate Resilience Investment (CCRI) grant as set out in Column L.

(b) by inserting the following new paragraph immediately after subsection (2)

(2A) Conditional allocations under subsection 2(k) shall be allocated among county governments on the basis of a criteria to be determined as follows-

- (a) The accounting officer responsible for the conditional allocation shall in each eligible county government carry out or cause to be carried out, in accordance with the intergovernmental agreement between the National Government and each eligible county government, an assessment to determine the eligible county governments' performance score for purposes of determining the Performance allocation for the financial year 2022/2023.
- (b) The allocation to the eligible county governments shall be on the basis of the criteria comprising the performance score determined under paragraph (a) and the Revenue Sharing formula approved by Parliament in accordance with Article 217 of the Constitution; and
- (c) The Cabinet Secretary shall publish in the Kenya Gazette the allocations determined in terms of paragraph (b).

(Chairperson, Committee on Finance and Budget)

There being no Senator wishing to contribute;

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25**NOES: 0****ABSTENTIONS: 0****AYES**

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang’ Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling’a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghisio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

Clause 5 (as amended) - agreed to

Clause 6 - Amendment proposed

THAT clause 6 of the Bill be amended by deleting the word “conditional” appearing immediately after the words “transfers of all” and substituting therefor the word “additional”.

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

There being no Senator wishing to contribute;

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

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang' Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling'a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

Clause 6 (as amended) - agreed to

Clauses 7 – 8

Motion made and Question proposed;

THAT, Clauses 7 - 8 be part of the Bill

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

There being no Senator wishing to contribute;

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang’ Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually

- 12) Sen. Mbiti Michael Maling'a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

Clauses 7 - 8 - agreed to

New Clause 5A - Amendment proposed

Motion made and Question proposed;

THAT, the Bill be amended by inserting the following new clause immediately after clause 5

Equalization Fund.	5A. Additional allocations to the respective county government from the Equalization Fund for the financial year 2022/23 shall be as set out in the Third Schedule.
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Motion made and Question proposed;

THAT, the New Clause 5A be now read a Second Time

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

The Committee proceeded to a Division;

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang’ Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling’a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

New Clause 5A - agreed to

First Schedule - Amendment proposed

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

FIRST SCHEDULE

Conditional allocations to County Governments from National Government Revenue in Financial year 2022/23 (Kenya Shillings)

Additional allocations to County Governments from National Government Revenue in Financial year 2022/23 (Kenya Shillings)					
S/ N	County	FY 2021/22	FY 2022/23		
		Total Conditional Grants from the National Government Revenue	Supplement for construction of county headquarters	Conditional Grant-Leasing of Medical Equipment	Total Conditional Grants from the National Government Revenue
		Column A	Column B	Column C	Column D
1	Baringo	153,297,872	-	110,638,298	110,638,298
2	Bomet	153,297,872	-	110,638,298	110,638,298
3	Bungoma	153,297,872	-	110,638,298	110,638,298
4	Busia	153,297,872	-	110,638,298	110,638,298
5	Elgeyo/Marakwet	153,297,872	-	110,638,298	110,638,298
6	Embu	153,297,872	-	110,638,298	110,638,298
7	Garissa	153,297,872	-	110,638,298	110,638,298
8	Homa Bay	153,297,872	-	110,638,298	110,638,298
9	Isiolo	221,297,872	102,000,000	110,638,298	212,638,298
10	Kajiado	153,297,872	-	110,638,298	110,638,298
11	Kakamega	153,297,872	-	110,638,298	110,638,298
12	Kericho	153,297,872	-	110,638,298	110,638,298
13	Kiambu	153,297,872	-	110,638,298	110,638,298
14	Kilifi	153,297,872	-	110,638,298	110,638,298
15	Kirinyanga	153,297,872	-	110,638,298	110,638,298
16	Kisii	153,297,872	-	110,638,298	110,638,298
17	Kisumu	153,297,872	-	110,638,298	110,638,298
18	Kitui	153,297,872	-	110,638,298	110,638,298
19	Kwale	153,297,872	-	110,638,298	110,638,298
20	Laikipia	153,297,872	-	110,638,298	110,638,298
21	Lamu	191,297,872	24,000,000	110,638,298	134,638,298
22	Machakos	153,297,872	-	110,638,298	110,638,298
23	Makueni	153,297,872	-	110,638,298	110,638,298
24	Mandera	153,297,872	-	110,638,298	110,638,298
25	Marsabit	153,297,872	-	110,638,298	110,638,298

