



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (SECOND SESSION)**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**THURSDAY, SEPTEMBER 28, 2023 AT 2.30 PM**

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with Prayer said by the Speaker.

3. **QUORUM IN THE SENATE**

The Speaker, having counted the Honourable Senators present at the commencement of the Sitting and confirming that there was Quorum, invited the Clerk to call the Orders of the day.

4. **PAPER**

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

Statement on the Business of the Senate for the week commencing Tuesday, 3rd October, 2023.

*(The Senate Majority Leader)*

5. **QUESTIONS AND STATEMENTS**

**STATEMENTS**

a) **Pursuant to Standing Order 52 (1)**

- i.) The Senator for Bungoma County (Sen. David Wafula Wakoli, MP) made a statement concerning the plight of Kenyans who are stranded in Malaysia.

The Senator expressed concerns about the dire situation that three individuals were facing after traveling to Malaysia in search of better opportunities but fell victim to human trafficking. The three Kenyans found themselves living in deplorable conditions, having been duped by an agency named Elite Job Hub21 Agency.

The Senator informed the Senate that the victims were initially taken to Malaysia by Elite Job Hub21 Agency who had organized their

travel, where they were made to work without proper contracts, adequate meals, or shelter. They endured harsh conditions for two months before being told they were essentially slaves who had been bought at an exorbitant price. When they demanded payment for their labor, they were dismissed without compensation.

The Senator observed that the stranded Kenyans sought help from the Kenyan Embassy in Malaysia but received no response. The Senator called for an inquiry by the Standing Committee on Labour and Social Welfare, to address the human trafficking issue and provide assistance to the affected Kenyans.

- ii.) Nominated Senator (Sen. Betty Montet, MP) on behalf of Nominated Senator (Sen. Catherine Mumma, MP) made a statement concerning the sustainable exploitation of natural resources in Turkana County.

The Senator highlighted the constitutional obligations to ensure the sustainable management of the environment and the equitable distribution of benefits. The Senator observed that Turkana County, with its vast arable land and abundant natural resources, held immense potential for development if managed sustainably.

However, security issues, both internal and external, had hindered the exploitation of these resources, affecting activities like fishing, pastoralism, and mining. The Senator emphasized the need for affirmative measures to increase investment in resource management and urged for greater community engagement in decision-making processes to protect the interests of the local population.

She called upon the Senate to engage with relevant government bodies to assess existing affirmative actions, outline security measures for Turkana County, explore international cooperation to address cross-border issues, and evaluate community participation in resource exploitation decisions. The Senator concluded by stating that without these steps, Turkana County would continue to be marginalized, missing out on the development opportunities its abundant resources could offer to its residents and the nation at large.

**b) Pursuant to Standing Order 53(1)**

- i.) The Senator for Nyeri County (Sen. Wahome Wamatinga, MP) sought a statement from the Standing Committee on Trade, Industrialization and Tourism concerning the regulation of the scrap metal industry in Kenya.

- ii.) The Senator for Nyeri County (Sen. Wahome Wamatinga, MP) sought a statement from the Standing Committee on Education concerning the circumstances leading to the death of Master Caleb Odanga while on a school trip.
- iii.) The Senator for Nyeri County (Sen. Wahome Wamatinga, MP) sought a statement from the Standing Committee on Health regarding the institution of measures to safeguard families of patients suffering from brain stem death.

**c) Pursuant to Standing Order 57(1)**

The Senate Majority Leader issued a statement on the business of the Senate for the week commencing Tuesday, 3<sup>rd</sup> October, 2023.

6. **COMMITTEE OF THE WHOLE**  
**THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILLS NO. 9 OF 2022)**  
*(Sen. Mariam Sheikh Omar, MP)*

Order deferred.

7. **COMMITTEE OF THE WHOLE**

Order for Committee read;

**IN THE COMMITTEE**

(The Acting Chairperson of Committees (Sen. Veronica Maina, MP) – in the Chair)

**The Primary Health Care Bill (Senate Bills No. 44 of 2023)**

Clauses 3 and 4

Motion made and Question proposed;

THAT, Clauses 3 and 4 be part of the Bill

*(The Senate Majority Leader)*

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES
2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
11. Sen. Lelegwe Steve Ltumbesi, MP
12. Sen. Mandago Jackson Kiplagat, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Murango James Kamau, MP
17. Sen. Muthama Agnes Kavindu, MP
18. Sen. Mwaruma Johnes Mwashushe, MP
19. Sen. Mwenda Gataya Mo Fire, MP
20. Sen. Nderitu John Kinyua, MP
21. Sen. Ngugi Joe Nyutu, MP
22. Sen. Oginga Oburu, MP
23. Sen. Oketch Eddy Gicheru, MP
24. Sen. Osotsi Godfrey Atieno, MP
25. Sen. Recha Julius Murgor, MP
26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation
27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiiio, MP

Clauses 3 and 4 - agreed to

Clause 5 - amendment proposed

THAT, Clause 5 of the Bill be amended in subclause (2) by deleting the word “and” appearing immediately after the words “of first aid” in paragraph (e) and substituting therefor the word “for”.

