

PARLIAMENT OF KENYA**THE SENATE****THE HANSARD****Tuesday, 11th June, 2024****Special Sitting**

*(Convened via Kenya Gazette Notice
No.6946 of 6th June, 2024)*

*The House met at the Senate Chamber,
Parliament Buildings, at 2.30 p.m.*

[The Speaker (Hon. Kingi) in the Chair]

PRAYER

**DETERMINATION OF QUORUM
AT COMMENCEMENT OF SITTING**

The Speaker (Hon. Kingi): Clerk, do we have quorum?

(The Clerk-at-the-Table consulted with the Speaker)

Serjeant-at-Arms, ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

(Several Senators walked into the Chamber)

Hon. Senators, we now have quorum so we will proceed with today's business.
Clerk, you may proceed to call the first Order.

(Sen. Murgor stood up in his place)

Order, Sen. Murgor. Take your seat. I have some communication to make.

COMMUNICATIONS FROM THE CHAIR**CONVENING OF SPECIAL SITTING
OF THE SENATE**

Hon. Senators, I welcome you to this Special Sitting of the Senate. I regret to interrupt your recess, but this has been necessitated by urgent legislative business, which requires to be dispensed with.

On the request of the Senate Majority Leader *vide* letter Ref. No. SEN/MLS/CORR/010/2024 dated 4th June, 2024, and with the support of the requisite number of Senators, I appointed today, Tuesday, 11th June, 2024, as a day for a Special Sitting of the Senate.

The appointment was made *vide* Gazette Notice No.6946 dated 6th June, 2024. In the gazette notice, I indicated that the business to be transacted at this Special Sitting shall be consideration of the following Bills-

- (1) The Statutory Instruments Bill (National Assembly Bills No.2 of 2023).
- (2) The Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bills No. 10 of 2024).
- (3) The County Allocation of Revenue Bill (Senate Bills No. 25 of 2024).
- (4) The County Governments Additional Allocations Bill (Senate Bills No. 19 of 2024).
- (5) The County Licensing (Uniform Procedures) Bill (Senate Bills No. 9 of 2022).

Hon. Senators, in accordance with Standing Order No.33(5), the business specified in the gazette notice referred to above and as outlined in the Order Paper, shall be the only business before the Senate during the Special Sitting.

At the conclusion of business today, the Senate shall stand adjourned until Tuesday, 25th June, 2024 at 2.30 p.m. in accordance with the Senate Calendar.

I thank you.

Sen. Okiya Omtatah, you may walk in.

(Sen. Okiya Omtatah entered the Chamber)

Sen. Okiya Omtatah, kindly take your seat. I have a further Communication to make.

(Sen. Okiya Omtatah took his seat)

**APPOINTMENT OF A NOMINEE FROM
THE SENATE TO THE SRC**

Hon. Senators, I have the following Communication to make relating to the appointment of a nominee from the Senate, on behalf of the county governments, for appointment to the Salaries and Remuneration Commission (SRC).

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As you are aware, the SRC is a constitutional commission established under Article 230(1) of the Constitution of Kenya. Article 230(4) sets out the powers and functions of the commission which are as follows-

- (1) Set and regularly review the remuneration and benefits of all State officers.
- (2) Advise the national and county governments on the remuneration and benefits of all other public officers.

Article 230(2) of the Constitution provides for the composition of the Commission and stipulates that such persons are to be appointed by the President. Under Article 230(2)(b)(7), the Senate is required to nominate the commissioner on behalf of the county governments.

Hon. Senators, *vide* a letter referenced EOP/CB.26/4A Volume 3/175 dated the 23rd May, 2024, the Office of the Clerk received notification from the Chief of Staff and Head of Public Service indicating that the tenure of six members of the Commission will lapse on the 10th September, 2024. This includes a nominee of the Senate, on behalf of the county governments, pursuant to Article 230 (2)(b)(7).

In the notification letter, the Chief of Staff and Head of Public Service requested each nominating body to forward the names of two persons of either gender to the Cabinet Secretary for National Treasury for transmission to His Excellency the President for appointment.

Hon. Senators, Article 230 of the Constitution as read with Section 5 of the Salaries and Remuneration Commission Act provides for the qualifications of the chairperson and members of the commission.

Section 7(1) of the Act further provides for the nomination procedure to be followed for the appointment of the commissioners. Section 7(2) of the Salaries and Remuneration Commission Act states as follows-

“The relevant nominating body shall consider the applications received under subsection (1) to determine their compliance with the provisions of the Constitution and this Act, interview the applicants and forward the names of two persons so qualified, who shall be of opposite gender, to the Cabinet Secretary for onward transmission to the President.”

Hon. Senators, pursuant to Standing Order No.77(1) of the Senate Standing Orders, this matter is hereby referred to the Standing Committee on Finance and Budget for consideration. The Committee will be required to-

- (1) Advertise the position by notice published in the gazette, a newspaper of nationwide circulation and the Senate website inviting applications from the suitable candidates.
- (2) Longlist the applicants and cause the list to be published, shortlist the candidates that meet the set criteria and cause the list to be published.
- (3) Facilitate public participation on the suitability of the shortlisted candidates
- (4) Conduct the interviews of the shortlisted candidates; and finally,
- (5) Table a report for consideration by the Senate.

The Committee and by extension the Senate, is reminded of the need to observe the timelines highlighted in the notification letter from the Chief of Staff and Head of Public Service. The deadline given for action by the Senate is 31st July, 2024.

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Hon. Senators, as I conclude, I wish to draw the attention of the Senate and that of the Standing Committee on Finance and Budget to Article 250(4) of the Constitution, which provides as follows-

“Appointments to commissions and independent offices shall take into account the national values referred to in Article 10, and the principle that the composition of the commission and offices, taken as a whole, shall reflect the regional and ethnic diversity of the people of Kenya.

I thank you.

Hon. Senators kindly hasten to take your seats because I have a further Communication to make.

(Several Senators walked into the Chamber)

Hon. Senators, take you seats.

VISITING DELEGATION FROM BLESSED BEYOND
SCHOOL, NAIROBI CITY COUNTY

Hon. Senators, I would like to acknowledge the presence in the Public Gallery this afternoon, of visiting students and teachers from Blessed Beyond School in Nairobi City County. The delegation comprises nine teachers and 54 students who are in the Senate for a one-day academic exposition.

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

As the Senator for Nairobi City County takes his seat, in under one minute, kindly extend a word of welcome to the delegation.

Sen. Sifuna: Thank you, Mr. Speaker, Sir. Apologies to the students for walking in when the Communication was being made. However, I take this opportunity to welcome them to the Senate and wish them a fruitful visit just as the Speaker has said.

I hope that you get to experience some good debate this afternoon. I also hope that we shall be seeing some of you taking up these spaces in the future. I wish you well in your studies. God bless you.

I thank you.

The Speaker (Hon. Kingi): Next Order Clerk. The Chairperson of the Standing Committee on Finance and Budget.

PAPERS LAID

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, on behalf of the Chairperson of the Committee on Finance and Budget, I beg to lay the following Papers on the Table of the Senate today Tuesday, 11th June, 2024-

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REPORT OF THE COUNTY GOVERNMENTS ADDITIONAL
ALLOCATIONS BILL (SENATE BILL NO.19 OF 2024)

Report of the Standing Committee on Finance and Budget on the County Governments Additional Allocations Bill (Senate Bills No. 19 of 2024)

REPORT OF THE COUNTY ALLOCATION OF REVENUE
BILL (SENATE BILL NO.25 OF 2024)

Report of the Standing Committee on Finance and Budget on the County Allocation of Revenue Bill (Senate Bills No. 25 of 2024).

(Sen. Cheruiyot laid the documents on the Table)

The Speaker (Hon. Kingi): Next Order.

MOTION

CONSIDERATION OF NATIONAL ASSEMBLY AMENDMENTS
TO THE COUNTY LICENSING (UNIFORM PROCEDURES)
BILL (SENATE BILL NO.9 OF 2022)

THAT, the National Assembly Amendments to the County Licensing (Uniform Procedures) Bill (Senate Bill No. 9 of 2022) be now considered.

(Sen. Cheruiyot on 30.5.2024)

(Resumption of debate interrupted on 30.5.2024)

Hon. Senators, it is my determination that this matter does not affect counties. Therefore, voting shall be by voice.

I will proceed to put the question.

(Question put and agreed to)

Next Order. Chairperson, Standing Committee on Finance and Budget, you have the Floor.

BILL*Second Reading*THE COUNTY ALLOCATION OF REVENUE BILL
(SENATE BILL NO.25 OF 2024)

Sen. Faki: Thank you, Mr. Speaker, Sir. I stand in for the Chairperson of the Senate Committee on Finance and Budget who is on his way to Mecca to attend the annual Hajj pilgrimage.

Mr. Speaker, Sir, I beg to move the County Allocation of Revenue Bill 2024, which was published and read on 3rd May, 2024 and read for the first time in the Senate at a sitting held on Thursday 30th May, 2024. Thereafter, pursuant to Standing Order No.145 of the Senate Standing Orders, the Bill was committed to the Committee on Finance and Budget for consideration. The Bill has been prepared in accordance with Article 218(1)(b) of the Constitution and revised among the county's revenue allocated to the county level of government through the Division of Revenue Act, 2024. At the time of publication of the Bill, the Bill had provided for Kshs415,952,200,000 as equitable share to be divided among the counties. The figure was based on the Senate's amendment to the Division of Revenue Bill, 2024.

Mr. Speaker, Sir, the Division of Revenue Bill, 2024 was enacted and the county equitable share for the Financial Year 2024/2025 stood at Kshs400,116,788,147. The allocation under the Division of Revenue Act, 2024 necessitates amendments to the First Schedule to the Bill.

The CARA objective is to divide county equitable share in accordance with the basis of revenue allocation among counties under Article 217 of the Constitution of Kenya. The horizontal allocation among the county governments of Kshs400,116,788,147 is allocated per county by as follows-

The first Kshs158.25 billion will be shared in accordance with the allocation ratio under Financial Year 2019/2020. The resultant balance of Kshs241.87 billion is allocated among county governments using the third revenue formula.

The formula takes into account the following parameters contained in the third basis formula- Population, 18 per cent; health index, 17 per cent; agriculture index, 10 per cent; urban index, five per cent; poverty index, 14 per cent; land area index, eight per cent; roads index, eight per cent; and, basic share index 20 per cent---

Mr. Speaker, there is a lot of conversation going on---

(Loud consultations)

The Speaker (Hon. Kingi): Senator for Nandi, kindly take your seat. May the Senator for Mombasa be heard in silence.

Sen. Faki: Mr. Speaker, Sir, the Second Schedule to the Bill provides the indicative recurrent expenditure ceilings for the county assemblies and the county

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executive for Financial Year 2024/2025 as proposed by the Commission on Revenue Allocation (CRA).

During consideration of the Bill, the Committee invited members of the public to submit views on the Bill. Further, the Committee held consultative meetings with key stakeholders and received submissions from the National Treasury and Economic Planning, the Council of Governors (CoG), the CRA, the county assemblies of Embu, Kakamega, Bungoma, Wajir, Nairobi City County, Baringo, Kisumu, Isiolo, Kiambu, Nyeri, Machakos, Nandi, Elgeyo Marakwet, Tana River and Garissa.

Mr. Speaker, Sir, having considered the Bill and the submissions from the stakeholders, the Committee made the following observations, including, Financial Year 2024/2025 is the final year of the implementation of the third basis formula as per Article 217(1) of the Constitution. Notably, Parliament is required to approve the fourth basis formula, which will be used to share revenues for Financial Year 2025/2026 to FY2029/2030.

The Bill as published, allocated to county governments, Kshs415.9522 billion. However, following the passage of the Division of Revenue Bill by Parliament, the sharable revenue to counties is now Kshs400.1167 billion.

The proposed ceilings for the current expenditure of county assemblies indicate that the current expenditure ceilings for some county assemblies are lower than the ceilings approved in the Financial Year 2023/2024. This is due to the adjustment of the ceilings during the approval of the County Allocation of Revenue Bill, 2023 by the inclusion of the Members of County Assemblies (MCAs) car reimbursement and Senate provisions to cater for a one-off expenditure as per the request by respective county assemblies.

The Committee recommends that-

(a) The Senate approves the Bill with amendments-

(i) The First Schedule to the Bill to reflect the allocation to the respective county governments of the total county equitable share of Kshs400,116,788,147.

(ii) The Second Schedule to the Bill to reflect the adjusted recurrent expenditure ceilings for certain county assemblies.

(b) The CRA should carry out an assessment of the status of the establishment of funds relating to the staff car loan mortgage scheme with a view to ascertaining how many counties have established the fund; whether the respective funds have been operationalized and challenges, if any, faced by the administration of the funds. Based on the findings, the CRA may, if appropriate, factor in the cost of the submission and operationalization of these funds in determining the recurrent expenditure ceilings in the subsequent financial years.

Finally, I appreciate the stakeholders who submitted memoranda and appeared before the Committee to present their comments on the County Allocation of Revenue Bill 2024.

I thank the offices of the Speaker and the Clerk of the Senate for the support extended to the Committee in undertaking this important assignment. I also take this opportunity to commend Members of the Committee for their devotion and commitment to duty, which made the consideration of the Bill successful.

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Lastly, I wish to request the Senators to approve the report of the Committee on the County Allocation of Revenue Bill, 2024.

Thank you, Mr. Speaker, Sir. I request Sen. Onyonka to second the Motion.

Sen. Onyonka: Mr. Speaker, Sir, I second.

(Question proposed)

The Speaker (Hon. Kingi): Senate Majority Leader, what is your point of order?

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, I rise under Standing Order No.111 on limitation of debate. Members will notice how heavy the Order Paper is, and given that this is a special sitting, there is quite a heavy agenda to prosecute ahead of us. There is Committee of the Whole to be done for almost five Bills and there are these two Bills to consider; this one and the next one.

This Bill is as a result of the mother Bill, which is the Division of Revenue Bill. Be that as it may, I appreciate that it is important for Senators to speak to it. However, in light of the heavy schedule, I would like to request that the debate be limited to three minutes per speaker. Perhaps, for those who do not get a chance to speak to this Bill, there is the County Governments Additional Allocations Bill that is coming immediately after. They can as well speak on the same matter, so that everybody in the House gets a chance to at least say something.

Mr. Speaker, Sir, I beg to move and request Sen. Sifuna to second.

Sen. Sifuna: Thank you, Mr. Speaker, Sir.

I second.

The Speaker (Hon. Kingi): Hon. Senators, we may go through the normal procedures of handling that Motion or we can strike a consensus to limit debate at three minutes per Senator speaking. Do we have consensus on this?

(Several Senators agreed)

Good.

Sen. Maanzo, proceed.

Sen. Maanzo: Thank you, Mr. Speaker, Sir, I rise to support this Bill.

It is important to point out that the Senate is here to protect devolution. I like what the Committee led by Sen. Ali Roba has done. What is most important is that devolution has certain parameters that are in the Constitution.

Mr. Speaker, Sir, agriculture, health and water are devolved. However, the biggest problem has been health and agriculture. Many functions for health and agriculture, which should be devolved, are still held at the national level. That rather inconveniences the operations of county governments.

If you look at the percentages, even from the budget, 91 per cent of the overall funding still remains at the national Government. Although some of them are funded internationally by international organisations, once the funding is done, the national Government purports to work with the county government on a project and majorly holds the monies at respective Ministries.

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Mr. Speaker, Sir, for that purpose, it is important that we encourage the Government to fully devolve agriculture and health. If you just give a county government nine per cent, which is very little funding, how do you expect them to build new hospitals and keep them operating by equipping them with medication? These are devolved functions.

If you keep most of the functions of agriculture at the national level and yet agriculture is a very important component of our economy, how then will the county government manage and control agriculture fully? Things such as fertiliser, which this House is in seizure of, should be procured by the counties according to their needs. There are some counties, which do not need fertilisers at all while others do.

I believe all these should go through the governors, instead of having fertiliser being procured even without implementing the Fertilizer Act. The Fertilizer Act should be implemented, so that you do not give the National Cereals and Produce Board (NCPB), which deal with cereals, the work to distribute fertilisers.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Senator for Nandi County, Sen. Cherarkey, proceed.

Sen. Cherarkey: Thank you, Mr. Speaker, Sir. I rise to support the County Allocation of Revenue Bill.

In support of devolution, last year, counties got Kshs385 billion. I am happy that after mediation, we now have Kshs401 billion. What we need to do is ensure the National Assembly gets into the latest audited accounts because the total national budget is Kshs4 trillion. So, it does not look good that out of Kshs4 trillion, we are allocating counties Kshs401 billion. Counties should at least be getting around Kshs500 billion to match the functions.

Mr. Speaker, Sir, going into the future, let us in one way or another, ensure we also protect against claw back issues such as fertiliser and the health sector. I have even seen an amendment that the feeder roads in counties should be taken over by Kenya Rural Roads Authority (KeRRA) through the constituencies. As a country, we have an obligation to protect devolution.

Mr. Speaker, Sir, I am happy that Nandi County, for example, got Kshs7.3 billion in the last financial year. In this financial year, through equitable shareable revenue, they are getting Kshs7.6 billion. In the loans and grants, Nandi County is getting Kshs420 million out of Kshs485 million of Kshs42 billion.

I think this is significant for us. If you add the equitable share, the additional resources and the conditional grants, it comes to a total of over Kshs8 billion that will go to the County of Nandi. We want to see provision of roads, bursary, water and many other things.

Finally, I urge the Ethics and Anti-Corruption Commission (EACC) to be on the lookout. We work around the clock to ensure resources are devolved. Under Article 219, when we have appropriated funds, they must go to entities directly. The biggest soft underbelly and lethargy is continuous plundering and corruption in our devolved units. I challenge the EACC to be keen and ensure that anybody found misappropriating funds meant for counties is arrested and prosecuted, so that we can protect devolution now and for posterity.

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Mr. Speaker, Sir, with those very many remarks, I support this Bill. We must process it as quickly as possible to ensure we have enough resources.

I thank you.

The Speaker (Hon. Kingi): Sen. Kavindu, proceed.

Sen. Kavindu Muthama: Thank you, Mr. Speaker, Sir.

I rise to support this Bill and request that the Government to devolve more funds for the counties.

As I echo the words of Sen. Maanzo, agriculture and health are devolved, however, we are facing many challenges in the counties especially with the hospitals because we are short of funds. The counties are paying the doctors, buying medication, building new hospitals here and there and many other things. The funds are not enough. I request the national Government to disburse more funds for health and agriculture to the counties, so that the counties can operate without struggling.

Mr. Speaker, Sir, it is very important that counties get more funds for agriculture because many farmers are farming without enough fertilizers and seedlings. If they get more funds, county governments will be able to buy all those things and supply them to the farmers.

I thank you and support this Bill.

The Speaker (Hon. Kingi): Sen. Wambua, proceed.