26	Meru	153,297,872	-	110,638,298	110,638,298
27	Migori	153,297,872	-	110,638,298	110,638,298
28	Mombasa	153,297,872	-	110,638,298	110,638,298
29	Muranga	153,297,872	-	110,638,298	110,638,298
30	Nairobi	153,297,872	-	110,638,298	110,638,298
31	Nakuru	153,297,872	-	110,638,298	110,638,298
32	Nandi	153,297,872	-	110,638,298	110,638,298
33	Narok	153,297,872	-	110,638,298	110,638,298
34	Nyamira	153,297,872	-	110,638,298	110,638,298
35	Nyandarua	228,297,872	121,000,000	110,638,298	231,638,298
36	Nyeri	153,297,872	-	110,638,298	110,638,298
37	Samburu	153,297,872	-	110,638,298	110,638,298
38	Siaya	153,297,872	-	110,638,298	110,638,298
39	Taita Taveta	153,297,872	-	110,638,298	110,638,298
40	Tana River	228,297,872	104,000,000	110,638,298	214,638,298
41	TharakaNithi	229,297,872	103,000,000	110,638,298	213,638,298
42	Trans Nzoia	153,297,872	-	110,638,298	110,638,298
43	Turkana	153,297,872	-	110,638,298	110,638,298
44	Uasin Gishu	153,297,872	-	110,638,298	110,638,298
45	Vihiga	153,297,872	-	110,638,298	110,638,298
46	Wajir	153,297,872	-	110,638,298	110,638,298
47	West Pokot	153,297,872	-	110,638,298	110,638,298
	GRAND TOTAL	7,537,000,000	454,000,000	5,200,000,000	5,654,000,000

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

The Committee proceeded to a Division;

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang’ Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling’a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghisio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

First Schedule (as amended) - 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(2))

Additional Allocations from proceeds of loans or grants from Development Partners in Financial Year 2022/23
(Figures are in Kenya Shillings)