*(The Chairperson, Standing Committee on Health)*

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

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10. Sen. Kisang William Kipkemoi, MP
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29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Clause 5 (as amended)                      - agreed to

Clauses 6, 7 and 8

Motion made and Question proposed;

THAT, Clauses 6, 7 and 8 be part of the Bill

*(The Senate Majority Leader)*

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES
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The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

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**AYES**

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30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Clauses 6, 7 and 8- agreed toClause 9- amendment proposed

THAT Clause 9 of the Bill be amended in subclause (2) by deleting the word “or” appearing immediately after the words “the national languages” in paragraph (f) and substituting therefor the word “and”.

*(Sen. William Cheptumo, MP)*

Further amendment proposed

THAT Clause 9 of the Bill be amended -

(a) by deleting subclause (1) and substituting therefor the following new subclause -

(1) A community health care promoter shall be selected in manner prescribed in legislation enacted by the respective county governments.

(b) in subclause (4) by deleting the word “guidelines” appearing immediately after the words “the county legislation” and substituting therefor the words “and regulations approved by the respective county assembly”.

*(Sen. Godfrey Osotsi, MP)*

Part (a) of the further amendment withdrawn by the Mover

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

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- 2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

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**ABSTENTION – 0**

**AYES**

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- 5. Sen. Haji Abdul Mohammed, MP
- 6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
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- 8. Sen. Khalwale Boni, MP
- 9. Sen. Kipkiror William Cheptumo, MP
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- 11. Sen. Lelegwe Steve Ltumbesi, MP



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27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiiio, MP

Clause 9 (as amended) - agreed to

Clause 10 - amendment proposed

THAT Clause 10 of the Bill be amended in subclause (3) by deleting paragraph (f).

*(Sen. Godfrey Osotsi, MP)*

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

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27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Clause 10 (as amended)

- agreed to

Clause 11

Motion made and Question proposed;

THAT, Clause 11 be part of the Bill

*(The Senate Majority Leader)*

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

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**ABSTENTION – 0**

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25. Sen. Recha Julius Murgor, MP
26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation

27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watenya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Clause 11 - agreed to

Clause 12 - amendment proposed

THAT Clause 12 of the Bill be amended by inserting the words “at least once a year” immediately after the word “training” appearing in paragraph (a).

*(Sen. Danson Mungatana, MP)*

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

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The Acting Chairperson (Sen. Veronica Maina, MP) 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: -

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**NOES - 0**

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**AYES**

1. Sen. Abass Sheikh Mohamed, MP
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6. Sen. Ogolla Beatrice Akinyi, MP–voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
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9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
11. Sen. Lelegwe Steve Ltumbesi, MP

- 12. Sen. Mandago Jackson Kiplagat, MP
- 13. Sen. Methu John Muhia, MP
- 14. Sen. Mundigi Alexander Munyi, MP
- 15. Sen. Mungatana Danson Buya, MP
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- 17. Sen. Muthama Agnes Kavindu, MP
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- 20. Sen. Nderitu John Kinyua, MP
- 21. Sen. Ngugi Joe Nyutu, MP
- 22. Sen. Oginga Oburu, MP
- 23. Sen. Oketch Eddy Gicheru, MP
- 24. Sen. Osotsi Godfrey Atieno, MP
- 25. Sen. Recha Julius Murgor, MP
- 26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation
- 27. Sen. Seki Lenku Ole Kanar, MP
- 28. Sen. Sifuna Edwin Watanya, MP
- 29. Sen. Thangwa Paul Karungo, MP
- 30. Sen. Wafula David Wakoli, MP
- 31. Sen. Wamatinga Wahome, MP
- 32. Sen. Wambua Enoch Kiio, MP

Clause 12 (as amended) - agreed to

Clause 13 - amendment proposed

THAT, Clause 13 of the Bill be amended –

(a) by deleting the heading to Part IV and substituting therefor the following new heading –