Sen. Wambua: I thank you, Mr. Speaker, Sir. I also add my voice in support of the County Allocation of Revenue Bill, 2024 for the Financial Year 2024/2025; a fairly straightforward Bill, if you ask me.

There are only two things I will mention about this Bill. For now, and into the future, let us kill this misconception that the national Government has got any money to allocate to any county. That is not the case. It is the work of both Houses of Parliament; the National Assembly and the Senate, to share money between the national Government and the county governments. So, expecting that the national Government is going allocate or devolve more funds to the county governments, is expecting something that will never happen.

Secondly, I take cognizance of the fact that this year there has been quite some growth in terms of the amount of money allocated to counties. It is about Kshs400 billion. Kitui County is among the top 10 counties that are receiving quite some share of the equitable share from the Senate.

As the National Assembly appropriates for the national Government, the Senate is appropriating for counties. I reiterate what I have always said that it is okay we have come from recess today to appropriate money to our counties. It should be okay when we go to those counties next week or the week after to find out how the money we sent to the counties is being utilised. There should be no problem between Senators and Governors.

With those remarks, I support.

The Speaker (Hon. Kingi): Proceed, Sen. Essy.

Sen. Okenyuri: Mr. Speaker, Sir, thank you for this opportunity. I would wish to support the work that was done on this Bill. Money going down to counties is a good initiative.

First, I would implore the county chiefs and their respective county assemblies to prioritise adding more allocations to the Vocational Training Centres (VTCs) that are within counties. This will build up the capacity of young people to be in a position to put money in their pockets by doing some of these locally made initiatives that we are looking for.

Secondly, there is the issue of agriculture. It has for a long time been looked at as an area that thrives through senior citizens. In a way to encourage young people and women to venture more into that field and being a devolved function, more allocation needs to go to those sectors so that we pull together.

Finally, I saw Governor Kang'ata sharing an idea on how they have collected a lot of money in Murang'a County as own-source revenue. I request our county chiefs to also look at that. In as much as the national Government is sending money to counties, let them beef up their own-source revenue, so that we supplement those efforts collectively and steer this nation forward.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Proceed, Sen. Abass.

Sen. Abass: Thank you, Mr. Speaker, Sir. I support the County Allocation of Revenue Bill. First, I commend the mediation team for the good work they have done. I believe the counties have now received an additional fund of 6.4 per cent. There is also an increase in terms of the level of segregation, industrial parks and Community Health Promoters (CHPs). Many factors have been taken care of in this budget. However, we have so many devolved functions and money has not been released. Therefore, I urge the national Government to also release available funds.

Mr. Speaker, Sir, it is a good gesture in terms of the CHPs. This will enhance health services to the rural areas; people will receive medical care and health advice on health issues. I also thank the Members because money for the roads has now been released. This budget is very inclusive and I hope we will keep it.

The challenge we have is that as good as it is, this increase is not commensurate to own-source revenue collections. Therefore, I urge governors to also increase their own-source revenue, so that the budget can be absorbed while taking care of their own source resources.

Mr. Speaker, Sir, we need to make prudent use of resources. The national Government has shown goodwill on the funds released to the counties. The counties should also show and go the extra mile to make prudent use of the money.

With those few remarks, I beg to support.

The Speaker (Hon. Kingi): Proceed, Sen. Sifuna.

Sen. Sifuna: Thank you, Mr. Speaker, Sir. I am very proud to be a Senator this time. I am extremely proud of the House.

As you understand, my position is that we did not put up a fight last year as a House to grow the basket of devolution. However, I am happy that standing here today, as the fourth Senate, we have breached the psychological Kshs400 billion mark on the resources that are going to the counties. I thank my colleagues, all of you who voted for the Division of Revenue Bill and the mediation committee that was chaired by the Senator for Meru, Sen. Kathuri Murungi, for the job that they have done.

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Mr. Speaker, Sir, if you look at the schedule this year, my county of Nairobi is getting an additional Kshs850 million on their equitable share of revenue. I will later be bringing a proposal here for amending the Sports Act. The proposal is that these counties must be forced to allocate at least one per cent of the money we send them for support of the registered county sporting associations.

My governor will have no excuse because I have now given him an additional Kshs850 million. I also know that he put around Kshs500 million in the Joe Kadenge Stadium, what used to be known as City Stadium. As we speak, our national team is playing their World Cup qualifiers in Malawi.

It is extremely embarrassing and a shame for this country. We hope that county governments can develop sporting infrastructure to the level where we can hold international matches in some of these institutions. The Governor of Nairobi City County will have no excuse because I want to see the completion of the Joe Kadenge Stadium, so that we can host international games there.

Mr. Speaker, Sir, we have also seen that Nairobi is getting an additional Kshs224 million for the CHPs. This is what we all promised during the campaigns. They play a critical role, especially in the densely populated areas in Nairobi such as the slum areas. They have been instrumental in ensuring that our people are in good health.

Last year, we did not appear in the additional allocation list because we did not get any money for county headquarters or industrial parks. However, we continue to make the case that even if we do not qualify for some of these allocations like the ones for industrial parks, we qualify to be allocated resources just like the other counties for other things, including the construction of markets.

Mr. Speaker, Sir, the only thing that we now must insist on as a House is the timely release of these resources to the county governments. We have had a debate here, including when we were managing the disasters that came---

The Speaker (Hon. Kingi): Proceed, Sen. Mandago.

Sen. Mandago: Thank you very much, Mr. Speaker, Sir. I rise to support this Bill on allocation of monies to counties.

As I support this Bill, we urge our counties, that the Senate having worked very hard to increase the allocation from the proposed Kshs391 to Kshs400 billion mark, expect our counties to be diligent in the utilisation of these resources.

My own county of Uasin Gishu will have additional funds of over Kshs300 million. I expect that the County Government of Uasin Gishu will ensure that the VTCs that are on the verge of being closed, with only one out of 13 being functional will be restored and our young people will be able to get skills to work.

As I also rise to support this Bill, as the Chairperson of the Standing Committee on Health, I urge our county governments to invest resources in health because this builds the foundation of every county. It would be sad to see a county like Isiolo continue without a morgue or working ambulances. It will be a disaster to see the city funeral home operating without a generator after all this allocation. I hope that Sen. Sifuna is listening. He should make sure that he tells his governor to expend these resources by getting a generator for the Nairobi Funeral Home, which he has not procured for the past two financial years.

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Mr. Speaker, Sir, it is incumbent upon this House to make sure that our counties utilise resources well and also take action on governors who, after allocating all these resources, dare not appear before Senate Standing Committees whenever they are required or requested to do so. Anybody who has agreed to receive public resources must be ready to accept to account for those resources on an equal measure as required by the law. As the Senate, we must also check on utilisation of the money. I urge that as we start the next session of the House, committees of this Senate should focus on visiting counties to see the reality.

Reports can be good on paper. However, on arrival, you will find a slaughterhouse in the name of a dispensary. It is only when we visit the counties that we will see the reality of what our people are going through and utilisation of the---

The Speaker (Hon. Kingi): Next is Sen. Mwaruma.

Sen. Mwaruma: Asante, Bw. Spika, kwa fursa hii ambayo umenipa kuchangia Mswada wa The County Allocation of Revenue Bill (Senate Bills No.25 of 2024). Kaunti zetu zitapata takriban Shilingi bilioni 401. Hata hivyo, haikuwa rahisi bila kupigana kwa sababu Bunge la Taifa lilitaka kaunti zipate Shilingi bilioni 391. Ilibidi tuwe na Kamati ya Maridhiano.

Kuna sababu kadhaa ambazo Wabunge hao walitoa kwa kukataa kupitisha Shilingi bilioni 415 ambazo zilipendekezwa na Seneti. Ya kwanza ni kwa sababu ya ufisadi katika magatuzi. Ufisadi pia uko katika Serikali ya Kitaifa jinsi ulivyo katika serikali za magatuzi. Ni muhimu taasisi husika zipigane na ufisadi katika Serikali ya Kitaifa na zile za magatuzi.

Sababu ya pili waliyotoa ni kwamba hawaelewi majukumu ya magatuzi na ndio maana walikataa kupitisha Shilingi bilioni 415. Hilo ni jambo la kushangaza sana kwamba Wabunge wanaopewa kazi ama jukumu la kupeana pesa hawaelewi majukumu ya magatuzi. Labda Wabunge wetu wanahitaji kosi za kuelewa magatuzi yanafanya kazi gani.

Nashukuru sana Maseneta kwa kukubali kwamba kazi yetu ni kuhakikisha kuwa pesa zaidi zinaenda katika magatuzi yetu. Wakati magatuzi yanapopata pesa, ni vyema sisi kama Seneti tufuatilie na kuhakikisha kuwa majukumu yaliyogatuliwa yanafanywa jinsi inavyotakikana.

Mimi ni Mwanakamati wa Kamati ya Elimu inayoongozwa na Sen. Joe Nyutu. Tunapozuru kaunti mbalimbali, wakati mwingine tunapata kwamba zimewacha jukumu yaliyogatuliwa na kuingilia majukumu ambayo hayajagatuliwa.

Ukiangalia bajeti za idara za elimu, utapata kuwa magavana wengi wanatenga pesa za *bursaries* kwa wanafunzi wa shule za sekondari, vyo viko na Technical, Industrial, Vocational, and Entrepreneurship Training (TIVET). Simaanishi kuwa ni vibaya lakini pia tusingahau majukumu yaliyogatuliwa. Haya ni pamoja na shule za chekechea na vyo anuwai---

The Speaker (Hon. Kingi): Proceed, Sen. Chute.

Sen. Chute: Mr. Speaker, Sir, I take this opportunity to thank Members, including myself, who went for the mediation. We managed to get an allocation of Kshs401 billion.

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The problem that counties are facing is mainly the issue of release of funds for county functions. Agriculture, health, Early Childhood Education Centres (ECDEs), TIVET, water, among others, are devolved functions.

Let me tell you about roads. The Governor of Kiambu appeared before the Senate sometime back and complained about thousands of kilometres under county governments, but no funds are allocated. Marsabit is one of the second-largest counties in this Republic. Moving from Ileret to Marsabit can take three days because there are no roads. How do you expect the county government to manage those roads without funds? That is the first problem.

Secondly is the issue of water and Marsabit County is an example. People are suffering because the Government sends money to regional authorities instead of counties. Why are we releasing functions without funds? This is a criminal offence.

Just like one Senator said, this is theft which starts from the top going down to the counties. I believe that funds must follow functions. Regional authorities should be completely disbanded. We do not need them because we have counties.

Thirdly is the issue of funds for ECDEs. In Marsabit, we do not have ECDEs because children learn under trees. The reason is because funds are being consumed at the Ministry of Education. Why is the money kept and used by the national Government while ECDEs are suffering?

Health is a devolved function. The introduction of the Social Health Insurance Fund (SHIF) will help counties manage their hospitals---

The Speaker (Hon. Kingi): Proceed, Sen. Omtatah.

Sen. Okiya Omtatah: Mr. Speaker, Sir, I rise to support this Bill. However, I am also not happy about the amount of money that counties will get. When you look at the allocations that will go to the counties, this is not the kind of money that counties need to execute their functions. Little as it is, the money should be released on time by the National Treasury.

One of the major problems faced by counties is late release of funds. The National Treasury should realise that it serves 48 governments and there is no provision that it has to satisfy the national Government first then county governments. We should have money on the ground on time, so that the budgets can work.

I have also looked at the laxity with which the National Assembly approves audited accounts of the Auditor-General. However, when it comes to the National Government-Constituencies Development Fund (NG-CDF), they do not peg it on audited accounts, but on raw data.

If at all we are going to entrench the NG-CDF in the Constitution, as they are trying to do, it must be pegged on audited accounts. That way, the National Assembly will be up to task to give us timely audited accounts on budgets of the national Government.

Further to that, as a House, we need to look at the definition of "revenue" according to Section 2 of the Commission on Revenue Allocation Act. That definition of revenue robs counties of money that they are entitled to.

They exclude a lot of money that the national Government generates, yet the Constitution is clear that 15 per cent is on revenue raised nationally. At the end of the

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day, you will find that they take away so much money that what remains to be shared among counties is small and cannot satisfy the demands of devolution.

That as it may---

The Speaker (Hon. Kingi): Sen. Munyi Mundigi, proceed.

Sen. Munyi Mundigi: Asante, Bw. Spika, naunga mkono Mswada wa kuongeza kaunti pesa. Kuna kaunti 47 nchini na nashukuru Maseneta waliozungumza na Wabunge wa Bunge la Taifa. Pesa zilizotengwa kwa magatuzi zimeongezwa kutoka mwaka jana na shilingi bilioni 15.

Mwaka wa fedha unaoisha Kaunti ya Embu ilipata Shilingi billion 5.3. Kwanzia mwezi wa saba mwaka huu, Kaunti ya Embu itapokea Shilingi bilioni 5.4. Mswada huu ukipita tutakuwa tumeongezea Kaunti ya Embu Shilingi milioni 200. Pesa hizi hazitoshi lakini naunga mkono.

Naomba gavana wa Kaunti ya Embu aangalie ushuru anaotoza kwenye kaunti ili aongeze pesa hizi. Kuna fedha zingine zinatarajiwa kutoka nje kama msaada ili tupunguze madeni kwenye kaunti.

Kaunti ya Embu iko na *wage bill* ambayo iko juu. Pia *pending bills* ziko juu. Kaunti ya Embu itasaidika wakati gavana atafanya kazi vizuri na Members of County Assembly (MCAs) ili pesa itoshee mahitaji ya Kaunti ya Embu.

Gavana wa Kaunti ya Embu inafaa atilie mkazo sekta za kilimo, afya na ujenzi wa barabara. Mazao ya wakulima wa kaunti isiwe na shida ili *economy* ya kaunti ya Embu ibadilike. Hapo mbeleni tulikuwa na shida lakini sasa naomba gavana afanye kazi ambayo inafaa.

Kaunti ya Embu imeteseka kwa miaka kumi lakini kwa miaka tano ya gavana aliyechaguliwa tumeanza kuona mabadiliko. Naomba gavana ajikakamue kwa miaka iliyobaki, ili kaunti iwe kwenye mstari wa kwanza. Miaka itakayokuja tunataka *economy* ya Embu ibadilike.

Ningependa kusisitiza kuwa, miaka inayokuja isiwe ni wabunge wa Bunge la Kitaifa wanatumurisha vile tunafaa kufanya kazi. Wabunge hawa wanafaa waelewe kuwa kazi ya Maseneta ni kuangalia vile magavana wanafanya kazi. Hii si kazi yao.

Naunga mkono. Asante, Bw. Spika.

The Speaker (Hon. Kingi): Sen. Oledama, proceed.

Sen. Olekina: Thank you, Mr. Speaker, Sir. That is very interesting. You have never called me that name, but I will take it.

I rise to support the County Allocation of Revenue Bill for the following reasons. I am happy that the money has finally been distributed to the counties. However, I am not happy with the amounts allocated to counties. The national Government keeps clawing back on devolution and allocating billions of shillings to Ministries yet county governments, where most of the population reside, are given peanuts.

I was looking at the numbers. Although someone will clap and say Narok County has been given an additional allocation of Kshs171 million and the ceilings for the assemblies have been raised by Kshs1.4 million. What is that? We require the ceilings for the county assemblies to be raised so that they can oversee counties. With the little money allocated to the county governments, we need to ensure the fiducial responsibility of the accounting officers. This is where we are missing the point. We can realign our

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small existing resources, bring in accountability and change how things are done in county governments.

We have over borrowed as a country. This Senate fought a bit and got an additional Kshs9 billion, which we could have gotten. I never voted for the Division of Revenue Bill because I felt like the little money that was given was not enough. When you see a Member of the National Assembly clapping hands and saying that they have already been allocated an additional Kshs20 million to carry out functions that the county government should carry out, you start questioning whether we understand our role.

I long for the day when we will all come of age and know that Parliament's role is to legislate, not implement projects. When you see Members of the National Assembly running around, even county assemblies tomorrow will say they need a kitty. These are the things we have been fighting about. We need to think about the future generation. The time to think about this is now.

Thank you, Mr. Speaker, Sir, I can see my time is over.

The Speaker (Hon. Kingi): Sen. Wamatinga, proceed.

Sen. Wamatinga: Thank you, Mr. Speaker, Sir. I rise to support. I will start by commending the Mediation Committee for the job well done. They came to a compromise to increase the money allocated to county governments. I want to add my voice to the fact that we need more allocation to county governments.

It must be clear to everybody that the only way the Government can raise more resources and revenue is through taxation. It is painful to see that some of the money allocated to county governments is utilized inappropriately. This year, Nyeri County will receive an additional Kshs500 million. It is my prayer that our governor will ensure that the deteriorating health services in Nyeri County are improved.

I urge the governors to prioritize settling the pending bills when they receive the allocation. Non-payment is hurting Kenyans and, more specifically, killing small enterprises. It is high time we started discussing how to streamline our own-source revenue. We were impressed by the Governor of Murang'a. I would like to commend the Senator for working closely and in collaboration with his governor to ensure they hit the Kshs1 billion mark in terms of own-resource revenue.

It is not good enough to collect resources and allocate more resources. We must ensure that the allocated resources are used appropriately to benefit this country's citizens.

Mr. Speaker, Sir, because of our enhanced role through the oversight fund, it is time that we, as Senators, become proactive to ensure that we arrest situations before we lose money. It is known to everybody that Senators have been reduced to morticians. We are given audited accounts to see the situation as it was. It is important that moving forward, we play a proactive role to ensure money is not lost and arrest situations of leakages.

Unless we do this, the citizens of this country will continue to complain about heavy taxation because taxation without seeing the use of the money will continue burdening Kenyans.

As I sit down, I commend the Senate for their role and, more importantly, the committees for the Bill they have brought before this House. We must be more visible and present in our counties, so that the role of this House can be felt.

The Speaker (Hon. Kingi): Sen. Osotsi, proceed.

Sen. Osotsi: Thank you, Mr. Speaker, Sir, for this opportunity. We worked so hard to ensure our counties get Kshs400 billion. We are now distributing those monies to our counties. This Bill shows that my county is getting an additional Kshs190 million. I urge the governor and his people to prioritize key areas. Number one is the Early Childhood Development Centres, where we face the challenges of paying salaries. There are many issues with vocational training centres, and many are almost collapsing.

We would like to see more money being sent to our counties. As the country is going through the debate of how to allocate more money to the counties, a few are talking about one man, one shilling one vote. We need a conversation on how to protect small counties such as Vihiga, Elgeyo, Marakwet, Lamu and the others. We need to start thinking of how we will make these counties productive in our formula. That is a debate that some of us who are representing those counties will be coming up with. Therefore, for now, the money that we send to our counties must be used very well.