Additional allocations from loans and grants from development partners for financial year 2022/2023 (Figures in Kenya Shillings)														
S/N	County	FY 2021/22	FY 2022/23											
		Total Loans and Grants	IDA (World Bank) credit (National Agricultural and Rural Inclusive Growth Project (NARIGP))	IDA (World Bank) - Kenya Climate Smart Agriculture Project (KCSAP)	EU Grant (Instruments for Devolution Advice and Support (IDEAS))	IDA (World Bank) credit: Water & Sanitation Development Project (WSDP)	DANIDA Grant - Primary Health Care in Devolved Context	IDA (World-Bank) Credit (Financing Locally-led Climate Action (FLoCA) Program, County Climate Institutional Support (CCIS) Grant (Level 1))	Sweden- Agricultural Sector Development Support Programme (ASDSP) II	German Development Bank (KfW)- Drought Resilience Programme in Northern Kenya (DRPNK)	World Bank - Emergency Locust Response Project (ELRP)	World bank - Kenya Informal Settlement Improvement Project(KISIP II)	IDA (World bank) Credit(Financing Locally-Led Climate Action Program, FLoCA)	Total Loans and Grants
		Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H	Column I	Column J	Column K	Column L	Column M
1	Baringo	528,317,166	100,298,617	95,457,110	15,626,168	-	10,738,700	11,000,000	15,157,989	-	69,207,700	-	-	317,486,284
2	Bomet	653,181,658	-	83,323,430	-	-	11,605,800	11,000,000	15,590,699	-	-	-	-	121,519,929
3	Bungoma	542,772,196	-	-	-	-	18,742,700	11,000,000	15,837,026	-	-	36,424,018	-	82,003,744
4	Busia	447,133,112	-	125,328,154	-	-	12,673,000	11,000,000	15,096,539	-	-	-	-	164,097,693
5	Elgeyo/Marakwet	702,054,383	-	85,593,752	-	-	8,137,400	11,000,000	14,162,596	-	75,879,000	8,324,295	-	203,097,043
6	Embu	453,821,524	260,577,564	-	-	-	9,071,200	11,000,000	17,252,897	-	67,688,700	-	-	365,590,361
7	Garissa	1,087,727,785	-	75,269,050	-	450,000,000	14,807,400	11,000,000	19,237,689	-	80,912,850	-	-	651,226,989
8	Homa Bay	454,463,421	169,429,682	-	-	-	14,207,100	11,000,000	16,961,327	-	-	150,000,000	-	361,598,109
9	Isiolo	592,196,554	-	59,773,034	-	-	8,937,800	11,000,000	15,458,346	-	84,469,550	-	-	179,638,730
10	Kajiado	576,204,540	-	75,231,220	-	-	13,540,100	11,000,000	15,549,570	-	-	-	-	115,320,890
11	Kakamega	691,090,920	-	99,110,439	-	-	21,944,300	11,000,000	16,691,828	-	-	-	-	148,746,567
12	Kericho	569,054,323	-	72,680,579	-	-	11,339,000	11,000,000	16,995,122	-	-	-	-	112,014,701
13	Kiambu	589,239,254	400,318,542	-	-	-	19,876,600	11,000,000	17,814,189	-	-	42,456,908	-	491,466,239
14	Kilifi	2,154,008,617	219,997,606	-	-	2,000,000,000	22,011,000	11,000,000	16,633,495	-	-	200,000,000	-	2,469,642,101
15	Kirinyaga	573,638,600	148,043,801	-	-	-	8,937,800	11,000,000	15,419,509	-	-	-	-	183,401,110
16	Kisii	575,643,577	131,476,562	-	-	-	16,408,200	11,000,000	15,840,849	-	-	-	-	174,725,611