**PART IV – ROLE OF NATIONAL GOVERNMENT IN PRIMARY HEALTH CARE POLICY**

(b) by renumbering the existing provision as subclause (1);

(c) in subclause (1) -

(i) by deleting the introductory Clause and substituting therefor the following new Clause –

The Cabinet Secretary shall provide policy direction for the effective provision of primary health care services by county governments and shall, for this purpose -

(ii) by deleting the word “counties” appearing immediately after the words “data from the” in paragraph (c) and substituting therefor the words “respective county primary health care advisory committee”;

(iii) in paragraph (e) by deleting the words “and technical assistance and monitor implementation” appearing immediately after the words “provide capacity development”; and

(iv) by deleting paragraph (f); and

(d) by inserting the following new subclause immediately after subclause (1) –

(2) The National Government shall appropriate and transfer to the county revenue fund of respective county governments such monies as shall be required for the effective performance of their functions under this Act.

*(Sen. Eddy Oketch, MP)*

Further amendment proposed

THAT clause 13 of the Bill be amended by deleting the introductory clause and substituting therefor the following new introductory clause—

The Cabinet Secretary Shall—

*(The Chairperson, Standing Committee on Health)*

Further amendment withdrawn by the Mover

Further amendment proposed

THAT clause 13 of the Bill be amended -

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

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

The Cabinet Secretary shall provide policy direction for the effective provision of primary health care services by county governments and shall, for this purpose -

(c) by inserting the following new provision immediately after subclause (1) –

(2) The National Government shall appropriate and transfer to the county revenue fund of respective county governments such monies as shall be required for the effective performance of their functions under this Act.

*(Sen. Danson Mungatana, MP)*

Further amendment withdrawn by the Mover

Further amendment proposed

THAT clause 13 of the Bill be amended by deleting paragraph (f).

*(Sen. Godfrey Osotsi, MP)*

Further amendment withdrawn by the Mover

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES
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The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

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2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
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31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Clause 13 (as amended) - agreed to

Clause 14 - amendment proposed

THAT the Bill be amended by deleting Clause 14.

*(Sen. Danson Mungatana, MP)*

Further amendment proposed

THAT clause 14 of the Bill be amended in subclause (2) by-

(a) deleting paragraph (f) and substituting therefor the following paragraph—

(f) the Director of the Kenya Medical College or their representative;

(b) inserting the following new paragraph immediately after paragraph (g)—

(ga) the chief executive officer of the Kenya Health Professional Oversight Authority or their representative;

*(The Chairperson, Standing Committee on Health)*

Further amendment withdrawn by the Mover

Further amendment proposed

THAT the Bill be amended by deleting clause 14.

*(Sen. Eddy Oketch, MP)*

Further amendment withdrawn by the Mover



Further amendment proposed

THAT the Bill be amended by deleting clause 14.

*(Sen. Godfrey Osotsi, MP)*

Further amendment withdrawn by the Mover

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES
2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
11. Sen. Lelegwe Steve Ltumbesi, MP
12. Sen. Mandago Jackson Kiplagat, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Murango James Kamau, MP
17. Sen. Muthama Agnes Kavindu, MP
18. Sen. Mwaruma Johnes Mwashushe, MP

19. Sen. Mwenda Gataya Mo Fire, MP
20. Sen. Nderitu John Kinyua, MP
21. Sen. Ngugi Joe Nyutu, MP
22. Sen. Oginga Oburu, MP
23. Sen. Oketch Eddy Gicheru, MP
24. Sen. Osotsi Godfrey Atieno, MP
25. Sen. Recha Julius Murgor, MP
26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation
27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Clause 14 - deleted

Clause 15 - amendment proposed

THAT Clause 15 of the Bill be amended in paragraph (c) by deleting the words “and remuneration” appearing immediately after the words “for the facilitation”.