As another Senator said, as the Senate, we need to be very proactive on overlooking our various counties to ensure that we do not act as morticians, but we can oversight the money in our counties. The biggest problem is the late disbursement of funds. I agree with the Senators who had spoken earlier that this is a problem that we need to deal with as a Senate.

Very soon, we will be passing the Cash Disbursement Schedule that has clear dates. How I would wish that in that Disbursement Schedule, we need to state very clearly that whenever there is a delay in disbursing funds to the counties, the National Treasury owes us an obligation of full disclosure of why there is a delay.

The situation now is that when there is a delay, no one talks to us and the counties and they have to perpetually keep on waiting. This House deserves to get a disclosure from the National Treasury whenever there is a delay in disbursing funds to our counties. I will be moving a Motion in that regard so that when there is a delay, the National Treasury Cabinet Secretary---

The Speaker (Hon. Kingi): Proceed, Sen. Joe Nyutu.

Sen. Joe Nyutu: Thank you, Mr. Speaker, Sir. I rise to support this Bill and my reason for supporting this Bill is that I am excited about the capping or the ceilings for recurrent expenditure. Since then, we have been having issues with counties all over for overspending on the recurrent expenditure. The provision to have this on the Second Schedule makes me support this Bill.

Additionally, the fact that the resources are going to follow functions, in that every County Executive will, in consultation with the national Government, determine the cost of the transferred function and have the monies transferred, is something that makes me feel we should support this Bill.

Mr. Speaker, Sir, accountability, especially when a county function has been transferred to a national Government as provided for in Section 6(4), that such an entity will submit quarterly reports to the Senate, will bring a lot of light to this. This reminds

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me of the Nairobi Metropolitan Services (NMS) and that such bodies will now report to the Senate makes me feel that we should support this Bill.

As we support these allocations to counties, we must also call out the governors and remind them that these monies are public funds and they should be accountable to them.

Mr. Speaker, Sir, if you may allow me, I want to call out the Governor of Isiolo, who has been called to the Senate Committee on Health three times. As if that was not enough there is a clip going around of him saying that he will only attend a committee summoned by the Senate when he feels like it. This reminded me of the comments that Adan Duale made one time, *'Hii si pesa ya mama yako.'*

We must call out the Governor for Isiolo and every other governor that does not want to account for the funds so disbursed to their counties. We cannot just fight for them to have more resources and when it comes to accountability, they do not want to account for this.

I want to stop there, but ask the governors, as they also collect revenue in the counties, they should also consider the conditions that affect our people in the counties and not raise these charges where not necessary.

I applaud my governor for improving on ---

The Speaker (Hon. Kingi): Proceed, Sen. (Dr.) Oburu.

Sen. (Dr.) Oburu: Thank you, Mr. Speaker, Sir. I would like to take this opportunity, just as my colleagues have done, to congratulate the committee, which was negotiating the Division of Revenue between the Equitable Shareable Revenue. They did a good job. However, the job they did as far as I am concerned, is not enough.

Mr. Speaker, Sir, when you talk of division of revenue, you should always take into consideration the fact that there is inflation in this country. Therefore, when you are saying that you give counties at least 15 per cent of the total revenue of the last audited accounts which was two to three years ago, you are not taking into consideration that every year there is an inflation of more than 10 per cent.

Consequently, when you give an increment of say, Kshs500 or Kshs200 million on Kshs7 billion, for example, for my County of Siaya, you are giving nothing. When you talk of real money, it means the value of that money at that particular time. We cannot be saying that we are giving counties more money when in fact we are not giving them more money. We are just giving them the same money that we gave them last year because that increment that we give is consumed by inflation.

I know that when we give money, there are people, particularly in the county assemblies, who are very uncomfortable with this oversight that you want to do. A confusion that the Senate wants to take over the role of oversight from the county assemblies is far from the truth. We cannot just be allocating money to the counties and we are expected not to monitor how that money is spent. There is a role, which the county assemblies play. There is also a big role for the Senate.

Mr. Speaker, Sir, I have sat down with my county Government and told them about our limit of where we are going to go. There are guidelines, which have been given here that do not touch on the functions of the county assemblies. Let the assemblies do their monitoring part and let us also continue doing our part.

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The Speaker (Hon. Kingi): Proceed, Sen. Dullo.

Sen. Dullo: Thank you, Mr. Speaker, Sir. I sat in the Mediation Committee, but it was hard for us as a Senate to convince the National Assembly to give us more funding. This is the only time that we have managed as a Senate to have an increment after the Houses have passed the ceiling.

(Applause)

Mr. Speaker, Sir, I remember over the years we used to increase the budget, but every time you will see that the governors would throw us under the bus when it comes to allocation. I will support this particular Bill, but with a very heavy heart as a Senator of Isiolo County.

Mr. Speaker, Sir, in this allocation, we have a Kshs400 million increase to Isiolo County. However, it is really sad that we release the money and somebody sits at the county and says, "I am not accountable to the Senate or I am not accountable to the Senator of that county."

The Governor for Isiolo was called to appear before the Committee on Health yesterday with summons. He has refused to appear even after the Committee has issued two summonses. Where are we heading to? We had such cases in 2013 and 2014. However, with time, the governors saw that there was no need for them to refuse to appear before the Senate.

This is the 21st Century. As I speak here, we do not have a morgue in Isiolo County. It only requires only a cooling system. That is what the Governor was coming to explain, but he has refused. As a House, we must have a solution to this. We cannot be lamenting forever. If I was given an opportunity today, I would move a Motion to stop budgetary allocation to Isiolo County. However, I will wait.

Imagine where members of staff are deducted the National Health Insurance Fund (NHIF) that is not remitted. Pending bills of the food in the hospitals have not been paid. Patients are told to fuel ambulances. We also do not have theatres in the two sub-counties of Isiolo.

The Speaker (Hon. Kingi): Sen. Mungatana.

Sen. Mungatana: Mr. Speaker, Sir, I rise to support this Bill. We have a problem with the release of funds to the counties. Every father like you and I know that the day your son or daughter goes out of your house and they are able to stand on their feet, earn their money and determine their own budget, that is the day we can say that the girl or the boy has become independent.

We have a National Treasury in Kenya that only serves the purpose of the national Government and nothing else. They do not listen. When we make necessary noise for counties to receive their monies on time and when we pass schedules, they do not listen or do what we want. When we say that money should follow the function, they do not do that.

I pray that this Senate will fight for the true independence of counties by fighting for a separate Treasury that will ensure that when money is collected from the Kenya Revenue Authority (KRA), following the formula that is agreed, there is an automatic

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separation in terms of deposits. This is so that we create two separate consolidated funds. One going to the national Government and the other one for the counties, so that we never have delays. This is going to be a legacy for this House. If we can fight for financial independence of counties by having, even in the interim, a sub-registry or a sub-treasury that deals specifically with counties, then we will be able to ensure proper and smooth flow of funds to the counties.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. M. Kajwang’.

(Sen. M. Kajwang’ spoke off record)

It is okay, Senator. You have nothing to add to this because this is CARA?

Sen. M. Kajwang’: I have more on additional allocation, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Okay. Then I will call the Mover to reply.

Proceed, Senator.

Sen. Faki: Thank you, Mr. Speaker, Sir. I thank all the Members who have contributed to this Bill. The issues they have raised are important. For instance, the timely release of the equitable share by the Exchequer cuts across all the counties. My county, Mombasa, has not received any funds since March this year.

I agree with the proposal by Sen. Osotsi that whenever there is a delay, the Cabinet Secretary should be summoned before this House to explain why there is delay. Some of the counties are dependent on the equitable share because their own-source revenues have not developed to become self-sufficient.

Secondly, on the issue of prudent use of resources, there has been debate in the last few months on exorbitant legal fees facing our counties. Most of the monies meant for development are channeled to pay legal fees, especially the external advocates who get hired by counties.

Mr. Speaker, Sir, the absorption of budget is a critical problem. In the last report by the CoB, we saw several counties, including Mombasa, which have failed to absorb their funds in accordance with their procurement plans. There has been over-emphasis on the issuance of bursaries at the expense of the ECDEs and village polytechnics. Some counties do not have even a single village polytechnic. Yet they spend millions on bursaries that are already catered for by the NG-CDF.

Pending bills have also not been paid. There was a report by the Committee on Finance and Budget on this subject.

Pursuant to Standing Order No.66(3), I request that the putting of the question of this Bill be deferred to allow debate on Order No. 10 in the Order Paper for this afternoon.

The Speaker (Hon. Kingi): The putting of the question is deferred.

(Putting of the Question on the Bill deferred)

Clerk, proceed to call Order No. 10.

The Chairperson, Standing Committee on Finance and Budget.

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BILL*Second Reading*THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS
BILL (SENATE BILLS NO.19 OF 2024)

Sen. Mutinda: Thank you, Mr. Speaker, Sir. I beg to move for the County Governments Additional Allocations Bill (Senate Bills No.19 of 2024).

Allow me to start by thanking all the Committee Members who have been dedicated to their role and mandate as far as finance and budget is concerned. Additional allocation is critical. As per the Public Finance Management (PFM) Act, all the timelines in that Act are key. That is why today, we are here for a Special Sitting.

The Bill provides for transfer of both conditional and unconditional allocations from the national Government's share of revenue and from development partners. It is good for the House to note that the total additional allocation amounts for Financial Year 2024/2025 are Kshs55.45 billion. Some of these allocations include Kshs8.2 billion from the national Government's equitable share.

We also have conditional allocations on the Road Maintenance Levy Fund (RMLF), which amounts to Kshs10.5 billion. We have unconditional allocation – 20 per cent on the minerals amounting to one billion shillings. Finally, there is Kshs35.6 billion, which is grants and loans from the development partners.

In the County Governments Additional Allocations Bill (Senate Bills No.19 of 2024), we have four schedules. In the First Schedule, the Committee on Finance and Budget pushed for the five key headquarters to be allocated their funds, starting with Isiolo County, Tharaka-Nithi County, Nyandarua County, Lamu County and Tana River County, which totaled to Kshs445 million. We also did the allocation for the County Aggregation and Industrial Park (CAIPs) for 18 counties amounting to Kshs4.5 billion, the Community Health Promoters (CHPs) amounting to Kshs3.234 billion and transfer for the museum function, which amounted to the Kshs30 million.

The Second Schedule has outlined the issue of the road maintenance fuel levy, which amounts to the Kshs10.5 billion. The Third Schedule, as I have said, is on the minerals. The Fourth Schedule is more on the grants and the loans from the different partners. Most of these partners are ranging from the Danida Grants, the Kenya Informal Settlement Improvement Project (KISIP) Emergency Lockers and the Financing Locally-Led Climate Action (FLLOCA) Monies.

As far as FLLOCA is concerned, we noted during our discussions with the National Treasury that Nairobi and Mombasa counties have not submitted their conditional frameworks in order to receive these funds. However, the other counties have adhered to the frameworks as per the conditions of the development partners, and have received their funds.

Mr. Speaker, Sir, apart from the Kshs400 billion that we have allocated under the County Allocation of Revenue Bill, we have the Kshs55.45 billion under County

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Governments Additional Allocations Bill (Senate Bills No.19 of 2024). This gives us a total of Kshs455 billion to the county governments.

I urge the different county governments to focus not only on development, but also on the animal of pending bills. This has been there for the longest time. Our people are suffering. We have given monies to the counties, but governors are not paying the pending bills. They are playing politics. For example, the Governor of Nairobi City County is focusing more on local and international travel as opposed to giving services and development to the people of this City. That is why we need to change the chairmanship.

Some of the observations that we came across as a Committee is the issue of the proposed allocation from the World Bank, which was supposed to be Kshs10.6 billion, but was revised to Kshs10.4 billion. In addition to that, we have inclusion of the conditional grant from the Government of Sweden for the Kenya Agricultural Business Development (KABD) amounting to Kshs733 million. For this grant, county governments are meant to receive Kshs560.1 billion. We also noted the different amounts that have been allocated by the different partners and they have been stipulated in the Bill. I am sure Members have seen the different amounts. I do not need to go to the different amounts and allocations that were adjusted that we noted as a Committee.

As I conclude, the Committee recommended that the Senate approves the Bill with the following amendments. I believe we will be able to get to the amendments. That is amendment to Clause 4 of the Bill to delete the phrase. We also agreed that in the First Schedule, the Kshs78.2 million for the headquarters to be issued to Nyandarua County because the other counties have exhausted their share.

Mr. Speaker, Sir, allow me to appreciate the office of the National Treasury, the Commission on Revenue Allocation (CRA), the Housing Department and the different stakeholders we had for their great input. We were also able to give additional allocation to the different county assemblies. Over 15 county assemblies appeared in our Committee in the last two weeks, and we have been able to make adjustment ceilings for the different county assemblies.

With those few remarks, I ask my senior, Sen. (Dr.) Khalwale, to second.

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, I rise to second The County Governments Additional Allocations Bill (Senate Bills No.19 of 2024).

Thank you, Mr. Speaker, Sir.

The Senate Majority Leader (Sen. Cheruiyot): On a point of Order, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): What is your point of order, Senate Majority Leader?

The Senate Majority Leader (Sen. Cheruiyot): Sorry, Mr. Speaker, Sir. The Deputy Speaker is distracting me.

The Speaker (Hon. Kingi): What is your issue?

The Senate Majority Leader (Sen. Cheruiyot): My point of order is under Standing Order No.111.

The Speaker (Hon. Kingi): Allow me to propose the question.

The Senate Majority Leader (Sen. Cheruiyot): Oh, Sorry. That is why I said the Deputy Speaker should have stayed where he was.

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(Interruption of debate on Bill)

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM YOUNG FUTURE
MOVEMENT, HOMA BAY COUNTY

The Speaker (Hon. Kingi): Hon. Senators, before I propose the question, I would like to acknowledge the presence in the public gallery this afternoon, of visiting youth from Homa Bay County, Young Future Movement. The delegation comprises 17 youth who are in the Senate for a one-day study visit.

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

I will allow the Senator for Homa Bay County to extend a warm welcome. That should be done in one minute. No speeches, Senator.

Sen. M. Kajwang’: Mr. Speaker, Sir, I join you in welcoming the delegation from Homa Bay. Today, they will watch as we allocate Kshs10 billion to Homa Bay County.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Thank you.

(Resumption of debate on Bill)

(Question proposed)

The Senate Majority Leader (Sen. Cheruiyot): On a point of Order, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): What is your point of order?

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, I rise pursuant to Standing Order No.111 concerning a Motion that I had moved earlier on Limitation of Debate. I had made a request to the House, but to emphasise on that, and maybe for those who were not in the House, allow me to repeat.

We have such a heavy Order Paper today filled up with so much agenda. I had requested that contributions be limited to three minutes. If you can indulge us further, I wish to request that we drop that to two-and-a-half minutes.

(Loud consultations)

(Sen. M. Kajwang’ spoke off record)

Anyway, I am willing to be persuaded to three minutes, so long as we stick to the earlier arrangement when Sen. M. Kajwang’ was not in the House. It was agreed that

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Members either speak to the County Allocation of Revenue Bill (Senate Bills No.25 of 2024) or the County Governments Additional Allocations Bill (Senate Bills No.19 of 2024).

We are now at the County Governments Additional Allocations Bill (Senate Bills No.19 of 2024). Perhaps we should give precedence to those who have not spoken, so that preferably by 4.30 p.m.--- We have almost five Committees of the Whole, and each of those Bills has amendments.

I know Sen. M. Kajwang' is on the 7.00 p.m. flight to Mombasa. I am corrected that it is 6.30 p.m. He has duties awaiting him from tonight until the end of the session. Therefore, it will serve him well if he saves time, so that he can catch his flight early.

The Speaker (Hon. Kingi): Hon. Senators, we therefore have a consensus that we limit the debate to three minutes per Senator and priority be given to those who did not make an intervention on the previous Order.

Proceed, Sen. M. Kajwang'.

Sen. M. Kajwang': Mr. Speaker, Sir, I am a proud Senator today because the Senate is going to allocate Kshs10 billion to Homa Bay County. This amount is made up of an equitable share of Kshs8.4 billion, an allocation to Community Health Promoters of Kshs88 million, an allocation to the Road Maintenance Levy Fund of Kshs177 million and loans and grants of Kshs1.29 billion. If we add the expected own-source revenue collection, Homa Bay County will have Kshs11 billion available for development. I am very proud that Homa Bay County has also reached the Kshs1 billion mark when it comes to own-source revenue.

Out of that, the Assembly will be allocated Kshs967 million because the ceilings have been captured in the legal instruments that we have been considering. That is approximately Kshs24 million per ward. There is no reason development or oversight at the primary level, with Kshs24 million per ward, should not happen in Homa Bay County. As a Senate, we will live up to our role of ensuring that secondary oversight happens in the event that the people on the ground are unable to do what they are supposed to.

I have not seen the allocations for the Financing Locally-Led Climate Action (FLLOCA) in this particular Bill. It has been referred to, but we are not getting visibility on it. If we added FLLOCA allocations, then perhaps Homa Bay County would be getting something close to Kshs10.3 billion. We will support the governors to put in place the right policies. However, ultimately, they are the Chief Executive Officers (CEOs) who must take responsibility for the development initiatives and the outcomes in their various areas.

Finally, we must move from this post-mortem approach to a proactive analysis of performance of looking at value for money in our county governments. For 10 years, we have been doing postmortem. When we retreat later on this week in Mombasa County, I will be sharing with Senators the plans we have to ensure that we start looking at the most current financial statements. It is not just the financial statements that we must look at, but also the outcomes on health, roads and urbanization. We must insist that county governments must align their budgets to the criteria---

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(Loud consultations)

The Speaker (Hon. Kingi): Order, hon. Senators. May the Senator for Homa Bay County be heard in silence?

Sen. M. Kajwang’: Mr. Speaker, Sir, we must insist that each county government must do an allocation in their budget that is aligned to the formula of revenue allocation that this House passed. People are talking of one-man-one-shilling, one-man-one-kilometre, or one-man-one-vote. This is already there in the formula that this House passed. What we need to see is greater alignment to that formula. We say that a certain percentage must go to help---

(Sen. M. Kajwang’s microphone went off)

The Speaker (Hon. Kingi): Sen. Thang’wa proceed.

Sen. Thang’wa: Thank you, Mr. Speaker, Sir, for giving me an opportunity to support this Bill.

Today, I am a proud Senator for Kiambu County because we are passing two laws that are giving more money to Kiambu County. The County Allocation of Revenue Bill, has added over Kshs480 million to the county.

The County Governments Additional Allocations Bill has also added Kshs2.5 billion to the county. Today, Kiambu will be getting Kshs15.2 billion. I am happy that we have been able to discuss this and agreed with other Senators that these monies need to be taken to counties. I now urge the County Government of Kiambu, together with other counties, to utilize this money with diligence. Even if we say that this money comes from the national Government, it actually comes from the pockets of the citizens of this great Republic. They must use this money knowing that it is the Wanjikus and everyone else who has been deducted, so that it can develop the counties.