17	Kisumu	769,632,733	-	70,007,432	15,626,168	-	14,407,200	11,000,000	17,503,544	-	-	278,640,055	-	407,184,399
18	Kitui	505,225,111	153,298,172	-	-	-	18,609,300	11,000,000	17,077,037	-	70,223,000	-	-	270,207,509
19	Kwale	1,084,696,427	129,364,832	-	-	1,150,000,000	16,408,200	11,000,000	16,384,932	-	-	-	-	1,323,157,964
20	Laikipia	594,808,504	-	66,193,250	-	-	8,804,400	11,000,000	14,580,064	-	-	-	-	100,577,714
21	Lamu	387,821,812	-	5,236,636	-	-	5,469,400	11,000,000	15,214,470	-	-	200,000,000	-	236,920,506
22	Machakos	563,831,924	-	68,040,614	-	-	16,341,500	11,000,000	15,404,784	-	67,674,400	-	-	178,461,298
23	Makueni	600,213,719	182,245,441	-	-	-	15,607,800	11,000,000	16,187,773	-	-	-	-	225,041,014
24	Mandera	607,418,422	-	81,191,951	-	-	21,544,100	11,000,000	18,686,862	-	91,274,250	-	-	223,697,163
25	Marsabit	753,314,489	-	55,194,559	16,140,048	-	14,273,800	11,000,000	18,451,009	387,000,000	93,873,850	-	-	595,933,266
26	Meru	778,344,871	206,960,478	-	-	-	16,941,800	11,000,000	15,209,642	-	75,983,000	-	-	326,094,920
27	Migori	391,091,244	115,188,436	-	-	-	14,273,800	11,000,000	18,146,589	-	-	-	-	158,608,825
28	Mombasa	1,313,902,680	-	-	-	950,000,000	14,874,100	11,000,000	14,414,211	-	-	219,423,444	-	1,209,711,755
29	Murang'a	454,929,372	202,429,735	-	-	-	13,273,300	11,000,000	14,410,294	-	-	-	-	241,113,329
30	Nairobi City	866,791,349	-	-	-	-	33,550,100	11,000,000	20,945,243	-	-	350,000,000	-	415,495,343
31	Nakuru	819,285,259	92,144,660	-	-	-	22,077,700	11,000,000	15,827,494	-	-	300,000,000	-	441,049,854
32	Nandi	524,798,208	155,424,837	-	-	-	11,272,300	11,000,000	14,501,837	-	-	16,519,088	-	208,718,062
33	Narok	645,965,988	235,246,719	-	-	-	16,941,800	11,000,000	18,136,451	-	-	-	-	281,324,970
34	Nyamira	563,367,518	171,924,054	-	-	-	10,138,400	11,000,000	14,787,054	-	-	-	-	207,849,508
35	Nyandarua	683,889,689	-	75,718,650	11,000,000	-	10,271,800	11,000,000	14,157,337	-	-	25,497,691	-	147,645,478
36	Nyeri	680,265,672	-	124,713,230	-	-	11,405,700	11,000,000	13,627,489	-	-	102,139,147	-	262,885,566
37	Samburu	470,939,351	89,792,536	-	15,626,168	-	9,738,200	11,000,000	19,131,435	-	91,588,750	-	-	236,877,089

(No. 045)**THURSDAY, 16TH JUNE, 2022****(506)**

38	Siaya	540,152,675	-	75,368,050	-	-	12,206,100	11,000,000	14,538,059	-	-	-	-	113,112,209
39	Taita Taveta	1,379,682,318	-	124,522,005	15,624,929	800,000,000	8,937,800	11,000,000	14,868,457	-	-	60,000,000	-	1,034,953,191
40	Tana River	468,563,507	-	82,386,194	14,727,370	-	12,339,500	11,000,000	20,261,832	-	-	-	-	140,714,896
41	Tharaka Nithi	600,288,742	-	122,240,640	-	-	8,270,800	11,000,000	13,846,340	-	68,827,500	80,575,354	-	304,760,634
42	Trans Nzoia	571,686,484	207,126,690	-	-	-	12,139,400	11,000,000	14,675,225	-	-	200,000,000	-	444,941,315
43	Turkana	786,247,615	124,429,694	-	-	-	22,211,100	11,000,000	24,393,829	438,000,000	101,918,500	-	-	721,953,123
44	Uasin Gishu	608,853,967	-	84,379,280	-	-	13,340,000	11,000,000	14,385,267	-	-	200,000,000	-	323,104,547
45	Vihiga	417,314,928	67,413,552	-	-	-	9,804,900	11,000,000	13,982,977	-	-	-	-	102,201,429
46	Wajir	1,160,065,181	-	78,101,121	15,626,168	550,000,000	18,009,000	11,000,000	22,904,132	-	89,529,250	230,000,000	-	1,015,169,671
47	West Pokot	559,953,126	-	114,909,620	-	-	10,538,600	11,000,000	18,793,436	-	70,759,700	-	-	226,001,356
	Total	32,343,890,515	3,563,132,210	1,999,970,000	119,997,019	5,900,000,000	667,000,000	517,000,000	775,134,775	825,000,000	1,199,810,000	2,700,000,000	5,433,000,000	23,700,044,004

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

The Committee proceeded to a Division;

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang' Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling'a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru

- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghiso Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

Second Schedule (as amended) - agreed to

New Schedule - Amendment proposed

THAT, the Bill be amended by inserting the following new schedule immediately after the Second Schedule-