*(The Chairperson, Standing Committee on Health)*

Further amendment proposed

THAT Clause 15 of the Bill be amended by inserting the following new heading immediately after Clause 14 –

**PART IVA – MANAGEMENT OF PRIMARY HEALTH CARE SERVICES**

*(Sen. Eddy Oketch, MP)*

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn; The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES
2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP–voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
11. Sen. Lelegwe Steve Ltumbesi, MP
12. Sen. Mandago Jackson Kiplagat, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Murango James Kamau, MP
17. Sen. Muthama Agnes Kavindu, MP
18. Sen. Mwaruma Johnes Mwashushe, MP
19. Sen. Mwenda Gataya Mo Fire, MP
20. Sen. Nderitu John Kinyua, MP
21. Sen. Ngugi Joe Nyutu, MP
22. Sen. Oginga Oburu, MP
23. Sen. Oketch Eddy Gicheru, MP
24. Sen. Osotsi Godfrey Atieno, MP
25. Sen. Recha Julius Murgor, MP
26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation
27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Clause 15 (as amended)

- agreed to

Clause 16

- amendment proposed

THAT Clause 16 of the Bill be amended in subclause (3) by—

- (a) deleting the words “promote oversight” appearing before the words “monitor and evaluate” in paragraph (a); and
- (b) deleting paragraph (m).

*(Sen. Godfrey Osotsi, MP)*

Further amendment proposed

THAT clause 16 of the Bill be amended in subclause (3) by deleting paragraph (m).

*(Sen. Eddy Oketch, MP)*

Further amendment withdrawn by the Mover

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES
2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP–voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
11. Sen. Lelegwe Steve Ltumbesi, MP
12. Sen. Mandago Jackson Kiplagat, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Murango James Kamau, MP
17. Sen. Muthama Agnes Kavindu, MP

18. Sen. Mwaruma Johnes Mwashushe, MP
19. Sen. Mwenda Gataya Mo Fire, MP
20. Sen. Nderitu John Kinyua, MP
21. Sen. Ngugi Joe Nyutu, MP
22. Sen. Oginga Oburu, MP
23. Sen. Oketch Eddy Gicheru, MP
24. Sen. Osotsi Godfrey Atieno, MP
25. Sen. Recha Julius Murgor, MP
26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation
27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiiro, MP

Clause 16 (as amended)

- agreed to

Clauses 17 and 18

Motion made and Question proposed;

THAT, Clauses 17 and 18 be part of the Bill

*(The Senate Majority Leader)*

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn; The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES
2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
11. Sen. Lelegwe Steve Ltumbesi, MP
12. Sen. Mandago Jackson Kiplagat, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Murango James Kamau, MP
17. Sen. Muthama Agnes Kavindu, MP
18. Sen. Mwaruma Johnes Mwashushe, MP
19. Sen. Mwenda Gataya Mo Fire, MP
20. Sen. Nderitu John Kinyua, MP
21. Sen. Ngugi Joe Nyutu, MP
22. Sen. Oginga Oburu, MP
23. Sen. Oketch Eddy Gicheru, MP
24. Sen. Osotsi Godfrey Atieno, MP
25. Sen. Recha Julius Murgor, MP
26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation
27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Clauses 17 and 18

- agreed to

Clause 19

- amendment proposed

THAT, Clause 19 of the Bill be amended in subclause (1) by deleting the words “in accordance with the Kenya Community Health Policy” appearing at the end of the subclause.

*(The Chairperson, Standing Committee on Health)*

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES
2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
11. Sen. Lelegwe Steve Ltumbesi, MP
12. Sen. Mandago Jackson Kiplagat, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Murango James Kamau, MP
17. Sen. Muthama Agnes Kavindu, MP
18. Sen. Mwaruma Johnes Mwashushe, MP
19. Sen. Mwenda Gataya Mo Fire, MP
20. Sen. Nderitu John Kinyua, MP
21. Sen. Ngugi Joe Nyutu, MP
22. Sen. Oginga Oburu, MP
23. Sen. Oketch Eddy Gicheru, MP
24. Sen. Osotsi Godfrey Atieno, MP
25. Sen. Recha Julius Murgor, MP
26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation

- 27. Sen. Seki Lenku Ole Kanar, MP
- 28. Sen. Sifuna Edwin Watanya, MP
- 29. Sen. Thangwa Paul Karungo, MP
- 30. Sen. Wafula David Wakoli, MP
- 31. Sen. Wamatinga Wahome, MP
- 32. Sen. Wambua Enoch Kiio, MP

Clause 19 (as amended) - agreed to

Clause 20 - amendment proposed

THAT, clause 20 of the Bill be amended—

- (a) in subclause (1) by deleting the words “special interest” appearing immediately after the words “a representative of” in paragraph (c) and substituting therefor the word “vulnerable”; and
- (b) in subclause (3) by inserting the words “renewable once” at the end of the subclause.

*(The Chairperson, Standing Committee on Health)*

Further amendment proposed

THAT, clause 20 of the Bill be amended further in subclause (4) by deleting the words “and oversight” appearing immediately after the words “provide leadership” in paragraph (a).