I have noted that we have an additional allocation of about Kshs335 million for Kiambu County as road maintenance fuel levy. I caution this House, and bring it to its attention that the Ministry of Roads and Transport, led by the former Senator, Hon. Murkomen, is hiding behind the National Assembly, by saying that this amount should never be taken to counties. They have come up with a formula, say, 22 plus 10 per cent will be going to Kenya Rural Roads Authority (KeRRA). I urge this House, that if we pass the County Governments Additional Allocations Bill today, it is going to undo what that department is trying to do.

Mr. Speaker, Sir, it is good to note that, as the Chairman of the Standing Committee on Roads and Transportation, I shall bring the Roads Bill that is going to disband KeRRA, so that all this money goes to counties. The Members of Parliament (MPs) have no business constructing roads that are meant for a county government. We need this money to go to the county governments. That is the 22 per cent plus ---

(Sen. Thang’was’ microphone went off)

The Speaker (Hon. Kingi): Sen. Boy proceed.

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Sen. Boy: Asante Bw. Spika, kwa kunipa fursa niweze kuchangia huu Mswada. Leo nina furaha sana kwa sababu nyanjani watu wengi huuliza kazi yetu ni gani. Leo ndio kazi ya Seneta itatambulika katika nchi hii ya Kenya. Leo Maseneta wamefanya kazi na tumeongeza pesa katika kaunti zetu.

Pili, katika mashinani wananchi wengi watukufu wa nchi yetu huuliza mbona Seneta haijengi barabara, shule wala kutoa *bursary*? Kazi kubwa ya Seneta ni kuhakikisha kwamba kaunti yake inapata pesa na miradi yote inaendelea vizuri.

Bw. Spika naunga mkono Mswada huu kwa sababu kaunti yangu ya Kwale imeongezwa mgao wake na kupata zaidi ya Shilingi 400 milioni.

The Speaker (Hon. Kingi): Proceed, Sen. Seki

Sen. Seki: Thank you, Mr. Speaker, Sir. I also join colleague Senators to agree on The County Governments Additional Allocations Bill for Financial Year 2024/2025 that has an additional of Kshs55.4 billion to counties. I am happy because my county has an additional Kshs1 billion from the County Allocation of Revenue Bill and more than Kshs300 million on the County Governments Additional Allocations Bill.

This means that we have a lot of money that is going to county governments in areas of shareable revenue to complement on issues of County Aggregation and Industrial Parks (CAIPs), where my county has received Kshs250 million. I agree with these figures and support this Bill because it will really help county governments to increase their revenue by allocating more money and taking more developments to our counties.

I want to add to what has been said on the 20 per cent of share of minerals and royalties. The 20 per cent that has been provided has almost an additional of Kshs1 billion, but this is just on the 20 per cent. The 10 per cent that has been given by the law by the Mining Amendment Bill, which is supposed to go to counties, is yet to be appropriated.

I urge the Standing Committee on Finance and Budget to push the Ministry of Mining, Blue Economy and Maritime Affairs to give county governments, particularly communities, the 10 per cent that is being held by the national Government. It is bringing many issues in the communities because they are not getting that money. The stakeholders and industries are also paying that money to national Government. I urge the Ministry to have a structure and policy regulation that will give the 10 per cent to the communities.

Otherwise, I support the Bill.

The Speaker (Hon. Kingi): Proceed, Sen. Githuku.

Sen. Githuku: Asante Bw. Spika, kwa kunipatia hii fursa. Naomba niweze kuungana na wenzangu katika kupongeza Bunge hili la Seneti kwa sababu ya kazi nzuri ambayo imefanyika mwaka huu. Magatuzi zetu hazina vikwazo kwa sababu tumeshawapatia pesa ambazo zitawezesha magavana kufanya kazi wanayostahili kufanya ili wananchi wa kaunti tofauti tofauti waweze kupata manufaa.

Katika Kaunti ya Lamu, tumepata mgao wa zaidi ya Shilingi 300 milioni ambazo zitawezesha Kaunti ya Lamu kupata maendeleo. Tunapongea sasa, Gavana wa Kaunti ya Lamu hana sababu ya kutoweza *ku-equip* hospitali zetu na madawa ya kutosha.

Ukienda katika ECDE classes ambazo kwa muda mrefu katika Kaunti ya Lamu zimekuwa katika hali ambayo sio nzuri, hakuna tena sababu ya kuendelea kuwa katika

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hali tata. Tukiingia katika maswala ya kilimo ambayo ni kitega uchumi cha wakaazi wengi wa Kaunti ya Lamu, kama Seneta wa sehemu hiyo, ningependa kuona ya kwamba kilimo kimeimarishwa kwa sababu pesa za kutosha zimeenda katika gatuji hili la Lamu na sasa tunatarajia kuona mambo makubwa, manufaa na maendeleo ya watu wa Kaunti ya Lamu.

Naunga mkono Mswada huu na kusema kuwa umekuja kwa wakati unaofaa na sasa ni wakati wa kuwafanyia wananchi wetu kazi.

Asante.

The Speaker (Hon. Kingi): Proceed, Sen. Kisang’.

Sen. Kisang’: Thank you, Mr. Speaker, Sir. As I rise to support this Bill. There are some 12 counties in Kenya that even though we have raised the equitable revenue from Kshs385 billion to Kshs400 billion, they will continue paying salaries instead of doing development for our people.

The 12 counties, including Lamu, which Sen. Githuku has just spoken about, represents what they do most of the time, which is just paying salaries. For example, Elgeyo-Marakwet County is getting an additional Kshs300 million in the next financial year from Kshs4.8 billion. This additional Kshs300 million will basically go to salary increments because every 1st of July each financial year, all salaries are increased by a certain percentage. This means that this marginal increase will not even go towards development. You can imagine, you spend Kshs4 billion to pay salaries and expenses and then Kshs1 billion to do development. This is not fair to the 12 counties.

Come next year when we are doing the fourth round of revision of the formula, we will propose that at least each county should get Kshs6 billion, so that they can do some meaningful development. In the next 20 years, some counties will look like Kenya and Singapore. In 1972, they were at the same level, but now Singapore is very far, and in Kenya we are still where we were because of being marginalized. Most Senators here are very happy. Nairobi City and Kiambu counties have got an additional Kshs2 billion or Kshs1.5 billion, while some of us are getting below Kshs300 million. This is unfair.

On own-source revenue, we want these counties to have a unified system, so that they do not have leakages in terms of revenue. There are some counties where they have leakages of revenue, and they do not declare all that they collect.

We also need to have a discussion with our counterparts in the National Assembly. The last audited accounts that the National Assembly are using to face the 15 per cent that is going to the counties is about three years ago. They need to speed up. I agree with colleagues who have said that we need to include NG-CDF also on the last audited accounts, so that they can speed up.

On the allocation---

(Sen. Kisang’s microphone went off)

The Speaker (Hon. Kingi): Proceed, Sen. Mumma.

Sen. Mumma: Thank you, Mr. Speaker, Sir, for the opportunity to contribute to this Bill, which I support.

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Anybody who stands has no choice but to support these Bills. The Senate over the years has been struggling to try and persuade the country, the Executive and the National Assembly to pass or ensure that adequate funds are allocated to counties in order for them to deliver on their functions.

We are still struggling on this issue, but I would like to commend the Mediation Committee for the effort that they have made. However, I would like to point out that, as a Senate, it is time we think out of the box on how we can help ensure that devolution is implemented fully.

Fourteen years after the promulgation of the Constitution, I am suggesting that the Senate creates an intergovernmental mechanism. Since we do not participate in the summit, we need to create a conversation between the Senate and the Ministry charged with devolution, which is the Office of the Deputy President currently, to ensure that we start discussing some of these things.

The reason I say so is that many functions or parts of functions are still held by the national Government. If the Senate wants to be seen to do its job, it is time the Senate came up with a mechanism on how we can oversight the national Government on the way they are carrying out the functions that belong to counties, which they are still holding on to. It means that for as long as parastatals like Kenya Urban Roads Authority (KURA) and Kenya Rural Roads Authority (KeRRA) are still in place, they need to be under the oversight of the Senate because they are carrying out county functions.

We need to be able to ask the Ministry of Health, whatever they are holding, how much of that money, if it is going towards county function, is being shared equitably, so that every county is benefiting from these funds. So, we need to stop whining and only focusing on oversight of our counties, follow up with the national Government regarding the monies that belong to counties and come up with a mechanism where we can hold the national Government accountable.

We must be able to periodically call the Cabinet Secretary for National Treasury here to give us a breakdown of how he is ensuring the equitable share---

(Sen. Mumma's microphone went off)

The Speaker (Hon. Kingi): Proceed, Sen. (Dr.) Murango.

Sen. (Dr.) Murango: Asante Bw. Spika. Ningetaka kujiunga na wenzangu kuunga mkono Mswada ulio mbele yetu siku ya leo. Ninafurahi kusema kwamba, nikiangalia pesa ambazo zinaenda kwenye Kaunti ya Kirinyaga, ambako mimi ni Seneta, iko na nyongeza kubwa sana katika mwaka huu.

Ninaona ya kwamba katika mgao wa kawaida wako na zaidi ya Shilingi bilioni tano na katika *conditional grants* wako na Shilingi 36 milioni. Tukiangalia mwaka uliopita ambapo walipata Shilingi 5.4 bilioni, saa hii ninaona watapata Shilingi 6.8 bilioni.

Katika nyongeza ya pesa ya mwaka huu, ningetaka kuona hospitali ambazo kwa muda hazijamilizwa kujengwa, zikijengwa. Ningependa kuona zahananti za Kiandieri, Kiaritha Nguka, Ngatho; zote zikifanya kazi kwa sababu watu wetu wanaumia. Ningetaka kuona miundo msingi. Ningetaka kuona daraja kama zile za Kibukuria ambazo

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zilizengwa na *county* kwa mbao zikiwekwa chuma ili watoto wetu wawe na usalama wakati wanapovuka, kuenda na kurudi kutoka shuleni.

Ningependa kuona madawa katika hospitali zetu. Ningependa ninapo uliza swali nijibiwe kama Seneta kwa sababu saa hii tuko pamoja wakati tunapotafuta pesa lakini wakati tunapopeleka pesa mashinani huwa tunachukuliwa kama tingatinga ambazo zinajenga barabara; ujenzi ukikamilika zinabebwa ili zisiharibu barabara hizo. Ningependa wanakandarasi wale ambao walifanya kazi katika Kaunti ya Kirinyaga na hawajalipwa, waweze kulipwa pesa zao. Pia, ningependa kuona pesa za *bursary* ambazo zinapewa wanafunzi wetu zimeongezeka ili waweze kwenda shule.

Bw. Spika, kazi kubwa ya Seneta ni hii tunayoifanya siku ya leo; kuangalia kwamba kaunti zinapata pesa zao. Sisi ni kama baba ambaye anarudisha mkate katika kaunti ili watoto waweze kupikiwa wale. Nauliza magavana wote wa Kenya mzima kupika pesa tulizoleta na wahakikishe kwamba zimefikia wale wananchi tunoawatumikia. Inaweza kuwa sitapeana *bursary* au sitafanya maendeleo moja kwa moja, lakini, tumehusika pakubwa kuhakikisha kwamba pesa zimefikia wananchi.

Asante Bw. Spika.

The Speaker (Hon. Kingi): Sen. Faki, what is your intervention?

Sen. Faki: I note that it is now 4.30 p.m. I beg to move that the Mover replies.

Thank you.

(The Clerk-at-the-Table consulted the Speaker)

The Speaker (Hon. Kingi): Sen. Faki, you are not qualified to move that request because you have spoken---

(Sen. Faki spoke off record)

Just confirm with the HANSARD.

(Loud consultations)

Hon. Senators, can we have order, please. We need to dispense with the intervention by the Senator for Mombasa County. Therefore, I will proceed to put the question.

(Question, that the Mover be now called upon to reply, put and agreed to)

May the Mover proceed to reply.

Sen. Tabitha Mutinda: Thank you, Mr. Speaker, Sir. Allow me appreciate all the colleagues for their wonderful contributions. Also, on behalf of the Secretariat of the Committee on Finance and Budget, led by their Clerk, I really appreciate the team and colleague Senators in the Finance and Budget Committee.

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Mr. Speaker, Sir, I noted that the Senator for Homa Bay mentioned about the funds of the Financing Locally-Led Climate Action Programme (FLLOCA).

(Sen. (Dr.) Khalwale consulted loudly)

Sen. Boni, silence.

The reason the FLLOCA funds are not in the Schedule is that they will be awarded depending on the performance of those counties. That is why the space is blank. However, we note that as a Committee, and it was polite to reply. I urge all Senators to kindly do the oversight because we have given out money.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Hon. Senators, we shall move to division. At this juncture, allow me to request the Serjeant-at-Arms to ring the Division Bell for five minutes.

(The Division Bell was rung)

Order, hon. Senators! Please, take your seats. Sen. Chute and Senator for Lamu County, proceed to take your seats.

Serjeant-at-Arms, you may now proceed to close the doors and draw the Bar.

(The Bar was drawn and the doors closed)

(Hon. Senators consulted loudly)

Order, hon. Senators. We proceed with division on Orders No.9, the County Allocation of Revenue Bill (Senate Bills No.25 of 2024) and No.10, the County Governments Additional Allocations Bill (Senate Bills No.19 of 2024).

Clerk, please proceed to call those Orders.

BILLS

Second Readings

THE COUNTY ALLOCATION OF REVENUE BILL
(SENATE BILLS NO.25 OF 2024)

THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS
BILL (SENATE BILLS NO.19 OF 2024)

The Speaker (Hon. Kingi): Hon. Senators, voting will be done electronically. At this juncture, kindly log out.

Serjeant-at-Arms, pick all those unattended cards.

Senator for Migori, proceed to take your seat.

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(Sen. Oketch Gicheru took his seat)

Serjeant-at-Arms, signal me once you are done, so that we proceed to the next step.

(Loud consultations)

I had allowed one minute for those notorious Senators to find their space and take their seats. So, they are excused.

(The Serjeant-at-Arms signalled the Speaker)

Good.

Hon. Senators, you may now log back into the delegate unit and proceed to vote by either pressing on 'Yes', 'No' or you may abstain.

Proceed.

(Hon. Senators proceeded to vote)

Sen. Maanzo and Sen. Wafula, take your seats.

(Sen. Maanzo and Sen. Wafula took their seats)

DIVISION

ELECTRONIC VOTING

(Question, that the County Allocation of Revenue Bill (Senate Bills No.25 of 2024) be now read a Second Time, put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Kisang, Elgeyo-Marakwet County; Sen. Mwaruma, Taita-Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Kitui County; and, Sen. Wambua, Kitui County.

NOES: Nil

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The Speaker (Hon. Kingi): Now, the results of the Division are as follows:

AYES: 31

NOES: Nil

ABSENTIONS: Nil

The “Ayes” have it.

(Question carried by 31 votes to nil)

(Applause)

(The Bill was read a Second Time and committed to a Committee of the Whole today by leave of the House)

DIVISION

ELECTRONIC VOTING

(Question, that the County Governments Additional Allocations Bill (Senate Bills No.19 of 2024) be read a Second Time, put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo-Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Mwaruma, Taita-Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Thang’wa, Kiambu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; and, Sen. Wamatinga, Nyeri County.

NOES: Nil.

The Speaker (Hon. Kingi): Hon. Senators, the results of the division are as follows-

AYES: 32

NOES: 0

ABSTENTIONS: 0

The “Ayes” have it.

(Question carried by 32 votes to nil)

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(The Bill was read a Second Time and committed to a Committee of the Whole today by leave of the House)

The Speaker (Hon. Kingi): Serjeant-at-Arms, kindly open the doors and undraw the Bar.

(The doors were opened and the Bar undrawn)

Clerk, please proceed to call the next Order.

COMMITTEE OF THE WHOLE

(Order for Committee read)

[The Speaker (Hon. Kingi) left the Chair]

IN THE COMMITTEE

[The Temporary Chairperson (Sen. Wakili Sigei) in the Chair]

NATIONAL ASSEMBLY AMENDMENTS TO THE COUNTY LICENSING (UNIFORM PROCEDURES) BILL (SENATE BILLS NO.9 OF 2022)

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Senators, let us resume our seats.

We are now in the Committee of the Whole. We are going to consider the National Assembly amendments to The County Licensing (Uniform Procedures) Bill (Senate Bills No.9 of 2022). We have several Clauses that we are going to deal with. Upon going through all the Clauses, we will have the division.

*(Sen. (Dr.) Murango, Sen. Seki and (Sen. (Dr.) Lelegwe
Ltumbesi stood in their places)*

Sen. (Dr.) Murango, Sen. Seki, and Sen. (Dr.) Lelegwe Ltumbesi, please, resume your seats.

*(Sen. (Dr.) Murango, Sen. Seki and (Sen. (Dr.)
Lelegwe Ltumbesi resumed their seats)*

Clause 2

Sen. Seki: Mr. Temporary Chairman, Sir, I beg to move—
THAT, Clause 2 of the Bill be amended—

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(a) in the definition of “Cabinet Secretary” by deleting the word “licensing” and substituting therefor the word “trade”;

(b) by deleting the definition of “County Executive Committee Member”; and

(c) by deleting the definition of “licensing authority” and substituting therefor the following new definition—

“licensing authority” means a County Licensing Board established by a county government under Section 7.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 4

Sen. Seki: Mr. Temporary Chairman, Sir, I beg to move—
THAT, Clause 4 of the Bill be amended—

(a) by renumbering the existing provision as sub clause (1); and

(b) by inserting the following new sub-clause immediately after sub-clause (1) —

“(2) A licensing authority shall, in considering an application for a licence to carry out business which is ordinarily regulated by a professional body, undertake due diligence to ascertain whether the applicant is duly qualified and licensed to undertake such business.”

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 5

Sen. Seki: Mr. Temporary Chairman, Sir, I beg to move—

THAT, Clause 5 of the Bill be amended by inserting the words “including making specific provisions to ease the application process for persons with disabilities” immediately after the word “licence” appearing in paragraph (a).

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 6

Sen. Seki: Mr. Temporary Chairman, Sir, I beg to move—

THAT, Clause 6 of the Bill be amended—

(a) in paragraph (a) by inserting the word “distributors” immediately after the word “suppliers”;

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(b) by deleting paragraph “(c)” and substituting therefor the following new paragraph —

(c) consult the relevant government entity responsible for standards in order to ensure that quality of goods produced and services delivered are of high standard”;

(c) by inserting the following new paragraph immediately after paragraph (f)—

“(g) ensure that it does not prejudice national economic policies, economic activities across county boundaries or the national mobility of goods, services, capital or labour in line with Article 209(5) of the Constitution.”