THIRD SCHEDULE

Third Schedule: Allocations from the Equalization Fund for the Marginalized areas for the FY 2022-23				
No.	COUNTY	FY 2021/2022	FY2022/23	TOTAL
1	Baringo	396,090,056.67	410,201,046.07	806,291,103
2	Bomet	12,790,912.52	13,246,597.86	26,037,510
3	Bungoma	39,127,812.29	40,521,768.37	79,649,581
4	Busia	11,968,468.05	12,394,853.22	24,363,321
5	Elgeyo Marakwet	43,344,757.89	44,888,945.66	88,233,704
6	Garissa	419,977,632.76	434,939,634.02	854,917,267
7	Homa Bay	87,604,010.00	90,724,965.03	178,328,975
8	Isiolo	98,782,717.91	102,301,922.35	201,084,640
9	Kajiado	276,095,875.57	285,931,987.11	562,027,863
10	Kericho	40,527,235.23	41,971,046.75	82,498,282
11	Kilifi	359,394,892.38	372,198,590.51	731,593,483
12	Kisumu	16,198,087.17	16,775,155.52	32,973,243
13	Kitui	264,587,656.25	274,013,779.30	538,601,436
14	Kwale	164,949,142.52	170,825,572.79	335,774,715
15	Laikipia	79,416,251.80	82,245,512.14	161,661,764
16	Lamu	38,352,059.72	39,718,379.07	78,070,439
17	Machakos	8,602,649.08	8,909,124.56	17,511,774
18	Mandera	501,519,700.07	519,386,695.35	1,020,906,395
19	Marsabit	308,685,487.79	319,682,627.39	628,368,115
20	Meru	19,921,432.69	20,631,147.87	40,552,581
21	Migori	118,331,949.45	122,547,609.14	240,879,559
22	Murang'a	3,780,709.85	3,915,400.33	7,696,110
23	Nakuru	4,283,648.32	4,436,256.33	8,719,905
24	Nandi	77,713,331.50	80,481,924.10	158,195,256

25	Narok	513,675,602.75	531,975,660.69	1,045,651,263
26	Samburu	432,475,053.34	447,882,284.07	880,357,337
27	Siaya	17,167,277.61	17,778,874.06	34,946,152
28	Taita taveta	8,876,797.24	9,193,039.44	18,069,837
29	Tana River	294,306,383.64	304,791,257.45	599,097,641
30	Tharaka Nithi	29,293,164.07	30,336,753.83	59,629,918
31	Trans Nzoia	4,978,023.58	5,155,369.20	10,133,393
32	Turkana	761,584,245.26	788,716,224.55	1,550,300,470
33	Wajir	486,048,672.49	503,364,501.43	989,413,174
34	West Pokot	680,106,212.55	704,335,479.10	1,384,441,692
	Total	6,620,557,910.01	6,856,419,984.67	13,476,977,895

Motion made and Question proposed;

THAT, the New Schedule be now read a Second Time;

(Sen. Farhiya Haji on behalf of the Chair, Standing Committee on Finance & Budget)

The Committee proceeded to a Division;

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich

- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang’ Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling’a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

New Schedule - agreed to

Clause 2 - Amendment proposed

THAT, Clause 2 of the Bill by deleting the definition of the term “Cabinet Secretary” and substituting therefor the following new definition-

“Cabinet Secretary” means the Cabinet Secretary responsible for matters relating to finance.

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

The Committee proceeded to a Division;

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang’ Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling’a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Onger Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

Clause 2 (as amended) - agreed to

The Title and Clause 1

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

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

The Committee proceeded to a Division;

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang’ Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling’a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation

- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Onger Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghisio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

The Title and Clause 1 - agreed to

Motion made;

THAT, the Committee do report to the Senate, its consideration of the County Governments Additional Allocations Bill (Senate Bills No. 2 of 2022) and its approval thereof with amendments.

(The Senate Majority Leader)

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

Question put and agreed to.