*(Sen. Godfrey Osotsi, MP)*

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

- 1. Sen. Miraj Abdillahi, MP – AYES
- 2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**



**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
11. Sen. Lelegwe Steve Ltumbesi, MP
12. Sen. Mandago Jackson Kiplagat, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Murango James Kamau, MP
17. Sen. Muthama Agnes Kavindu, MP
18. Sen. Mwaruma Johnes Mwashushe, MP
19. Sen. Mwenda Gataya Mo Fire, MP
20. Sen. Nderitu John Kinyua, MP
21. Sen. Ngugi Joe Nyutu, MP
22. Sen. Oginga Oburu, MP
23. Sen. Oketch Eddy Gicheru, MP
24. Sen. Osotsi Godfrey Atieno, MP
25. Sen. Recha Julius Murgor, MP
26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation
27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Clause 20 (as amended) - agreed to

Clause 21 - amendment proposed

THAT Clause 21 of the Bill be amended by inserting the following new subclause immediately after subclause (2)—

- (3) Despite section 9, a person appointed as a community health volunteer at the commencement of this Act shall be deemed to be appointed as a community health promoter under this Act.

*(The Chairperson, Standing Committee on Health)*

Further amendment proposed

THAT clause 21 of the Bill be amended by inserting the following new subclause immediately after subclause (2)—

(3) Despite section 9, a person appointed as a community health volunteer or community health worker at the commencement of this Act shall be deemed to be appointed as a community health promoter under this Act.

*(Sen. Godfrey Osotsi, MP)*

Further amendment withdrawn by the Mover

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES
2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
11. Sen. Lelegwe Steve Ltumbesi, MP
12. Sen. Mandago Jackson Kiplagat, MP
13. Sen. Methu John Muhia, MP

- 14. Sen. Mundigi Alexander Munyi, MP
- 15. Sen. Mungatana Danson Buya, MP
- 16. Sen. Murango James Kamau, MP
- 17. Sen. Muthama Agnes Kavindu, MP
- 18. Sen. Mwaruma Johnes Mwashushe, MP
- 19. Sen. Mwenda Gataya Mo Fire, MP
- 20. Sen. Nderitu John Kinyua, MP
- 21. Sen. Ngugi Joe Nyutu, MP
- 22. Sen. Oginga Oburu, MP
- 23. Sen. Oketch Eddy Gicheru, MP
- 24. Sen. Osotsi Godfrey Atieno, MP
- 25. Sen. Recha Julius Murgor, MP
- 26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation
- 27. Sen. Seki Lenku Ole Kanar, MP
- 28. Sen. Sifuna Edwin Watanya, MP
- 29. Sen. Thangwa Paul Karungo, MP
- 30. Sen. Wafula David Wakoli, MP
- 31. Sen. Wamatinga Wahome, MP
- 32. Sen. Wambua Enoch Kiio, MP

Clause 21 (as amended) - agreed to

Clause 22 - amendment proposed

THAT Clause 22 of the Bill be amended in subclause (1) by inserting the words “political or any” immediately after the words “engage in” appearing in paragraph (i).

*(Sen. Godfrey Osotsi, MP)*

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

- 1. Sen. Miraj Abdillahi, MP – AYES
- 2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
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13. Sen. Methu John Muhia, MP
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15. Sen. Mungatana Danson Buya, MP
16. Sen. Murango James Kamau, MP
17. Sen. Muthama Agnes Kavindu, MP
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19. Sen. Mwenda Gataya Mo Fire, MP
20. Sen. Nderitu John Kinyua, MP
21. Sen. Ngugi Joe Nyutu, MP
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23. Sen. Oketch Eddy Gicheru, MP
24. Sen. Osotsi Godfrey Atieno, MP
25. Sen. Recha Julius Murgor, MP
26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation
27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Clause 22 (as amended)

- agreed to

Clause 23

- amendment proposed

THAT Clause 23 of the Bill be amended by inserting the words “in consultation with county governments” immediately after the words “Cabinet Secretary shall”.