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 7

Sen. Seki: Mr. Temporary Chairman, Sir, I beg to move—

THAT, Clause 7 of the Bill be amended—

(a) by inserting following new sub clauses immediately after sub-clause (1)—

“(1A) Each county government shall establish a board to be known as the County Licensing Board to perform the function of granting, amending, renewing, restoring and replacing of licences under subsection (1).

(1B) A County Licensing Board established under this section shall comprise—

(a) the Chief Officer for the time being responsible for matters relating to revenue in the county government or a representative appointed in writing, who shall be the Chairperson;

(b) the Chief Officer for the time being responsible for matters relating to trade in the county government or a representative appointed in writing;

(c) the Deputy County Commissioner in charge of the specific subcounty where the licence is to be issued;

(d) a representative of persons with disabilities who shall be nominated by the National Council for Persons with Disabilities from among persons with disabilities trading within the county; and

(e) a subcounty administrator responsible for the specific county where the licence is to be issued.

(1C) The Cabinet Secretary shall make regulations to give effect to the provisions of this section including—

(a) the conduct and regulation of the business and affairs of the County Licensing Board;

(b) the appointment of persons under subsection (3)(c) and (e) on a rotational and need basis depending on the subcounty where a licence is to be issued;

(c) the appointment of the persons appointed under subsection (3)(d);

(d) remuneration of Board Members;

(e) staff of the Board.

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(b) by inserting following new sub-clauses immediately after sub-clause (2)—
“(2A) The mechanisms referred to under subsection (2) and the platforms to facilitate electronic application of a licence shall be designed while taking into account the needs of persons with disabilities.”

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 9

Sen. Seki: Mr. Temporary Chairman, Sir, I beg to move—
THAT, Clause 9 of the Bill be amended by deleting sub clause (2) and substituting therefor the following new sub-clauses—

“(2) A notice under subsection (1) shall be made within three days of receipt of the application and shall specify the person to whom such information shall be submitted.”

“(2A) An applicant shall be granted a period of seven days to furnish the information requested in the notice specified under subsection (1).”

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 10

Sen. Seki: Mr. Temporary Chairman, Sir, I beg to move—
THAT, Clause 10 of the Bill be amended in subclause (1) by inserting the words “and timely” immediately after the words “provide sufficient” appearing in paragraph(c).

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 11

Sen. Seki: Mr. Temporary Chairman, Sir, I beg to move -
THAT, Clause 11 of the Bill be amended by deleting sub-clause (1) and substituting therefor the following new sub-clause-

“(1) A licensing authority shall, where the respective legislation requires an application to be advertised, publish a notice of the application in at least three of the following platforms—

- (a) one daily newspaper of wide circulation within the county;
- (b) in one local radio station;

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- (c) a designated public notice board at the county, ward and village levels;
- (d) official website or social media platform.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 14

Sen. Seki: Mr. Temporary Chairman, Sir, I beg to move -
THAT, Clause 14 of the Bill be amended in paragraph (a) by deleting the word “unconditionally”.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 15

Sen. Seki: Mr. Temporary Chairman, Sir, I beg to move-
THAT, Clause 15 of the Bill be amended in subclause(1) by inserting the words “in writing” immediately after the words “inform the applicant”.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 17

- Sen. Seki:** Mr. Temporary Chairman, Sir, I beg to move-
THAT clause 17 of the Bill be amended —
- (a) in sub clause (2) by deleting the words “and for the period stipulated in the licence” appearing immediately after the words “date of licence it renews”
 - (b) by inserting the following new sub clause immediately after subclause (2)—
“(2A) A licence shall be valid for the period stipulated in the licence:
Provided that a licence issued to a business intending to operate for one year or more shall be valid for one year from the date of issue”

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 20

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Sen. Seki: Mr. Temporary Chairman, Sir, I beg to move -
THAT, clause 20 of the Bill be amended—

- (a) in sub clause (1) by inserting the following new paragraphs immediately after paragraph (c) —

“(d) obtains a licence fraudulently;

(e) operates a different business from that which it is licenced to operate”;

- (b) by inserting the following new-sub clauses immediately after sub clause (1)—

“(2) A licensing authority shall issue a fourteen-day notice to a licensee before cancelling a licence under subsection (1)(a), (b), (d) and (e).

(3) Each county government shall establish a committee to undertake the review of a decision to cancel a licence.

(4) The committee established under subsection (3) shall comprise—

(a) the County Executive Committee Member for the time being responsible for matters relating to finance;

(b) the County Executive Committee Member for the time being responsible for matters relating to trade;

(c) two representatives from the respective County Chamber of the Kenya National Chamber of Commerce;

(d) the County Commissioner; and

(e) the County Attorney.”

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 24

Sen. Seki: Mr. Temporary Chairman, Sir, I beg to move-
THAT, clause 24 of the Bill be amended—

- (a) in sub-clause (2) by inserting the following words immediately after the words “respective county” –

“taking into consideration the following factors—

a) nature and scope of the licensed activity;

b) economic considerations;

c) administrative and regulatory costs;

d) public interest, and resource utilization; and

e) interests of vulnerable groups, women, youth and persons with disabilities.

- (b) by inserting the following new sub-clause immediately after sub-clause (2) —

(2A) Pursuant to Article 209(5) of the Constitution, the Council of Governors shall, within six months from the date of commencement of this Act, establish strategies and guidelines for—

- (a) harmonisation of licensing regulations, procedures, requirements and fee structures to ensure freedom of transit of goods and provision of services across various counties;

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- (b) the progressive development of systems, including inter-county integrated digital platforms, to facilitate exchange of information, coordination and implement harmonised licensing to facilitate transit of goods and provision of services across various counties.
- (c) in sub-clause (4) by deleting paragraph (b).

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 29

Sen. Seki: Mr. Temporary Chairman, Sir, I beg to move—
THAT, clause 29 of the Bill be amended—

- (a) in sub-clause (1) by deleting the word “may” and substituting therefor the word “shall”;
and
- (b) in subclause (2) by deleting the word “may” and substituting therefor the word “shall”.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

We are done with the consideration of the National Assembly amendments to The County Licensing (Uniform Procedures) Bill (Senate Bills No.9 of 2022). For the convenience of the House, we will proceed immediately to deal with The Statutory Instruments (Amendment) Bill (National Assembly Bills No.2 of 2023).

THE STATUTORY INSTRUMENTS (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO.2 OF 2023)

The Temporary Chairperson (Sen. Wakili Sigei): Sen. Dullo, please approach the Chair.

(Sen. Dullo approached the Temporary Chairperson)

Hon. Senators, we are now ready to consider The Statutory Instruments (Amendment) Bill (National Assembly Bills No.2 of 2023). We have several clauses, which we will proceed to amend.

Clause 2

Sen. Dullo: Mr. Temporary Chairman, Sir, I propose that Clause 2 be part of the Bill.

The Temporary Chairperson (Sen. Wakili Sigei): Sen. Dullo, you are moving the proposed amendments. Move the proposed amendments to Clause 2.

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Sen. Dullo: Mr. Temporary Chairman, Sir, I beg to move—
THAT, clause 2 of the Bill be amended by deleting the proposed new subsection (5) and substituting therefor the following new subsection —

(5) Where it comes to the attention of the Committee that a Cabinet Secretary responsible for a regulation-making authority has failed to submit a statutory instrument in accordance with subsection (1), the Committee may, by a resolution, require the Cabinet Secretary to —

- (a) publish a notice in the Gazette within seven days from the date of the resolution, to the effect that the statutory instrument is a nullity; and
- (b) submit the published notice to Parliament.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 3

Sen. Dullo: Mr. Temporary Chairman, Sir, I beg to move -
THAT, the Bill be amended by deleting Clause 3.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 4

Sen. Dullo: Mr. Temporary Chairman, Sir, I beg to move –
THAT, the Bill be amended by deleting Clause 4.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 5

Sen. Dullo: Mr. Temporary Chairman, Sir, I beg to move—
THAT, the Bill be amended by deleting clause 5 and substituting therefor the following new clause 5—

Amendment of

section 19 of Cap 2A The principal Act is amended by deleting section 19 and substituting therefor the following new section 19—

Requirements for publishing an annulment 19. (1) Where Parliament has adopted a report or a resolution that a statutory instrument be annulled—

- (a) the instrument shall stand annulled; and

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(b) The clerk of the relevant House shall publish the annulment on the Parliamentary website and shall convey the resolution of the House to the regulation-making authority.

(2) Upon receipt of the communication from the Clerk in accordance with this section, the regulation-making authority shall publish the annulment in the Gazette within fourteen days.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 6

The Temporary Chairperson (Sen. Wakili Sigei): I call upon the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights to move.

Sen. Dullo: Mr. Temporary Chairman, Sir, I move—
THAT the Bill be amended by deleting clause 6.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 7

The Temporary Chairperson (Sen. Wakili Sigei): I call upon the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights to move.

Sen. Dullo: Mr. Temporary Chairman, Sir, I beg to move—
THAT the Bill be amended by deleting clause 7 and substituting therefore the following new clause—

Amendme
nt of
section 11
of Cap
2A.

7. Section 24 of the principal Act is amended in subsection (5) by deleting the words “twenty thousand shillings” appearing immediately after the words “penalty not exceeding” and substituting therefor the words “one million shillings”.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

The Title and Clause 1

(Question, that the Title and Clause 1 be part of the Bill proposed)

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The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

THE INDEPENDENT ELECTORAL AND BOUNDARIES
COMMISSION (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILLS NO.10 OF 2024)

The Temporary Chairperson (Sen. Wakili Sigei): Sen. Dullo, could you please approach the Chair?

(Sen. Dullo approached the Temporary Chairperson)

Hon. Members, we are now in the Committee of the Whole to consider The Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bills No.10 of 2024).

We shall start to consider the amendments to the various clauses.

Clause 3

The Temporary Chairperson (Sen. Wakili Sigei): I call upon the Chairperson standing on the Committee on Justice, Legal Affairs and Human Rights to move the proposed amendment, Sen. Dullo.

Sen. Dullo: Mr. Temporary Chairman, Sir, I move –

THAT the Bill be amended by deleting Clause 3 and substituting therefore the following new clause —

3. Section 6 of the principal Act is amended in subsection 2(c)—

(a) by deleting the introductory clause and substituting therefor the following new clause —

(c) has proven knowledge and at least ten years of experience in any of the following fields –

(b) by inserting the following new subparagraphs immediately after subparagraph (vi) —

(vii) information and communication technology; and

(viii) accounting.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clauses 4, 5 and 6

(Question, that Clauses 4, 5 and 6 be part of the Bill proposed)

Division will be at the end.

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Clause 7

The Temporary Chairperson (Sen. Wakili Sigei): I call upon the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights to move the amendment.

Mr. Temporary Chairman, Sir, I move –

THAT clause 7 of the Bill be amended in the proposed new—

- (a) section 24B (5) by inserting the words “in each House of Parliament” immediately after the words “Parliamentary Committee”;
- (b) section 24B (6)—
 - (i) by inserting the words “in each House of Parliament” immediately after the words “Parliamentary Committee”; and
 - (ii) by deleting the words “the National Assembly” appearing immediately after the words “the report in” and substituting therefor the words “the respective House of Parliament”;
- (c) section 24B (7) by inserting the words “and the Senate” immediately after the words “the National Assembly”;
- (d) section 24B (8) by inserting the words “and the Senate” immediately after the words “the National Assembly”; and
- (e) section 24B (9) by inserting the words “or the Senate” immediately after the words “the National Assembly”.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Thank you, Sen. Dullo.

We had a further amendment to Clause 7 that ought to have been moved by Sen. Osotsi, and in his absence that further amendment is hereby dropped.

(Proposed amendment by Sen. Osotsi dropped)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 8

(Question, that Clause 8 be part of the Bill proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 9

(Question, that Clause 9 be part of the Bill, proposed)

This is similarly an amendment whose Mover is supposedly Sen. Godfrey Osotsi. In his absence, therefore, this proposal for amendment is dropped.

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(Proposed amendment by Sen. Osotsi dropped)

Clauses 10 and 11

(Question, that Clauses 10 and 11 be part of the Bill proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 2

The Temporary Chairperson (Sen. Wakili Sigei): I call upon the Chairperson Standing Committee on Justice, Legal Affairs and Human Rights to move the proposed amendment.

Sen. Dullo: Mr. Temporary Chairperson, Siri, I beg to move—
THAT Clause 2 of the Bill be amended—

(a) by inserting the following new paragraph immediately after paragraph (e) —

(g) in the definition of the word “Parliamentary Committee” by inserting the words “and Senate” immediately after the words “the National Assembly”; and

(b) in paragraph (f) in the proposed new definition of the word “parliamentary party” by inserting the words “and Senate” immediately after the words “the National Assembly”.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

The title and Clause 1

*(Question, that the Title and Clause 1
be part of the Bill, proposed)*

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

THE COUNTY ALLOCATION OF REVENUE BILL
(SENATE BILLS NO.25 OF 2024)

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Members, we are done with the Electoral and Boundaries Commission Amendment Bill. We are proceeding with the Committee of the Whole on The County Allocation of Revenue Bill (Senate Bills No.25 of 2024).

Hon. Members, with regard to the County Allocation of Revenue Bill (Senate Bills No.25 of 2024), we only have two amendments. We will proceed to consider those proposals.

Clauses 3, 4, 5, 6, 7, 8, 9 and 10

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(Question, that Clauses 3, 4, 5, 6, 7, 8, 9 and 10 be part of the Bill proposed)

Division will be at the end.

First Schedule

Sen. Mutinda: Mr. Temporary Chairman, Sir, I beg to move-
THAT the Bill be amended by deleting the First Schedule and substituting therefor the following new schedule-

FIRST SCHEDULE (s.4(1))

Allocation of Each County Governments' Equitable Share of Revenue Raised Nationally in the FY 2024/25

		FY 2023/24	FY 2024/25		(Equitable Share** - 0.5 Allocation Ratio) *(Formula***)		Total Equitable Share****
			0.5 (Allocation Ratio*)	Equitable Share	Allocation ratio	Equitable Share	
SN	County	Column A	Column B	Column C	Column D	Column E	Column F=C+E
1	Baringo	6,647,771,186	1.61	2,547,825,000	1.80	4,365,102,952	6,912,927,952
2	Bomet	6,977,924,070	1.74	2,753,550,000	1.86	4,497,578,230	7,251,128,230
3	Bungoma	11,111,983,608	2.81	4,446,825,000	2.93	7,096,216,769	11,543,041,769
4	Busia	7,475,585,295	1.9	3,006,750,000	1.97	4,757,851,080	7,764,601,080
5	Elgeyo/ Marakwet	4,801,453,188	1.22	1,930,650,000	1.26	3,056,468,183	4,987,118,183
6	Embu	5,341,810,744	1.36	2,152,200,000	1.40	3,395,894,359	5,548,094,359
7	Garissa	8,248,748,101	2.22	3,513,150,000	2.08	5,041,865,575	8,555,015,575
8	Homa Bay	8,128,387,250	2.13	3,370,725,000	2.09	5,065,355,677	8,436,080,677
9	Isiolo	4,899,041,209	1.34	2,120,550,000	1.22	2,958,185,614	5,078,735,614
10	Kajiado	8,300,213,576	2.03	3,212,475,000	2.24	5,416,780,865	8,629,255,865
11	Kakamega	12,912,646,262	3.29	5,206,425,000	3.39	8,204,610,025	13,411,035,025

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		FY 2023/24	FY 2024/25		(Equitable Share** - 0.5 Allocation Ratio) *(Formula***)		Total Equitable Share****
			0.5 (Allocation Ratio*)	Equitable Share	Allocation ratio	Equitable Share	
SN	County	Column A	Column B	Column C	Column D	Column E	Column F=C+E
12	Kericho	6,703,129,925	1.7	2,690,250,000	1.77	4,272,407,506	6,962,657,506
13	Kiambu	12,227,552,449	2.98	4,715,850,000	3.31	7,997,509,169	12,713,359,169
14	Kilifi	12,109,200,498	3.3	5,222,250,000	3.03	7,332,353,733	12,554,603,733
15	Kirinyaga	5,420,217,528	1.34	2,120,550,000	1.45	3,513,069,143	5,633,619,143
16	Kisii	9,258,588,608	2.46	3,892,950,000	2.36	5,712,654,088	9,605,604,088
17	Kisumu	8,361,797,770	2.16	3,418,200,000	2.18	5,263,316,388	8,681,516,388
18	Kitui	10,829,486,936	2.79	4,415,175,000	2.82	6,829,147,462	11,244,322,462
19	Kwale	8,584,103,693	2.46	3,892,950,000	2.06	4,994,546,757	8,887,496,757
20	Laikipia	5,358,246,532	1.32	2,088,900,000	1.44	3,480,787,183	5,569,687,183
21	Lamu	3,237,350,707	0.82	1,297,650,000	0.85	2,065,148,128	3,362,798,128
22	Machakos	9,547,295,309	2.45	3,877,125,000	2.50	6,036,878,936	9,914,003,936
23	Makueni	8,455,460,962	2.34	3,703,050,000	2.09	5,059,766,136	8,762,816,136
24	Mandera	11,633,191,646	3.23	5,111,475,000	2.87	6,943,499,661	12,054,974,661
25	Marsabit	7,560,398,412	2.14	3,386,550,000	1.84	4,443,784,637	7,830,334,637
26	Meru	9,892,625,172	2.54	4,019,550,000	2.59	6,252,907,095	10,272,457,095
27	Migori	8,341,446,108	2.14	3,386,550,000	2.18	5,275,346,842	8,661,896,842
28	Mombasa	7,861,523,820	2.23	3,528,975,000	1.91	4,612,750,357	8,141,725,357
29	Murang'a	7,473,786,703	1.99	3,149,175,000	1.90	4,604,299,531	7,753,474,531
30	Nairobi	20,072,059,115	5.03	7,959,975,000	5.33	12,895,415,632	20,855,390,632
31	Nakuru	13,593,424,693	3.31	5,238,075,000	3.68	8,895,720,185	14,133,795,185
32	Nandi	7,305,294,033	1.69	2,674,425,000	2.04	4,930,362,567	7,604,787,567
33	Narok	9,196,276,899	2.54	4,019,550,000	2.28	5,511,524,923	9,531,074,923
34	Nyamira		1.52				

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		FY 2023/24	FY 2024/25		(Equitable Share** - 0.5 Allocation Ratio) *(Formula***)		Total Equitable Share****
			0.5 (Allocation Ratio*)	Equitable Share	Allocation ratio	Equitable Share	
SN	County	Column A	Column B	Column C	Column D	Column E	Column F=C+E
		5,334,198,486		2,405,400,000	1.29	3,118,214,355	5,523,614,355
35	Nyandarua	5,905,976,056	1.54	2,437,050,000	1.53	3,693,274,412	6,130,324,412
36	Nyeri	6,485,331,051	1.71	2,706,075,000	1.66	4,023,674,120	6,729,749,120
37	Samburu	5,594,312,489	1.46	2,310,450,000	1.45	3,496,242,471	5,806,692,471
38	Siaya	7,263,019,462	1.83	2,895,975,000	1.92	4,649,475,410	7,545,450,410
39	Taita Taveta	5,040,427,430	1.34	2,120,550,000	1.29	3,108,716,247	5,229,266,247
40	Tana River	6,790,702,542	1.85	2,927,625,000	1.70	4,112,915,708	7,040,540,708
41	Tharaka Nithi	4,378,234,821	1.24	1,962,300,000	1.06	2,572,180,732	4,534,480,732
42	Trans Nzoia	7,499,822,440	1.82	2,880,150,000	2.03	4,918,443,372	7,798,593,372
43	Turkana	13,143,946,933	3.33	5,269,725,000	3.47	8,383,475,352	13,653,200,352
44	Uasin Gishu	8,426,072,635	2	3,165,000,000	2.32	5,601,325,224	8,766,325,224
45	Vihiga	5,267,026,885	1.47	2,326,275,000	1.29	3,130,941,386	5,457,216,386
46	Wajir	9,853,656,422	2.7	4,272,750,000	2.46	5,941,842,219	10,214,592,219
47	West Pokot	6,573,866,403	1.58	2,500,350,000	1.79	4,336,964,170	6,837,314,170
	Total	385,424,616,067	100	158,250,000,000	100	241,866,788,147	400,116,788,147

* This is the Ksh. 316.5 billion allocations as Equitable Share to counties in the financial year 2019/20. Thus, the allocation to county governments is 158.25 billion, amounting to Ksh. 158.25 billion.