41. **HOUSE RESUMED** – The Speaker in the Chair

42. **THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL (NATIONAL ASSEMBLY BILLS NO. 2 OF 2022)**

Bill reported **with** amendments;

Motion made and Question proposed;

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

(The Deputy Senate Majority Whip)

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 –

The County Governments Additional Allocations Bill (Senate Bills No. 2 of 2022) be now read a Third Time

There being no senator wishing to contribute;

The House proceeded to a Division;

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 that the division bell be rung for three minutes;

After the expiry of three 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. Ngugi Isaac, MP – AYES
2. Sen. Sen. Kwamboka Beatrice, 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: 24

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake, Abshiro Soka– voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Zani, Agnes Philomena-voted virtually on behalf of Kwale County Delegation.
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Hargura Godana- voted virtually
- 5) Sen. Kajwang’ Moses Otieno– voted virtually
- 6) Sen. Kamar Margaret Jepkoech
- 7) Sen. Kibiru, Charles Reubenson– voted virtually
- 8) Sen. Madzayo, Stewart Mwachiru
- 9) Sen. Mbiti, Michael Maling’a – voted virtually
- 10) Sen. Mbogo, George Ochilo Ayacko– voted virtually
- 11) Sen. Mogeni, Erick Okong’o
- 12) Sen. Moi, Gideon Kipsielei Towett– voted virtually
- 13) Sen. Seneta, Mary Yiane– voted on behalf of Kajiado County Delegation
- 14) Sen. Muthama, Agnes Kavindu– voted virtually
- 15) Sen. Mutula Kilonzo Junior– voted virtually
- 16) Sen. Mwinyihaji Mohamed Faki
- 17) Sen. Ndwiga, Peter Njeru

- 18) Sen. Olekina, Ledama
- 19) Sen. Onger Samson Kegengo
- 20) Sen. Orengo, James
- 21) Sen. Nyamunga Rose- voted virtually on behalf of Kisumu County Delegation
- 22) Sen. Poghio, Samuel Losuron
- 23) Sen. Sakaja, Johnson Arthur- voted virtually
- 24) Sen. Wako Sitswila Amos

Question – agreed to.

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

43. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Chairperson of Committees – in the Chair)

The Sugar Bill (National Assembly Bills No. 68 of 2019)

Clauses 3 – 5

Motion made and Question proposed;

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

(The Senate Majority Leader)

Clauses 3 -5

Vote deferred

Clause 6

Amendment Proposed

THAT clause 6 of the Bill be amended in subclause (1) by deleting paragraph (a) and substituting therefore the following new paragraph—

(a) a chairperson appointed by the President by notice in the *Gazette*.

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

Clause 6

Vote deferred

Clause 7

Motion made and Question proposed;

THAT, Clause 7 be part of the Bill.

(The Senate Majority Leader)

Clause 7- Vote deferred

Clause 8 - Amendment proposed

THAT clause 8 of the Bill be amended in the introductory phrase by deleting the word “of” appearing immediately after the words “of the Board”.

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

Clause 8 - Vote deferred

Clause 9 - Amendment proposed

THAT clause 9 of the Bill be amended in paragraph (a) by deleting the words “growers and millers” appearing immediately after the words “or levies upon” and substituting therefor the words “value chain players”.

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

Clause 9 - Vote deferred

Clauses 10 – 20

Motion made and Question proposed;

THAT, Clauses 10 – 20 be part of the Bill.

(The Senate Majority Leader)

Clauses 10 – 20 - Vote deferred

Clauses 21 – 24

Motion made and Question proposed;

THAT, Clauses 21 – 24 be part of the Bill.