*(The Chairperson, Standing Committee on Health)*

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

- 1 Sen. Miraj Abdillahi, MP – AYES
2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
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11. Sen. Lelegwe Steve Ltumbesi, MP
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13. Sen. Methu John Muhia, MP
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23. Sen. Oketch Eddy Gicheru, MP
24. Sen. Osotsi Godfrey Atieno, MP
25. Sen. Recha Julius Murgor, MP
26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation

- 27. Sen. Seki Lenku Ole Kanar, MP
- 28. Sen. Sifuna Edwin Watanya, MP
- 29. Sen. Thangwa Paul Karungo, MP
- 30. Sen. Wafula David Wakoli, MP
- 31. Sen. Wamatinga Wahome, MP
- 32. Sen. Wambua Enoch Kiio, MP

Clause 23 (as amended) - agreed to

New Clause 9A - insertion of a new clause proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 9 —

Public participation in the selection of community health promoters.

No. 17 of 2012.

- 9A. (1) In conducting the public participation forum under section 9, the county executive committee member shall –
- (a) publish and publicize, through the mechanisms established by a county government under section 95(1) of the County Governments Act, a notice of the proposed selection process, at least seven days before the conduct of the process;
  - (b) avail to the residents of the county, information regarding the –
    - (i) agenda with respect to the selection process and any other issue connected to the selection process;
    - (ii) criteria for selection as a community health promoter;
    - (iii) the process of submitting their nomination for selection; and
    - (iv) such other information as the committee member may consider necessary for the effective participation and conduct of the selection process;
  - (c) ensure that the information circulated under paragraph (b) is provided in format that is simple to understand and is also available in the prevailing local language;
  - (d) take measures to ensure the participation of all persons required to participate in the process including persons with disabilities and marginalized communities within the county;
  - (e) provide, where necessary, interpretation services for persons who are not conversant with the national

language, where the national language is the principle language of communication during the conduct of the public participation forum;

- (f) keep and maintain an attendance register of all persons attending the selection process;
- (g) ensure that all persons attending the public participation forum signify their attendance by signing the attendance register;
- (h) keep a record of the minutes of the selection process; and
- (i) publicise the decision regarding the persons selected during the public participation forum through the mechanism established under section 95(1) of the County Governments Act.

(2) The conduct of public participation forum shall be guided by the following principles –

- (a) principles of citizen participation in counties under section 87 of the County Governments Act;
- (b) provision of effective mechanisms for the involvement of the public including special interest groups who would be affected by or be interested in a decision;
- (c) participants' equitable access to the information they need to participate in a meaningful manner;
- (d) establishment of an appropriate feedback mechanism;
- (e) adherence to the national values under Article 10 of the Constitution;
- (f) adherence to the principles of public participation as may be prescribed by any written law; and
- (g) ensuring that the needs and interests of all persons participating in the process are taken into account.

(3) The county executive committee member shall prescribe, in county legislation, provisions regarding –

- (a) the quorum required for the holding of the public participation which shall not be less than seventy adults residents within the respective county;

- (b) the keeping of records prepared with respect to a public participation forum conducted under this Act;
- (c) the process of the conduct of the selection process including the voting, decision making, quorum and recording of information with respect to the process; and
- (d) such other guidelines as may be necessary for the effective conduct of the public participation forum.

*(Sen. Danson Mungatana, MP)*

The Committee proceeded to a division;

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

- 1. Sen. Miraj Abdillahi, MP – AYES
- 2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

- 1. Sen. Abass Sheikh Mohamed, MP
- 2. Sen. Cheruiyot Aaron Kipkirui, MP
- 3. Sen. Chesang Allan Kiprotich, MP
- 4. Sen. Ekomwa James Lomenen, MP
- 5. Sen. Haji Abdul Mohammed, MP
- 6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
- 7. Sen. Kamau Joseph Githuku, MP
- 8. Sen. Khalwale Boni, MP
- 9. Sen. Kipkiror William Cheptumo, MP
- 10. Sen. Kisang William Kipkemoi, MP
- 11. Sen. Lelegwe Steve Ltumbesi, MP
- 12. Sen. Mandago Jackson Kiplagat, MP
- 13. Sen. Methu John Muhia, MP
- 14. Sen. Mundigi Alexander Munyi, MP
- 15. Sen. Mungatana Danson Buya, MP



16. Sen. Murango James Kamau, MP
17. Sen. Muthama Agnes Kavindu, MP
18. Sen. Mwaruma Johnes Mwashushe, MP
19. Sen. Mwenda Gataya Mo Fire, MP
20. Sen. Nderitu John Kinyua, MP
21. Sen. Ngugi Joe Nyutu, MP
22. Sen. Oginga Oburu, MP
23. Sen. Oketch Eddy Gicheru, MP
24. Sen. Osotsi Godfrey Atieno, MP
25. Sen. Recha Julius Murgor, MP
26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation
27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Question, agreed to;