** This is the Equitable share of revenue raised nationally allocated to county governments in FY2024/25 amounting to Ksh.400.117 billion. Once you net out one half of the amount of Allocation Ratio or Ksh. 158.25 billion from the Equitable share of Ksh.400.117 billion, the resulting balance of Ksh. 241.867 billion shall be allocated among county governments using the Formula.

*** Formula= 0.18*Population Indexi+ 0.17*Health Indexi+0.10* Agriculture Indexi+0.05*Urban Indexi+0.14* Poverty Indexi+0.08*Land Area Indexi+0.08*Roads Indexi +0.20* Basic Share Index.

****Total Equitable Share to County Governments = 0.5 (Allocation Ratio) + ((Equitable Share-(0.5 Allocation Ratio)) *(Formula)).

Mr. Temporary Chairperson, Sir, this is because what we had passed for the Financial Year 2024/2025 was Kshs415.9 billion, but after the resolution by the

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Mediation Committee, the amount settled for Financial Year 2024/2025 was Kshs400.16 billion.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Second Schedule

Sen. Mutinda: Mr. Temporary Chairman, Sir, I beg to move-
THAT the Bill be amended by deleting the Second Schedule and substituting therefor the following new schedule-

SECOND SCHEDULE (S.5)

County Government Budget Ceilings on Recurrent Expenditure in FY 2024/25 (Figures in Kenya Shillings)					
SN	County	County Assembly Ceilings		County Executive Ceilings	
		2023/24	2024/25	2023/24	2024/25
1	Baringo	828,250,102	880,134,270	628,507,168	811,330,131
2	Bomet	826,903,256	748,458,555	525,981,274	675,271,762
3	Bungoma	1,030,966,304	1,166,950,433	593,145,551	794,269,934
4	Busia	890,557,352	891,698,127	565,353,297	740,954,156
5	Elgeyo/Mara kwet	688,567,522	731,876,015	540,143,817	682,571,452
6	Embu	655,164,072	696,347,072	470,665,205	599,617,223
7	Garissa	928,822,377	1,034,099,730	517,163,240	693,214,915
8	Homa-Bay	951,617,005	967,160,105	612,652,603	807,946,650
9	Isiolo	539,314,722	556,240,773	384,717,582	483,811,987
10	Kajiado	836,365,718	825,532,961	543,625,285	705,785,753
11	Kakamega	1,400,821,103	1,482,723,167	702,976,417	954,360,037
12	Kericho	828,466,755	829,314,633	574,171,331	742,119,652
13	Kiambu	1,352,347,776	1,354,132,186	689,615,145	937,949,817
14	Kilifi				

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County Government Budget Ceilings on Recurrent Expenditure in FY 2024/25 (Figures in Kenya Shillings)					
SN	County	County Assembly Ceilings		County Executive Ceilings	
		2023/24	2024/25	2023/24	2024/25
		942,241,093	901,685,828	552,882,777	732,390,410
15	Kirinyaga	673,319,674	685,609,542	463,453,685	591,357,406
16	Kisii	1,112,890,743	1,114,637,995	635,010,868	842,938,395
17	Kisumu	827,121,358	1,008,619,656	548,429,020	720,990,566
18	Kitui	1,042,409,957	1,062,587,992	787,239,883	1,034,274,047
19	Kwale	667,712,409	685,501,295	436,816,651	561,039,626
20	Laikipia	545,809,049	548,716,069	429,430,142	543,968,003
21	Lamu	493,148,394	507,472,589	349,978,277	439,219,777
22	Machakos	1,021,331,660	1,094,313,264	618,887,863	817,384,477
23	Makueni	882,052,960	870,638,166	597,330,868	772,648,310
24	Mandera	983,911,204	955,086,307	537,192,934	709,410,958
25	Marsabit	714,092,325	765,337,855	477,791,217	620,635,223
26	Meru	1,105,946,626	1,110,234,818	802,472,137	1,046,885,894
27	Migori	1,003,508,709	1,006,160,215	609,089,597	803,308,177
28	Mombasa	837,169,783	773,735,933	414,726,825	550,949,872
29	Murang'a	830,709,033	841,956,442	633,050,405	822,212,796
30	Nairobi City	1,924,120,608	1,925,111,836	640,180,465	924,648,890
31	Nakuru	1,160,413,432	1,189,221,758	703,777,688	949,692,125
32	Nandi	796,999,461	881,813,047	647,212,948	829,614,196
33	Narok	911,202,495	912,668,217	545,667,285	715,936,269
34	Nyamira	746,578,493	709,762,663	458,194,685	584,106,355
35	Nyandarua	770,438,804	783,592,426	533,107,285	683,959,845

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County Government Budget Ceilings on Recurrent Expenditure in FY 2024/25 (Figures in Kenya Shillings)					
SN	County	County Assembly Ceilings		County Executive Ceilings	
		2023/24	2024/25	2023/24	2024/25
36	Nyeri	776,126,610	854,822,168	605,347,631	779,895,747
37	Samburu	593,254,286	611,949,367	482,789,720	611,274,116
38	Siaya	775,678,151	784,422,102	540,322,777	701,924,604
39	Taita/Taveta	681,840,554	706,520,871	439,488,905	567,140,475
40	Tana River	677,653,973	733,643,957	436,641,663	558,967,389
41	Tharaka-Nithi	517,563,626	545,776,919	445,463,668	561,403,884
42	Trans Nzoia	685,259,476	700,394,742	427,107,865	557,198,937
43	Turkana	966,834,859	895,679,650	526,961,505	704,903,707
44	Uasin-Gishu	796,524,510	805,657,536	474,407,171	623,694,943
45	Vihiga	714,071,318	724,667,651	487,678,963	628,658,777
46	Wajir	992,922,326	992,609,870	599,569,960	791,932,190
47	West Pokot	683,634,469	720,096,706	589,135,145	743,044,332
	Total	40,612,656,492	41,575,373,479	25,825,556,393	33,756,814,187

The rationale is that the Second Schedule to the Bill will reflect the approved adjustments to the County Governments recurrent expenditure ceilings for Financial Year 2024/2025.

(Question of the amendment proposed)

Division at the end.

Clause 2, the Title and Clause 1

(Question, that Clause 2, the Title and Clause 1 be part of the Bill, proposed)

Division will be at the end.

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The Temporary Chairperson (Sen. Wakili Sigei): Hon. Members, we are done with the Committee of the Whole for The County Allocation of Revenue Bill (Senate Bills No.25 of 2024).

We now move to the Committee of the Whole for The County Governments Additional Allocations Bill (Senate Bills No.19 of 2024).

THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS
BILL (SENATE BILLS NO.19 OF 2024)

Hon. Members, we are now dealing with The County Governments Additional Allocations Bill (Senate Bills No.19 of 2024). We have four amendments to be moved.

Clause 3

(Question, that Clause 3 be part of the Bill proposed)

Clause 4

Sen. Mutinda: Mr. Temporary Chairman, Sir, I beg to move-
THAT Clause 4 of the Bill be amended in subclause (2) by deleting the words “except allocations under section 5(1)(a)” appearing immediately after the words “this section shall”.

This is to ensure that the law expressly states that all additional allocations, both conditional and unconditional, are included in respective county governments appropriate bills, including all allocations for the supplement for county headquarters.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Clause 5

Sen. Mutinda: Mr. Temporary Chairman, Sir, I beg to move-
THAT Clause 5 of the Bill be amended-

- (a) in subclause (1) by -
 - (i) deleting the words “Column E” appearing immediately after the words “set out in” appearing in paragraph (c) and substituting therefor the words “Column D”;
 - (ii) deleting the words “Column F” appearing immediately after the words “set out in” appearing in paragraph (d) and substituting therefor the words “Column E”;
- (b) in the introductory clause to subclause (3) by deleting the words “year 2023/24” appearing immediately after the words “Government for the” and substituting therefor the words “year 2024/25”;
- (c) by deleting subclause (4) and substituting therefor the following new subclause—

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(4) Conditional allocations financed by proceeds of loans or grants from development partners to each county government for the financial year 2024/25 shall be as set out in Column S of the Fourth Schedule comprising —

- (a) conditional allocations from a grant by DANIDA to finance Primary Healthcare in Devolved Context as set out in Column B;
- (b) conditional allocations financed by proceeds from an IDA (World Bank) loan to finance the Kenya Informal Settlement Improvement Project (KISIP II) as set out in Column C;
- (c) conditional allocations financed by proceeds from an AFD (French Development Agency) loan to finance the Kenya Informal Settlement Improvement Project (KISIP II) as set out in Column D;
- (d) conditional allocations financed by proceeds from an IDA (World Bank) loan to finance Emergency Locust Response Project (ELRP) as set out in Column E;
- (e) conditional allocations financed by proceeds from a KfW (German Development Bank) loan for co- financing of FLLoCA – County Climate Resilience Investment (CCRI) Grant amounting to Kenya shillings one billion, two hundred million as set out in Column F;
- (f) conditional allocations financed by proceeds from an IDA (World Bank) loan for the FLLoCA - County Climate Resilience Investment (CCRI) Grant amounting to Kenya shillings three billion, seven hundred and twelve million as set out in Column G;
- (g) conditional allocations financed by proceeds from an IDA (World Bank) loan for the Food Systems Resilience Project - FSRP) as set out in Column H;
- (h) conditional allocations financed by proceeds from an IDA (World Bank) loan for the National Agricultural Value Chain Development Project (NAVCDP) as set out in Column I;
- (i) conditional allocations from an IDA (World Bank) loan to finance Water and Sanitation Development Project (WSDP) as set out in Column J;
- (j) conditional allocations financed by proceeds from an IDA (World Bank) loan for the Kenya Devolution Support Programme (KDSP) II as set out in Column K;
- (k) conditional allocations financed by proceeds from an IDA (World Bank) Loan for the Kenya Urban Support Project (KUSP) - Urban Institutional Grant (UIG) as set out in Column L;
- (l) conditional allocations financed by proceeds from an IDA (World Bank) Loan for the Kenya Urban Support Project (KUSP) - Urban Development Grant (UDG) as set out in Column M;
- (m) conditional allocations financed by proceeds from an International Fund for Agricultural Development (IFAD) loan for the Kenya Livestock Commercialization Project (KeLCoP) as set out in Column N;
- (n) conditional allocations financed by proceeds from a KfW (German Development Bank) Loan for the Drought Resilience Programme in Northern Kenya (DRPNK) as set out in Column O;
- (o) conditional allocations financed by proceeds from an International Fund for Agricultural Development (IFAD) loan for the Aquaculture Business Development Programme (ABDP) as set out in Column P;

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- (p) conditional allocations financed by proceeds from a grant financed by the United Nations Fund for Population Activities (UNFPA) for the tenth Country Program as set out in Column Q;
- (q) conditional allocations financed by proceeds from a Swedish International Development Cooperation Agency (SIDA) grant for co-financing of the Kenya Agricultural Business Development Project (KABDP) as set out in Column R; and
- (d) in subclause (5) by inserting the words “and c” immediately after the words “of paragraph (b)” appearing in paragraph (d);
- (e) in subclause (6) by deleting the words “subsection (2)” appearing immediately after the words “allocation under” and substituting therefor the words “subsections (1), (2), (3) and (4)”;
- (f) in subclause (7) by deleting the words “subsection (2)” appearing immediately after the words “allocation under” and substituting therefor the words “subsections (1), (2), (3) and (4)”.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Clause 6, 7 and 8

(Question, that Clauses 6, 7 and 8 be part of the Bill, proposed)

Division at the end.

The First Schedule

Sen. Mutinda: Mr. Temporary Chairman, Sir, I beg to move-
THAT the Bill be amended by deleting the First Schedule and substituting therefor the following new schedule-

FIRST SCHEDULE (S.5(1))

Conditional Additional Allocations to County Governments from National Government's Share of Revenue in FY 2024/25 (Kenya Shillings)							
SN	COUNTY	FY 2023/24	FY 2024/25				
		Total Conditional Additional Allocations	Supplement Construction of County Headquarters	County Aggregation and Industrial Parks (CAIP) Programme	Community Health Promoters (CHPs) Project	Transfer of Museum Function	Total Conditional Additional Allocations
		Column A	Column B	Column C	Column D	Column E	Column F
1	Baringo	92,926,764		250,000,000	63,810,000		313,810,000

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Conditional Additional Allocations to County Governments from National Government's Share of Revenue in FY 2024/25 (Kenya Shillings)							
SN	COUNTY	FY 2023/24	FY 2024/25				
		Total Conditional Allocations	Supplement Construction of County Headquarters	County Aggregation and Industrial Parks (CAIP) Programme	Community Health Promoters (CHPs) Project	Transfer of Museum Function	Total Conditional Additional Allocations
		Column A	Column B	Column C	Column D	Column E	Column F
2	Bomet	132,634,641			74,070,000		74,070,000
3	Bungoma	492,962,800			107,400,000		107,400,000
4	Busia	376,591,665			66,390,000		66,390,000
5	Elgeyo/Marakwet	64,400,155		250,000,000	37,200,000		287,200,000
6	Embu	363,131,838			60,300,000		60,300,000
7	Garissa	264,807,925			74,520,000	2,462,567	76,982,567
8	Homa Bay	415,917,803			88,620,000		88,620,000
9	Isiolo	64,333,234	115,350,161		21,630,000	1,093,656	138,073,817
10	Kajiado	41,355,485		250,000,000	50,070,000		300,070,000
11	Kakamega	294,386,469		250,000,000	127,500,000		377,500,000
12	Kericho	140,552,947		250,000,000	45,690,000		295,690,000
13	Kiambu	409,665,074			94,680,000		94,680,000
14	Kilifi	138,924,099		250,000,000	116,100,000		366,100,000
15	Kirinyaga	367,510,449			36,660,000		36,660,000
16	Kisii	186,645,942		250,000,000	88,200,000		338,200,000
17	Kisumu	130,537,637			89,940,000	6,350,388	96,290,388
18	Kitui	179,499,580		250,000,000	74,100,000		324,100,000
19	Kwale	90,011,220		250,000,000	52,140,000		302,140,000
20	Laikipia	76,547,852		250,000,000	25,230,000		275,230,000

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Conditional Additional Allocations to County Governments from National Government's Share of Revenue in FY 2024/25 (Kenya Shillings)							
		FY 2023/24	FY 2024/25				
SN	COUNTY	Total Conditional Allocations	Supplement Construction of County Headquarters	County Aggregation and Industrial Parks (CAIP) Programme	Community Health Promoters (CHPs) Project	Transfer of Museum Function	Total Conditional Additional Allocations
		Column A	Column B	Column C	Column D	Column E	Column F
21	Lamu	62,515,370	264,732,161		14,520,000		279,252,161
22	Machakos	445,350,986			83,250,000		83,250,000
23	Makueni	173,836,213			113,700,000		113,700,000
24	Mandera	13,777,962		250,000,000	18,540,000		268,540,000
25	Marsabit	2,389,320			60,090,000	2,878,080	62,968,080
26	Meru	488,329,627			111,480,000		111,480,000
27	Migori	394,621,807			88,380,000		88,380,000
28	Mombasa	262,131,098			71,610,000		71,610,000
29	Murang'a	452,896,800			46,050,000		46,050,000
30	Nairobi	14,721,991			224,010,000		224,010,000
31	Nakuru	484,883,209			99,390,000		99,390,000
32	Nandi	378,705,606			96,660,000		96,660,000
33	Narok	139,655,079		250,000,000	49,800,000	2,812,116	302,612,116
34	Nyamira	342,563,428			44,370,000		44,370,000
35	Nyandarua	242,624,039	0	250,000,000	41,610,000		291,610,000
36	Nyeri	156,487,648		250,000,000	74,250,000		324,250,000
37	Samburu	12,431,664			46,140,000		46,140,000
38	Siaya	423,929,548			63,810,000		63,810,000
39	Taita Taveta	50,418,729		250,000,000	41,070,000		291,070,000

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Conditional Additional Allocations to County Governments from National Government's Share of Revenue in FY 2024/25 (Kenya Shillings)							
		FY 2023/24	FY 2024/25				
SN	COUNTY	Total Conditional Allocations	Supplement Construction of County Headquarters	County Aggregation and Industrial Parks (CAIP) Programme	Community Health Promoters (CHPs) Project	Transfer of Museum Function	Total Conditional Additional Allocations
		Column A	Column B	Column C	Column D	Column E	Column F
40	Tana River	136,049,566	95,045,250		28,890,000		123,935,250
41	Tharaka Nithi	174,459,830	47,981,059	250,000,000	37,950,000		335,931,059
42	Trans Nzoia	366,941,692			67,200,000	12,343,968	79,543,968
43	Turkana	12,815,035			74,250,000		74,250,000
44	Uasin Gishu	379,487,557			61,980,000		61,980,000
45	Vihiga	97,662,444		250,000,000	43,380,000		293,380,000
46	Wajir	11,656,907		250,000,000	60,810,000	2,244,060	313,054,060
47	West Pokot	72,161,965			77,490,000		77,490,000
	GRAND TOTAL	10,116,848,690	523,108,631	4,500,000,000	3,234,930,000	30,184,835	8,288,223,466

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Second Schedule

(Question, that the Second Schedule be part of the Bill, proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Third Schedule

(Question, that the Third Schedule be part of the Bill, proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