(The Senate Majority Leader)

Clauses 21 – 24 - Vote deferred

Clause 25 - Amendment Proposed

THAT clause 25 of the Bill be amended —

(a) by numbering the existing provision as subclause (1);

(b) in subclause (1) by –

- (i) deleting the word “Cabinet Secretary” appearing immediately after the words “appointed by the” in paragraph (a) and substituting therefor the words “President by notice in the *Gazette*”;
- (ii) inserting the following new paragraphs immediately after paragraph (b)

—

- (ba) one person nominated by the Council of County Governors;
and
- (bb) one person, who has knowledge and experience in matters relating to sugar technology and value addition, elected by sugar millers;
- (iii) inserting the words “and secretary to the Board” immediately after the words “an ex official member”;

- (b) inserting the following new subclause immediately after subclause (1) —
 - (2) The Cabinet Secretary shall appoint the members under subsection (1)(b), (ba) and (bb) by notice in the *Gazette*.

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

Clause 25 Vote deferred

Progress report:

Motion made;

THAT, the Committee of the Whole do report progress on its consideration of the Sugar Bill (National Assembly Bills No. 68 of 2019) and seek leave to sit again tomorrow.

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

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.

44. **HOUSE RESUMED** – The Speaker in the Chair

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

Progress Reported.

Motion made and Question proposed-

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

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

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.**

46. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Chairperson of Committees – in the Chair)

The Children Bill (National Assembly Bills No. 38 of 2021)

Clauses 3 – 250

Motion made and Question proposed;

THAT, Clauses 3 - 250 be part of the bill,

(The Senate Majority Leader -14.06.2022)

Debate interrupted on Wednesday, 14th June, 2022 resumed on a Division.

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang’ Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling’a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

Clauses 3 - 250 - agreed to

The First, Second, Third, Fourth, Fifth, Six, Seventh and Eighth Schedules.

Motion made and Question proposed;

THAT, the First, Second, Third, Fourth, Fifth, Six, Seventh and Eighth Schedules be part of the Bill.

(The Senate Majority Leader)

Debate interrupted on Wednesday, 14th June, 2022, resumed on a Division.

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang' Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling'a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Ongeru Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

The First, Second, Third, Fourth, Fifth, Six, Seventh and Eighth Schedules
- 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.

(The Senate Majority Leader)

Debate interrupted on Tuesday, 14th June, 2022 resumed on a Division.

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

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

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali Haji, MP – AYES
2. Sen. Kwamboka Beatrice, MP – NOES

The 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: 25

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Boy Issa Juma – voted virtually
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Cheruiyot Aaron Kipkirui
- 5) Sen. Hargura Godana – voted virtually
- 6) Sen. Kajwang’ Moses Otieno – voted virtually
- 7) Sen. Kamar Margaret Jepkoech
- 8) Sen. Kibiru Charles Reubenson – voted virtually
- 9) Sen. Linturi Franklin Mithika
- 10) Sen. Madzayo Stewart Mwachiru
- 11) Sen. Mahamud Mohamed Maalim – voted virtually
- 12) Sen. Mbito Michael Maling’a – voted virtually
- 13) Sen. Mbogo George Ochilo Ayacko – voted virtually
- 14) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 15) Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation

- 16) Sen. Murkomen Onesimus Kipchumba – voted virtually
- 17) Sen. Muthama Agnes Kavindu – voted virtually
- 18) Sen. Mutula Kilonzo Junior – voted virtually
- 19) Sen. Mwinyihaji Mohamed Faki
- 20) Sen. Ndwiga Peter Njeru
- 21) Sen. Onger Samson Kegengo
- 22) Sen. Orengo James
- 23) Sen. Poghisio Samuel Losuron
- 24) Sen. Haji Farhiya Ali – voted virtually on behalf of Nairobi County Delegation
- 25) Sen. Wako Sitswila Amos

Clause 2, the Title and Clause 1

agreed to

Motion made;

THAT, the Committee of the Whole do report its consideration of the Children Bill (National Assembly Bills No. 38 of 2021) its approval thereof without amendments.

(The Senate Majority Leader)

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

Question put and agreed to.

47. **HOUSE RESUMED** – The Speaker in the Chair

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

Bill reported without amendments;

Motion made and Question proposed-

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

(The Senate Majority Leader)

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 Children Bill (National Assembly Bills No. 38 of 2021) be now Read a Third Time.