Motion made and Question proposed;

THAT New Clause 9A be part of the Bill

*(Sen. Danson Mungatana, MP)*

The Committee proceeded to a division;

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES
2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
11. Sen. Lelegwe Steve Ltumbesi, MP
12. Sen. Mandago Jackson Kiplagat, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Murango James Kamau, MP
17. Sen. Muthama Agnes Kavindu, MP
18. Sen. Mwaruma Johnes Mwashushe, MP
19. Sen. Mwenda Gataya Mo Fire, MP
20. Sen. Nderitu John Kinyua, MP
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22. Sen. Oginga Oburu, MP
23. Sen. Oketch Eddy Gicheru, MP
24. Sen. Osotsi Godfrey Atieno, MP
25. Sen. Recha Julius Murgor, MP
26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation
27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

New Clause 9A

- agreed to

New Clause 13A

- insertion of a new clause proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 13 –

Financing  
of primary  
health  
care  
functions.

13A. (1) The National Government may, in accordance with the law relating to county governments additional allocations, provide such resources as may be necessary for the

effective performance of the functions of county governments under this Act.

(2) The additional resources allocated under subsection (1) shall be a supplement, and not a substitute, to the resources allocated by the respective county government in respect to the delivery of primary health care services in the county.

*(Sen. Godfrey Osotsi, MP)*

The Committee proceeded to a division;

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES
2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order; The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
11. Sen. Lelegwe Steve Ltumbesi, MP
12. Sen. Mandago Jackson Kiplagat, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP

15. Sen. Mungatana Danson Buya, MP
16. Sen. Murango James Kamau, MP
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25. Sen. Recha Julius Murgor, MP
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28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Question, agreed to;

Motion made and Question proposed;

THAT New Clause 13A be part of the Bill

*(Sen. Godfrey Osotsi, MP)*

The Committee proceeded to a division;

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES
2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
5. Sen. Haji Abdul Mohammed, MP
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19. Sen. Mwenda Gataya Mo Fire, MP
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25. Sen. Recha Julius Murgor, MP
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29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

New Clause 13A - agreed to

New Clause 22A - insertion of a new clause proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 22—

Adherence to data protection.	22A. Every person shall, in the implementation of this Act, adhere to the provisions of the Data Protection Act in the
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No. 24 of collection, processing and transmission of  
2019. personal data under this Act.

*(Sen. Godfrey Osotsi, MP)*

The Committee proceeded to a division;

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES
2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
11. Sen. Lelegwe Steve Ltumbesi, MP
12. Sen. Mandago Jackson Kiplagat, MP
13. Sen. Methu John Muhia, MP
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17. Sen. Muthama Agnes Kavindu, MP
18. Sen. Mwaruma Johnes Mwashushe, MP
19. Sen. Mwenda Gataya Mo Fire, MP
20. Sen. Nderitu John Kinyua, MP

21. Sen. Ngugi Joe Nyutu, MP
22. Sen. Oginga Oburu, MP
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24. Sen. Osotsi Godfrey Atieno, MP
25. Sen. Recha Julius Murgor, MP
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27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kii, MP

Question, agreed to;

Motion made and Question proposed;

THAT New Clause 22 A be part of the Bill

*(Sen. Godfrey Osotsi, MP)*

The Committee proceeded to a division;

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES
2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP

5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
11. Sen. Lelegwe Steve Ltumbesi, MP
12. Sen. Mandago Jackson Kiplagat, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Murango James Kamau, MP
17. Sen. Muthama Agnes Kavindu, MP
18. Sen. Mwaruma Johnes Mwashushe, MP
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24. Sen. Osotsi Godfrey Atieno, MP
25. Sen. Recha Julius Murgor, MP
26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation
27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

New Clause 22A

- agreed to

Clause 2

- amendment proposed

THAT clause 2 of the Bill be amended by deleting the definition of the terms “community health promoter” and substituting the following new definition—“community health promoter” means a member of the community who is selected and appointed in accordance with section 9 of this Act or a community health volunteer or community health worker who is deemed to be a community health promoter under section 21(3) of this Act and is trained to provide community health services to defined households.

*(Sen. Godfrey Osotsi, MP)*

Further amendment proposed



THAT the Bill be amended by deleting the word “community health promoter” wherever it appears and substituting therefor the word “community health volunteer”.