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Fourth Schedule

Sen. Mutinda: Mr. Temporary Chairman, Sir, I beg to move-
THAT the Bill be amended by deleting the Fourth Schedule and substituting therefor the following new schedule-

FOURTH SCHEDULE (S.5(4))

Conditional Additional Allocations from proceeds of loans or grants from Development Partners for Financial Year 2024/25 (Kenya Shillings)																				
S N	County	Total Loans and Grants for FY 2023/ 24	FY 2024/25																	
			DA NID A Grant to finance Primary Health Care in Developed Context	IDA(World Bank) - Kenya Infor mal Settlement Improve ment Project-II (KIS IP II)	AFD - Kenya Infor mal Settlement Improve ment Project-II (KIS IP II)	IDA(World Bank)- Emer genc y Locu st Resp onse Proj ect(EL RP)	KfW(Ge rmany Develop ment Bank) loan for Co- Financin g of FLLoCA -County Climate Resilienc e Investme nt(CCRI) Grant	IDA (World Bank)- loan for the Financin g of FLLoCA -County Climate Resilienc e Investme nt(CCRI) Grant	IDA (World Bank) Loan for the Food Syste ms Resili ence Proj ect (FSR P)	IDA World Bank Loan for the Nation al Agricu ltural Value Chain Develo pment Project (NAV CDP)	IDA (World Bank) loan for the Water & Sanit ation Devel opme nt Proj ect (WS DP)	IDA (World Bank))- Kenya Devo lutio n Supp ort Proj ect(KU SP)- Urban Insti tution al Grant (UIG)	IDA (World Bank) Credit : Kenya Urban Supp ort Proj ect(KU SP)- Urban Devel opme nt Grant (UDG)	Internati onal Fund for Agricul tural Develop ment(IF AD)- loan for Kenya Livestock Comme rcializat ion Project (KeLCo P)	KfW (Ger man Deve lopme nt Bank) loan for Drou ght Resil ience Prog ram me in Nort hern Ken ya (DR PNK)	Internat ional Fund for Agricul tural Develop ment(I FAD) for the Aquacu lture Busines s Develo pment Project (ABDP)	United Nations Fund For Populat ion Activiti es(UN FPA) Grant - 10th Country Grant	SWE DEN - Ken ya Agri cultu ral Busi ness Deve lopme nt Proj ect (KA BDP)	Total Loans and Grants for FY 2024/ 25	
		Colu mn A	Colu mn B	Colu mn C	Colu mn D	Colu mn E	Column F	Column G	Colu mn H	Column I	Colu mn J	Colu mn K	Colu mn L	Colu mn M	Column N	Colu mn O	Column P	Column Q	Colu mn R	Colu mn S
1	Baringo	315,951,823	7,848,750			121,025,000			173,076,923.08			37,500,000	35,000,000	18,190,995	40,150,000			9,620,000	10,918,919	453,330,587
2	Bomet	416,348,367	8,482,500						151,515,152			37,500,000	35,000,000	18,278,289					10,918,919	261,694,859
3	Bungoma	725,703,372	13,698,750	297,400,170					151,515,152			37,500,000	35,000,000	100,434,139	37,950,000			7,400,000	10,918,919	691,817,130
4	Busia	494,609,948	9,262,500						151,515,152			37,500,000	35,000,000	76,464,543	33,550,000		22,585,560		10,918,919	376,796,673

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Conditional Additional Allocations from proceeds of loans or grants from Development Partners for Financial Year 2024/25 (Kenya Shillings)																					
		FY 2024/25																			
S N	County	Total Loans and Grants for FY 2023/24	DA NID Grant to FY 2023/24	IDA(World Bank) - Kenya Informal Settlement Improvement Project-II (KIS IP II)	AFD - Kenya Informal Settlement Improvement Project-II (KIS IP II)	IDA(World Bank)- Emergency Locust Response Project(ELRP)	KfW(Germany Development Bank) loan for Co-Financing of FLLoCA -County Climate Resilience Investment(CCRI) Grant	IDA (World Bank)- loan for the Financing of FLLoCA -County Climate Resilience Investment(CCRI) Grant	IDA (World Bank) Loan for the Food Systems Resilience Project (FSRP)	IDA World Bank Loan for the National Agricultural Value Chain Development Project (NAV CDP)	IDA (World Bank) loan for the Water & Sanitation Development Project (WSDP)	IDA (World Bank)- Kenya Devolutio n Support Program-II (KD SP II)	IDA (World Bank) Credit : Kenya Urban Support Project(KUSP)- Urban Institutional Grant (UIG)	IDA (World Bank) Credit : Kenya Urban Support Project(KUSP)- Urban Development Grant (UDG)	International Fund for Agricultural Development(IFAD)- loan for Kenya Livestock Commercialization Project (KeLCoP)	KfW (German Development Bank) loan for Drought Resilience Program in Northern Kenya (DRPNK)	International Fund for Agricultural Development(I FAD) for the Aquaculture Business Development Project (ABDP)	United Nations Fund For Population Activities(UN FPA) Grant - 10th Country Grant	SWE DEN - Kenya Agricultural Business Development Project (KABDP)	Total Loans and Grants for FY 2024/25	
		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	Column N	Column O	Column P	Column Q	Column R	Column S	
5	Elgeyo / Marakwet	438,967,355	5,947,500	261,751,540	239,000,000	121,025,000			173,076,923.08		151,515,152		37,500,000	35,000,000	18,278,289	40,150,000				10,918,919	942,648,171
6	Embu	432,399,863	6,630,000			104,600,000					151,515,152		37,500,000	35,000,000	52,595,562			10,237,551		10,918,919	408,997,184
7	Garissa	969,813,544	10,822,500			142,500,000			173,076,923.08		450,000,000	37,500,000	105,000,000	342,462,888					9,620,000	10,918,919	1,281,901,230
8	Homa Bay	925,853,896	10,383,750	500,000,000	487,020,992					151,515,152		37,500,000	35,000,000	54,661,088			12,909,422			10,918,919	1,299,909,323
9	Isiolo	311,037,485	6,532,500			142,500,000			173,076,923.08			37,500,000	35,000,000	63,661,198					9,620,000	10,918,919	478,809,540

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Conditional Additional Allocations from proceeds of loans or grants from Development Partners for Financial Year 2024/25 (Kenya Shillings)																				
		FY 2024/25																		
S N	County	Total Loans and Grants for FY 2023/24	DA NID Grant to FY 2023/24	IDA(World Bank) - Kenya Informal Settlement Improvement Project-II (KIS IP II)	AFD - Kenya Informal Settlement Improvement Project-II (KIS IP II)	IDA(World Bank) - Emergency Locust Response Project(ELRP)	KfW(Germany Development Bank) loan for Co-Financing of FLLoCA -County Climate Resilience Investment(CCRI) Grant	IDA (World Bank)- loan for the Financing of FLLoCA -County Climate Resilience Investment(CCRI) Grant	IDA (World Bank) Loan for the Food Systems Resilience Project (FSRP)	IDA World Bank Loan for the National Agricultural Value Chain Development Project (NAV CDP)	IDA (World Bank) loan for the Water & Sanitation Development Project (WSDP)	IDA (World Bank)- Kenya Devolutio n Support Program-II (KDSP II)	IDA (World Bank) Credit : Kenya Urban Support Project(KUSP)- Urban Institutional Grant (UIG)	International Fund for Agricultural Development(IFAD)- loan for Kenya Livestock Commercialization Project (KeLCoP)	KfW (German Development Bank) loan for Drought Resilience Program in Northern Kenya (DRPNK)	International Fund for Agricultural Development(I FAD) for the Aquaculture Business Development Project (ABDP)	United Nations Fund For Population Activities(UN FPA) Grant - 10th Country Grant	SWE DEN - Kenya Agricultural Business Development Project (KABDP)	Total Loans and Grants for FY 2024/25	
		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	Column N	Column O	Column P	Column Q	Column R	Column S
10	Kajiado	471,830,160	9,896,250		180,626,011					151,515,152		37,500,000	35,000,000	227,801,862			10,509,643		10,918,919	663,767,837
11	Kakamega	718,303,924	16,038,750		110,000,000					151,515,152		37,500,000	35,000,000	120,740,969	33,550,000		24,417,125		10,918,919	539,680,914
12	Kericho	425,238,177	8,287,500							151,515,152		37,500,000	35,000,000	43,550,249					10,918,919	286,771,819
13	Kiambu	619,767,708	14,527,500		464,543,092					151,515,152		37,500,000	35,000,000	1,331,483,863			19,395,531		10,918,919	2,064,884,057
14	Kilifi	1,933,698,769	16,087,500	417,190,432	343,080,069					151,515,152	1,700,000	37,500,000	35,000,000	157,132,672					10,918,919	2,868,424,743

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		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	Column N	Column O	Column P	Column Q	Column R	Column S
15	Kirinyaga	321,850,768	6,532,500							151,515,152		37,500,000	35,000,000	31,719,708			13,779,259		10,918,919	286,965,537
16	Kisii	497,975,162	11,992,500							151,515,152		37,500,000	35,000,000	90,993,018			21,486,575		10,918,919	359,406,163
17	Kisumu	712,753,681	10,530,000	655,000,000	195,000,000					151,515,152		37,500,000	35,000,000	340,394,236			15,407,244		10,918,919	1,451,265,550
18	Kitui	572,895,523	13,601,250			121,025,000				151,515,152		37,500,000	35,000,000	41,801,769					10,918,919	411,362,090
19	Kwale	1,360,841,563	11,992,500		120,188,971					151,515,152	1,000,000,000	37,500,000	35,000,000	81,159,202				6,660,000	10,918,919	1,454,934,743

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20	Laikipia	113,806,027	6,435,000						173,076,923.08			37,500,000	35,000,000	77,214,879					10,918,919	340,145,721
21	Lamu	226,554,314	3,997,500	28,128,530	282,000,000				173,076,923.08			37,500,000	35,000,000	20,547,228					10,918,919	591,169,100
22	Machakos	497,315,830	11,943,750			104,600,000				151,515,152		37,500,000	35,000,000	90,174,566			12,262,438		10,918,919	453,914,825
23	Makueni	427,861,686	11,407,500							151,515,152		37,500,000	35,000,000	40,167,542					10,918,919	286,509,113
24	Mandera	394,543,782	15,746,250			142,500,000			173,076,923.08			37,500,000	35,000,000	142,013,441					10,918,919	556,755,533

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		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	Column N	Column O	Column P	Column Q	Column R	Column S				
25	Marsabit	752,548,603	10,432,500			142,500,000					173,076,923.08				37,500,000	35,000,000	29,373,188	41,250,000	462,435,270				10,918,919	942,486,800
26	Meru	632,068,340	12,382,500	193,506,111		104,600,000				151,515,152		37,500,000	35,000,000	106,048,304			23,306,984						10,918,919	674,777,970
27	Migori	476,656,818	10,432,500							151,515,152		37,500,000	35,000,000	112,844,666			13,617,785						10,918,919	371,829,021
28	Mombasa	1,344,390,789	10,871,250	860,000,000							1,000,000,000	37,500,000											10,918,919	1,919,290,169
29	Muranga	340,120,990	9,701,250							151,515,152		37,500,000	35,000,000	70,743,658									10,918,919	315,378,978

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		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	Column N	Column O	Column P	Column Q	Column R	Column S
30	Nairobi	443,556,020	24,521,250	60,000,000	690,000,000							37,500,000						8,950,000	10,918,919	831,890,169
31	Nakuru	708,709,964	16,136,250	128,000,000	422,000,000					151,515,152		37,500,000	35,000,000	671,683,509	38,280,000				10,918,919	1,511,033,829
32	Nandi	548,601,906	8,238,750	208,354,058						151,515,152		37,500,000	35,000,000	33,993,380					10,918,919	485,520,258
33	Narok	429,841,625	12,382,500							151,515,152		37,500,000	35,000,000	71,238,901				7,400,000	10,918,919	325,955,472
34	Nyamiira	594,601,640	7,410,000	148,123,322						151,515,152		37,500,000	35,000,000	19,817,128					10,918,919	410,284,520

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Conditional Additional Allocations from proceeds of loans or grants from Development Partners for Financial Year 2024/25 (Kenya Shillings)																				
		FY 2024/25																		
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		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	Column N	Column O	Column P	Column Q	Column R	Column S
35	Nyandarua	442,239,423	7,500	288,462,533						151,515,152		37,500,000	35,000,000	36,556,578					10,918,919	567,460,681
36	Nyeri	476,036,010	8,336,250		360,603,076					151,515,152		37,500,000	35,000,000	64,819,483			19,315,146		10,918,919	688,008,026
37	Sambu ru	371,327,699	7,117,500			142,500,000				173,076,923.08		37,500,000	35,000,000	25,375,442	41,250,000				10,918,919	472,738,784
38	Siaya	435,499,920	8,921,250							151,515,152		37,500,000	35,000,000	45,218,472	33,550,000		13,838,473		10,918,919	336,462,265
39	Taita Taveta	1,314,783,304	6,532,500		190,626,011					151,515,152	850,000,000	37,500,000	35,000,000	18,278,289					10,918,919	1,300,370,870

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Conditional Additional Allocations from proceeds of loans or grants from Development Partners for Financial Year 2024/25 (Kenya Shillings)																				
S N	County	Total Loans and Grants for FY 2023/ 24	FY 2024/25																	
			DA NID A Grant to finan ce Prim ary Heal th Care in Dev olve d Cont ext	IDA(Worl d Bank) - Kenya Infor mal Settl emen t Impr ovem ent Proje ct-II (KIS IP II)	AFD - Kenya Infor mal Settl emen t Impr ovem ent Proje ct-II (KIS IP II)	IDA(Worl d Bank)- Emer genc y Locu st Resp onse Proje ct(EL RP)	KfW(Ger many Develop ment Bank) loan for Co- Financ ing of FLLoCA -County Climate Resilienc e Investme nt(CCRI) Grant	IDA (World Bank)- loan for the Financ ing of FLLoCA -County Climate Resilienc e Investme nt(CCRI) Grant	IDA (World Bank) Loan for the Food Syste ms Resili ence Proje ct (FSR P)	IDA World Bank Loan for the Nation al Agricu ltural Value Chain Develop ment Project (NAV CDP)	IDA (World Bank) loan for the Water & Sanit ation Devel opme nt Proje ct (WS DP)	IDA (World Bank))- Kenya Devo lutio n Supp ort Progr am-II (KD SP II)	IDA (World Bank) Credit : Kenya Urban Supp ort Proje ct(KU SP)- Urban Insti tution al Grant (UIG)	IDA (World Bank) Credit : Kenya Urban Supp ort Proje ct(KU SP)- Urban Devel opme nt Grant (UDG)	Internati onal Fund for Agricul tural Develop ment(IF AD)- loan for Kenya Livestoc k Comme rcializat ion Project (KeLCo P)	KfW (Ger man Deve lopm ent Bank) loan for Drou ght Resil ience Prog ram me in Nort hern Ken ya (DR PNK)	Internat ional Fund for Agricul tural Develop ment(I FAD) for the Aquacu lture Busines s Develo pment Project (ABDP)	United Nation s Fund For Populat ion Activiti es(UN FPA) Grant - 10th Countr y Grant	SWE DEN - Ken ya Agri cultu ral Busi ness Deve lopm ent Proje ct (KA BDP)	Total Loans and Grant s for FY 2024/ 25
		Colu mn A	Colu mn B	Colu mn C	Colu mn D	Colu mn E	Column F	Column G	Colu mn H	Column I	Colu mn J	Colu mn K	Colu mn L	Colu mn M	Column N	Colu mn O	Column P	Column Q	Colu mn R	Colu mn S
40	Tana River	345,479,159	9,018,750						173,076,923.08	151,515,152		37,500,000	35,000,000	18,278,289					10,918,919	435,308,032
41	Tharaka Nithi	525,182,222	6,045,000	168,945,347		104,600,000				151,515,152		37,500,000	35,000,000	66,362,245			12,810,384		10,918,919	593,697,047
42	Trans Nzoia	797,444,171	8,872,500	621,834,073						151,515,152		37,500,000	35,000,000	131,267,528	39,050,000				10,918,919	1,035,958,171
43	Turkana	987,506,777	16,233,750			142,500,000			173,076,923.08			37,500,000	105,000,000	286,858,966		319,534,140		5,920,000	10,918,919	1,097,542,698
44	Uasin Gishu	926,935,857	9,750,000	320,000,000	670,000,000					151,515,152		37,500,000	35,000,000	385,055,948					10,918,919	1,619,740,018

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		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	Column N	Column O	Column P	Column Q	Column R	Column S
45	Vihiga	392,745,156	7,166,250							151,515,152		37,500,000	35,000,000	18,278,289						260,378,609
46	Wajir	1,173,364,095	13,162,500		488,615,663	142,500,000				173,076,923.08		700,000,000	37,500,000	35,000,000	72,942,053					1,673,716,058
47	West Pokot	287,043,448	7,702,500			121,025,000				173,076,923.08		37,500,000	35,000,000	23,043,492						408,266,834
	GRAND TOTAL	29,072,606,661	487,500,000	5,156,696,115	5,243,303,885	1,900,000,000	1,200,000,000	3,712,000,000	2,250,000,000	5,000,000,000	5,700,000,000	1,762,500,000	1,715,000,000	5,890,000,000	378,730,000	781,969,410	245,879,120	65,190,000	513,189,193	42,001,957,724

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*Both IDA (World Bank) Loan for the FLLoCA – County Climate Resilience Investment (CCRI) and KfW (Germany Development Bank) Loan for Co-Financing of FLLoCA - County Climate Resilience Investment (CCRI) Grants are to be allocated among County Governments on the basis of the Criteria in Section 6(2) (f) of the County Government Additional Allocations Act, 2024.

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(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Clause 2, the Title and Clause 1

*(Question, that Clause 2, the Title and
Clause 1 be part of the Bill,
proposed)*

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Hon. Members, we are now done with canvassing the proposed amendments to the clauses and we shall proceed to Division. The Division Bell will be rung for five minutes. Serjeant-at-Arms, proceed to ring the Bell.

(The Division Bell was rung)

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Members, we now have quorum to resume Division. We will go straight to Divisions on the National Assembly amendments to the County Licensing (Uniform Procedure) Bill (Senate Bills No.9 of 2022.)

Hon. Members, I now direct the Serjeant-At-Arms to close the Door and draw the Bars.

(The Doors were closed and the Bars drawn)

Members, I ask you to be a bit vigilant because we are reducing the time to facilitate you to vote from 60 seconds to 30 seconds. Proceed to be vigilant and vote in the appropriate time.

Sen. Cherarkey and Senate Majority Leader, kindly resume your seats.

(Sen. Cherarkey and Sen. Cheruiyot took their seats)

*(Question that, the National Assembly amendments to Clauses
2,4,5,6,7,9,10,11,14,15,17,20,24, and 29 of the County Licensing (Uniform Procedure)
Bill (Senate Bill No.9 of 2022) be approved as proposed)*

The Temporary Chairperson (Sen. Wakili Sigei): You may now proceed to vote.