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 that the division bell be rung for three minutes;

After the expiry of three 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. Ngugi Isaac, MP – AYES
2. Sen. Kwamboka Beatrice, 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: 24

NOES: 0

ABSTENTIONS: 0

AYES

- 1) Sen. Halake, Abshiro Soka– voted virtually on behalf of Isiolo County Delegation.
- 2) Sen. Zani, Agnes Philomena - voted virtually on behalf of Kwale County Delegation
- 3) Sen. Cherarkey Samson Kiprotich
- 4) Sen. Hargura Godana- voted virtually
- 5) Sen. Kajwang’ Moses Otieno – voted virtually
- 6) Sen. Kamar Margaret Jepkoech
- 7) Sen. Kibiru, Charles Reubenson– voted virtually
- 8) Sen. Madzayo, Stewart Mwachiru
- 9) Sen. Mbito, Michael Maling’– voted virtually
- 10) Sen. Mbogo, George Ochilo Ayacko– voted virtually
- 11) Sen. Mogeni, Erick Okong’o – voted virtually
- 12) Sen. Moi, Gideon Kipsielei Towett – voted virtually
- 13) Sen. Seneta, Mary Yiane– voted on behalf of the Kajiado County Delegation
- 14) Sen. Muthama, Agnes Kavindu– voted virtually
- 15) Sen. Mutula Kilonzo Junior
- 16) Sen. Mwinyihaji Mohamed Faki
- 17) Sen. Ndwiga, Peter Njeru
- 18) Sen. Olekina Ledama
- 19) Sen. Ongeru Samson Kegengo

- 20) Sen. Orengo, James
- 21) Sen. Nyamunga Rose– voted virtually on behalf of the Kisumu County Delegation
- 22) Sen. Poghisio, Samuel Losuron
- 23) Sen. Sakaja, Johnson Arthur– voted virtually
- 24) Sen. Wako Sitswila Amos

Question - agreed to

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

49. **MOTION-ALTERATION OF THE SENATE CALENDAR FOR THE SIXTH SESSION**

Motion made and Question proposed-

THAT, notwithstanding the resolution of the Senate made on 9th February, 2022 regarding the approval of the Calendar of the Senate for the Sixth Session, and pursuant to Standing Order No. 29(4), the Senate resolves to –

- 1. Alter its Calendar and defer the *sine die* adjournment scheduled for today , Thursday 16th June 2022 ;and
- 2. hold a sitting on Tuesday 21st June, 2022 at 10.00am to transact Business which shall be scheduled by Senate Business Committee

(The Senate Minority Leader)

Debate arising;

And there being no other Senators wishing to contribute;
Mover replied;

Before the Question was put and pursuant to Standing Order 79(1) Speaker ruled that the Motion did not affect counties.

Question put, agreed to.

RESOLVED ACCORDINGLY

THAT, notwithstanding the resolution of the Senate made on 9th February, 2022 regarding the approval of the Calendar of the Senate for the Sixth Session, and pursuant to Standing Order No. 29(4), the Senate resolves to –

- 1. Alter its Calendar and defer the *sine die* adjournment scheduled for today , Thursday 16th June 2022 ;and

2. hold a sitting on Tuesday 21st June, 2022 at 10.00am to transact Business which shall be scheduled by Senate Business Committee.

50. **MOTION - ADJOURNMENT OF THE SENATE SINE DIE**

(The Senate Majority Leader)

THAT, pursuant to Standing Orders 28 and 29, the Senate do adjourn *Sine Die*.

Order deferred;

There being no other Business in the Order Paper, the Speaker adjourned the Senate at forty- eight minutes past Nine O'clock without Question put, pursuant to the Standing Orders.

51. **SENATE ROSE** – at forty- eight minutes past Nine O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Tuesday, June 21st, 2022 at 10:00 a.m.*

--X--