*(Sen. Eddy Oketch, MP)*

Further amendment withdrawn by the Mover

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES
2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
11. Sen. Lelegwe Steve Ltumbesi, MP
12. Sen. Mandago Jackson Kiplagat, MP
13. Sen. Methu John Muhia, MP
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15. Sen. Mungatana Danson Buya, MP
16. Sen. Murango James Kamau, MP
17. Sen. Muthama Agnes Kavindu, MP
18. Sen. Mwaruma Johnes Mwashushe, MP
19. Sen. Mwenda Gataya Mo Fire, MP

20. Sen. Nderitu John Kinyua, MP
21. Sen. Ngugi Joe Nyutu, MP
22. Sen. Oginga Oburu, MP
23. Sen. Oketch Eddy Gicheru, MP
24. Sen. Osotsi Godfrey Atieno, MP
25. Sen. Recha Julius Murgor, MP
26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation
27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Clause 2 (as amended)

- agreed to

The Title and Clause 1

Motion made and Question proposed;

THAT, The Title and Clause 1 be part of the Bill  
*(The Senate Majority Leader)*

The Acting Chairperson (Sen. Veronica Maina, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for three minutes;

Upon the expiry of the three minutes, the Acting Chairperson (Sen. Veronica Maina, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES
2. Sen. Betty Montet, MP – NOES

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP

5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
11. Sen. Lelegwe Steve Ltumbesi, MP
12. Sen. Mandago Jackson Kiplagat, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
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27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

The Title and Clause 1

-agreed to

**Progress Report**

Motion made: -

THAT, the Committee of the Whole do report to the Senate its consideration of the Primary Health Care Bill (Senate Bills No. 44 of 2023) and its approval thereof with amendments;

*(The Senate Majority Leader)*

Before the Question was put and pursuant to Standing Order 84(1), the Acting Chairperson (Sen. Veronica Maina, MP) ruled that the Question does not affect counties;

Question put and agreed to.

8. **HOUSE RESUMED** – (The Temporary Speaker (Sen. Abdul Haji, MP) - in the Chair)

9. **THE PRIMARY HEALTH CARE BILL (SENATE BILLS NO. 44 OF 2023)**

Bill reported with 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)*

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84(1), The Temporary Speaker (Sen. Abdul Haji, MP) ruled that the Question does not affect counties;

Question put and agreed to.

Motion made and Question proposed: -

THAT, the Primary Health Care Bill (Senate Bills No. 44 of 2023) 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 Temporary Speaker (Sen. Abdul Haji, MP) directed that a roll call voting be taken pursuant to Standing Order 88(1) and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Temporary Speaker (Sen. Abdul Haji, MP) directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Miraj Abdillahi, MP – AYES

2. Sen. Betty Montet, MP – NOES

The Temporary Speaker (Sen. Abdul Haji, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows: -

**AYES – 32**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Chesang Allan Kiprotich, MP
4. Sen. Ekomwa James Lomenen, MP
5. Sen. Haji Abdul Mohammed, MP
6. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kipkiror William Cheptumo, MP
10. Sen. Kisang William Kipkemoi, MP
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25. Sen. Recha Julius Murgor, MP
26. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County delegation
27. Sen. Seki Lenku Ole Kanar, MP
28. Sen. Sifuna Edwin Watanya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wamatinga Wahome, MP
32. Sen. Wambua Enoch Kiio, MP

Question, agreed to.

Bill Read a Third Time and passed.

**10. THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL**  
**(NATIONAL ASSEMBLY BILLS NO. 23 OF 2023)**

(The Senate Majority Leader)

*(Second Reading)*

Order deferred.

11. **THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2023)**  
(Sen. Moses Kajwang' MP)

*(Second Reading)*

Order deferred.

12. **THE COMMUNITY HEALTH SERVICES BILL (SENATE BILLS NO. 24 OF 2023)**  
(Sen. Moses Kajwang', MP)

*(Second Reading)*

Order deferred.

13. **THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 18 OF 2023)**  
(Sen. Miraj Abdillahi Abdulrahman, MP)

*(Second Reading)*

Order deferred.

And there being no other business on the Order Paper, the Temporary Speaker (Sen. Abdul Haji, MP) adjourned the Senate at forty-nine minutes past Four O'clock, without Question put, pursuant to the Standing Orders.

14. **SENATE ROSE** – at forty-nine minutes past Four O'clock.

**M E M O R A N D U M**

*The Speaker will take the Chair on  
Tuesday, October 3<sup>rd</sup>, 2023 at 2:30 pm.*

--X--