(Voting in progress)

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Hon. Members, in the interest of time, we will proceed to the next vote and thereafter, report on the results of voting on all the five Bills. We will proceed to Division on the Statutory Instruments (Amendment) Bill (National Assembly Bills No.2 of 2023).

(Question that Clauses 3,4, and 6 be deleted as proposed)

The Temporary Chairperson (Sen. Wakili Sigei): You may now proceed to vote.

(Voting in progress)

The Temporary Chairperson (Sen. Wakili Sigei): We still have three more Divisions on this Bill. I will proceed to call clauses with amendments.

Sen. Wamatinga, kindly approach the Chair.

(Sen. Wamatinga approached the Temporary Chairperson)

Hon. Members, we are proceeding to the next question be ready to cast your vote.

(Question that Clauses 2,5, and 7 be amended as proposed)

(Voting in progress)

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Members, those who have not voted, please, vote.

(Voting in progress)

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Members, kindly resume your seats so that we do not waste time. We are having difficulties with confirming who is in and who is not for purposes of voting. I request you to bear with us for the next few minutes by settling down, so that we conclude on this business in the shortest time possible.

We will now proceed to put the question on all clauses.

(Question, that Clause 2 (as amended), Clause 5 (as amended), Clause 7 (as amended), the title and Clause 1 be part of the Bill, put and the Senate proceeded to vote by County Delegations)

Hon. Senators, you may now proceed to vote.

(Voting in progress)

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Sen. Munyi Mundigi, approach the Dispatch Box.

The following Senators to approach the Chair; Sen. Mungatana, Sen. Murgor and the Deputy Speaker, Sen. Murungi.

(Several Hon. Senators approached the Temporary Chairperson)

Hon. Members, we are now proceeding to the Third Division on the Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bills No.10 of 2024); that Clauses 3, Clause 7, as proposed by the Chairperson and Clause 2 be amended.

Hon. Members, proceed to vote.

(Voting in progress)

Those who have not voted, kindly do so.

Sen. Dullo, please approach the Chair.

(Sen. Dullo approached the Temporary Chairperson)

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Senators, we are now going to the last question on all the clauses.

I will put the question, which is that Clause 3(as amended), Clause 4, Clause 5, Clause 6, Clause 7(as amended), Clause 8, Clause 10, Clause 11, Clause 2(as amended), the Title and Clause 1 be part of the Bill.

Hon. Senators, please proceed to vote.

(Voting in progress)

Sen. Mwaruma, please approach the Chair.

(Sen. Mwaruma approached the Clerks-at-the-Table and registered his vote)

We are now proceeding to division on the County Allocation of Revenue Bill (Senate Bills No.25 of 2024). We will begin with clauses with amendments. I will put the question, which is that the First Schedule and the Second Schedule be amended as proposed.

Hon. Senators, proceed to vote.

(Voting in progress)

The Temporary Chairperson (Sen. Wakili Sigei): Sen. Murgor and Sen. Dullo, approach the Chair.

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*(Sen. Murgor and Sen. Dullo approached the Table
and voted manually)*

We are now dealing with the last Division on the County Allocation of Revenue Bill (Senate Bills No.25 of 2024), which is that Clause 3, Clause 4, Clause 5, Clause 6, Clause 7, Clause 8, Clause 9 and Clause 10, the First Schedule (as amended), the Second Schedule (as amended), Clause 2, the Title and Clause 1 be part of the Bill.

Senators, proceed to vote.

(Voting in progress)

Sen. Chute and Sen. Cherarkey, proceed to approach the Chair.

*(Sen. Chute and Sen. Cherarkey approached the Table
and voted manually)*

Hon. Senators, we are now going to deal with the County Allocation of Revenue Bill (Senate Bills No.25 of 2024) on clauses with amendments.

Sen. Chute, please proceed to take your seat and vote.

(Voting in progress)

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Members, we are on the last question on the Division of the County Governments Additional Allocations Bill (Senate Bills No. 19 of 2024), which is that Clauses 3, Clause 4 (as amended), Clause 5 (as amended), Clause 6, 7, 8, the First Schedule (as amended), the Second Schedule, the Third Schedule, the Fourth Schedule (as amended), Clause 2, the Title and Clause 1 be part of the Bill.

Hon. Senators, proceed to vote.

(Voting in progress)

Sen. Mandago, approach the Chair.

(Sen. Mandago approached the Clerks-at the Table)

THE NATIONAL ASSEMBLY AMENDMENTS TO THE
COUNTY LICENSING (UNIFORM PROCEDURES) BILL
(SENATE BILL NO.9 OF 2022)

DIVISION

ELECTRONIC VOTING

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(Question, that the National Assembly amendments to Clauses 2, 4, 6, 7, 9, 10, 11, 14, 15, 17, 20, 24 and 29 of the County Licensing (Uniform Procedure) Bill Senate Bills No.9 of 2022 be approved put and the Senate proceeded to vote by county delegations)

AYES: Sen. Chesang, Trans Nzoia County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murangá County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang', Elgeyo-Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Mandago, Uasin Gishu County; Sen. M. Kajwang', Homa Bay County; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Oketch Gicheru, Migori County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; Sen. Wambua, Kitui County.

NOES: Nil.

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Members, these are the results of the voting on the First Division.

AYES: 30

NOES: 0

ABSENTIONS: 0

The "Ayes" have it.

(Question carried by 30 votes to Nil)

The Temporary Speaker (Sen. Wakili Sigei): Sen. Mariam Omar, proceed. We are reporting progress on the National Assembly Amendments, to the County Licensing (Uniform Procedure) Bill (Senate Bills No.9 of 2022).

(Loud Consultations)

Senator for Nairobi City County, Sen. Wambua, Sen. Cheruiyot and Sen. Oketch Gicheru, please, let us be orderly.

Proceed, Sen. Mariam Omar.

Sen. Mariam Omar: Mr. Temporary Speaker, I beg to move that the Committee of the Whole do report to the House its consideration of the National Assembly Amendments to the County Licensing (Uniform Procedure) Bill (Senate Bill No.9 of 2022) and its approval thereof.

(Question proposed)

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(Question put and agreed)

THE STATUTORY INSTRUMENTS (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO.2 OF 2023)

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, these are the results of the Division on the Statutory Instruments (Amendment) Bill (National Assembly Bills No.2 of 2023).

DIVISION

ELECTRONIC VOTING

(Question, that Clauses 3, 4 and 6 be deleted, put and the Senate proceeded to vote by County Delegation)

AYES: Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang', Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Mandago, Uasin Gishu; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. M. Kajwang', Homa Bay County; Sen. (Dr.) Oburu, Siaya County; Sen. Oketch Gicheru, Migori County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: Nil.

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, these are the results of the Division-

AYES: 27

NOES: Nil

ABSENTIONS: Nil

The "Ayes" have it.

(Question carried by 27 votes to Nil)

DIVISION

ELECTRONIC VOTING

(Question, that Clauses 2, 5 and 7 be amended as proposed, put and the Senate Proceeded to vote by County Delegations)

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AYES: Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang', Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa, County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Mandago, Uasin Gishu; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. M. Kajwang', Homa Bay County; Sen. (Dr.) Oburu, Siaya County; Sen. Oketch Gicheru, Migori County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: Nil.

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, these are the results of the Division-

AYES: 29

NOES: Nil

ABSENTIONS: Nil

The "Ayes" have it.

(Question carried by 29 votes to Nil)

DIVISION

ELECTRONIC VOTING

(Question, that Clauses 2 (as amended), 5 (as amended), 7 (as amended), the Title and Clause 1 be part of the Bill, put and the Senate proceeded to vote by county delegations)

AYES: Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang', Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Mandago, Uasin Gishu; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. M. Kajwang', Homa Bay County; Sen. Mwaruma, Taita Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Oketch Gicheru, Migori County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; Sen. Wambua, Kitui County.

NOES: Nil.

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The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, these are the results of the Division:

AYES: 29

NOES: Nil

ABSENTIONS: Nil

The “Ayes” have it.

(Question carried by 29 votes to Nil)

We are now reporting progress on the Statutory Instruments (Amendment) Bill (National Assembly Bills No.2 of 2023).

Senate Majority Leader, proceed.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Chairperson, I beg to move that the Committee of the Whole do report to the House its consideration of the Statutory Instruments (Amendment) Bill (National Assembly Bill No.2 of 2023) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed)

THE INDEPENDENT ELECTORAL AND BOUNDARIES
COMMISSION (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILLS NO.10 OF 2024)

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, this is reporting on the results of the Division on the Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bills No.10 of 2024).

DIVISION

ELECTRONIC VOTING

(Question, that Clauses 3, 7 (by Chairperson), and Clause 2 be amended as proposed, put and the Senate proceeded to vote by County Delegation)

AYES: Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang', Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Mandago, Uasin Gishu; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. M. Kajwang', Homa Bay

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County; Sen. Mwaruma, Taita Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Oketch Gicheru, Migori County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: Nil.

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, these are the results of the Division:

AYES: 29

NOES: Nil

ABSENTIONS: Nil

The "Ayes" have it.

(Question carried by 29 votes to Nil)

DIVISION

ELECTRONIC VOTING

(Question, that Clauses 3 (as amended), 4, 5, 6, 7 (as amended by the Chair), 8, 9, 10, 11, 2 (as amended), the title and Clause 1 be part of the Bill, put and the Senate Proceeded to vote by County Delegation)

AYES: Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang', Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Mandago, Uasin Gishu; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. M. Kajwang', Homa Bay County; Sen. (Dr.) Oburu, Siaya County; Sen. Oketch Gicheru, Migori County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: Nil.

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, these are the results of the Division:

AYES: 28

NOES: Nil

ABSENTIONS: Nil

The "Ayes" have it.

(Question carried by 28 votes to Nil)

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The Temporary Speaker (Sen. Wakili Sigei): I call the Senate Majority Leader to report progress on the Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bills No.10 of 2024).

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Speaker, Sir, I beg to move that the Committee of the Whole do report to the House its consideration of the Independent Electoral and Boundaries Commission Amendment Bill (National Assembly Bills No.2 of 2023) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

THE COUNTY ALLOCATION OF REVENUE BILL
(SENATE BILLS NO. 25 OF 2024)

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Members, on these are the results of the County Allocation of Revenue Bill first Division.

DIVISION

ELECTRONIC VOTING

*(Question that the First Schedule and the Second Schedule
be amended as proposed and the Senate proceeded
to vote by County Delegations)*

AYES: Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang', Trans Nzoia County; Sen. Dullo, Isiolo County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. M. Kajwang', Homa Bay County; Sen. Mandago, Uasin Gishu; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. (Dr.) Oburu, Siaya County; Sen. Oketch Gicheru, Migori County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: Nil

ABSTENTIONS: Nil

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Senators, these are the results of the Division-

AYES: 26

NOES: 0

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ABSTENTIONS: 0

The “Ayes” have it.

(Question carried by 26 votes to Nil)

The second Division

DIVISION**ELECTRONIC VOTING**

(Question that Clause 3,4,5,6,7,8,9,10, the First Schedule (as amended), the Second Schedule (as amended) Clause 2, the Title and Clause 1 be part of the Bill, put, and the Senate proceeded to vote by County Delegations)

AYES: Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang', Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. M. Kajwang', Homa Bay County; Sen. Mandago, Uasin Gishu; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. (Dr.) Oburu, Siaya County; Sen. Oketch Gicheru, Migori County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: Nil

ABSTENTIONS: Nil

The Temporary Chairperson (Sen. Wakili Sigei): Now Hon. Senators, the vote on the Division is as follows.

AYES: 28

NOES: 0

ABSTENTIONS: 0

The “Ayes” have it.

(Question carried by 28 votes to Nil)

The Temporary Chairperson (Sen. Wakili Sigei): I now call upon the Chairperson of the Standing Committee on Finance and Budget, Sen. Tabitha Mutinda, to move. This is on the County Allocation of Revenue Bill (Senate Bill No.25 of 2024).

Sen. Tabitha Mutinda: Mr. Temporary Chairperson, Sir, I beg to move that the Committee do report to the Senate its consideration of the County Allocation of Revenue Bill (Senate Bill No.25 of 2024) and its approval thereof with amendments.

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(Question proposed)

(Question put and agreed to)

THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS
BILL (SENATE BILLS NO. 19 OF 2024)

The Temporary Chairperson (Sen. Wakili Sigei): Lastly, Hon. Members, the results of the final Division on the County Governments Additional Allocations Bill.

DIVISION

ELECTRONIC VOTING

(Question that Clause 4, Clause 5, the First and Fourth Schedule be amended as proposed, put, and the Senate proceeded to vote by County Delegations)

AYES: Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang' Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. M. Kajwang', Homa Bay County; Sen. Mandago, Uasin Gishu; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. (Dr.) Oburu, Siaya County; Sen. Oketch Gicheru, Migori County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: Nil

ABSTENTIONS: Nil

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Senators, the vote on the Division is as follows-

AYES: 28

NOES: 0

ABSTENTIONS: 0

The "Ayes" have it.

(Question carried by 28 votes to Nil)

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DIVISION

ELECTRONIC VOTING

(Question that, Clause 3, 4 (as amended), 5 (as amended), 6, 7, 8, the First Schedule (as amended), the Second Schedule, the Third Schedule, the Fourth Schedule (as amended), Clause 2, the Title and Clause 1 be part of the Bill, put, and the Senate proceeded to vote by County Delegations)

AYES: Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang', Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. M. Kajwang', Homa Bay County; Sen. Mandago, Uasin Gishu; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. (Dr.) Oburu, Siaya County; Sen. Oketch Gicheru, Migori County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: Nil

ABSTENTIONS: Nil

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Senators, the vote on the second Division is as follows.

AYES: 28

NOES: 0

ABSTENTIONS: 0

The "Ayes" have it.

(Question carried by 28 votes to Nil)

The Temporary Chairperson (Sen. Wakili Sigei): I now call upon the Chairperson, Sen. Tabitha Mutinda, to move. This is on the County Governments Additional Allocations Bill (Senate Bill No.19 of 2024).

Sen. Tabitha Mutinda: Mr. Temporary Chairperson, Sir, I beg to move that the Committee do report to the Senate its consideration of the County Government Additional Allocation Bill (Senate Bill No.19 of 2024) and its approval thereof with amendments.

(Question put and agreed to)

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Members we are done with consideration of those clauses on division. Serjeant-At-Arms, kindly draw the bars

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and open the doors. Hon. Members, we still have the Third Reading, I request you not to leave the Chamber. We will be done in a short while. Kindly, be patient so that we conclude on this business today.

(The bars were drawn and the doors opened)

[The House resumed]

[The Deputy Speaker (Sen. Kathuri) in the Chair]

(Loud Consultations)

The Deputy Speaker (Sen. Kathuri): Order, hon. Senators.

CONSIDERATION OF REPORTS

THE NATIONAL ASSEMBLY AMENDMENTS TO THE COUNTY LICENSING (UNIFORM PROCEDURES) BILL (SENATE BILLS NO.9 OF 2022)

The Deputy Speaker (Sen. Kathuri): Hon. Senators, we are reporting on the Committee of the Whole. We are considering the Consideration of the National Assembly Amendments to the County Licensing (Uniform Procedures) Bill (Senate Bills No.9 of 2022).

Chairperson, please, proceed,

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered the National Assembly Amendments to the County Licensing (Uniform Procedure) Bill (Senate Bills No.9 of 2022) and its approval thereof.

The Deputy Speaker (Sen. Kathuri): Thank you. Who is the Mover of this Bill?

Sen. Mariam Omar: Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee on the said Report.

I call upon Sen. Kisang' to second.

Sen. Kisang': Mr. Deputy Speaker, Sir, I beg to second.

(Question proposed)

(Question put and agreed to)

The Deputy Speaker (Sen. Kathuri): Hon. Senators, having considered and approved the National Assembly Amendments to the County Licensing (Uniform Procedures) Bill (Senate Bill No.9 of 1022), there will be no Third Reading. The Bill will be referred to His Excellency the President for assent.

I thank you.

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Hon. Senators, it is 6.30 p.m. However, today having been a Special Sitting, we will continue with the business of the day until conclusion. So, the adjournment at 6.30 p.m. will not apply. If we will not have finished by midnight, we will still be here until we finish the business of the day. However, we will be able to conclude in the next few minutes all the same.

The next Bill is The Statutory Instruments (Amendment) Bill (National Assembly Bills No. 2 of 2023).

The Chairperson, proceed.

THE STATUTORY INSTRUMENTS (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO. 2 OF 2023)

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered The Statutory Instruments (Amendment) Bill (National Assembly Bills No.2 of 2023) and its approval thereof with amendments.

The Deputy Speaker (Sen. Kathuri): Mover of the Bill, proceed.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee on the said Report.

I request the Senator for Nyandarua County to second.

Sen. Methu: Mr. Deputy Speaker, Sir, I second.

(Question proposed)

(Question put and agreed to)

The Deputy Speaker (Sen. Kathuri): Mover, proceed.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to move that the Statutory Instruments (Amendment) Bill (National Assembly Bills No. 2 of 2023) be now read a Third time.

I request the Senator for Kitui County to second.

The Deputy Speaker (Sen. Kathuri): Sen. Wambua, proceed.

Sen. Wambua: Mr. Deputy Speaker, Sir, I second.

(Question proposed)

(The Clerk-at-the-Table consulted with the Chair)

The Deputy Speaker (Sen. Kathuri): Let us report on all the Bills and then we can do Division at the end.

Now, we go to The Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bills No.10 of 2024).

THE INDEPENDENT ELECTORAL AND BOUNDARIES
COMMISSION (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILLS NO.10 OF 2024)

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered The Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bills No.10 of 2024) and its approval thereof with amendments.

The Deputy Speaker (Sen. Kathuri): Mover, proceed.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee on the said Report.

I request the Senator for Migori County to second.

The Deputy Speaker (Sen. Kathuri): Sen. Eddy Oketch, proceed.

Sen. Oketch Gicheru: Mr. Deputy Speaker, Sir, I second.

(Question proposed)

(Question put and agreed to)

Proceed, Mover.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, I beg to move that Independent and Boundaries Commission (Amendment) Bill (National Assembly Bills No.10 of 2024) be now read a Third Time.

I request the Senator for Vihiga to second.

Sen. Osotsi: I second.

(Question proposed)

The Deputy Speaker (Sen. Kathuri): Division at the end.

THE COUNTY ALLOCATION OF REVENUE BILL
(SENATE BILLS NO.25 OF 2024)

The Deputy Speaker (Sen. Kathuri): Chairperson, please, proceed.

Sen. Wakili Sigei: Thank you, Mr. Deputy Speaker, Sir.

I would like to report that the Committee of the Whole has considered the County Allocation of Revenue Bill (Senate Bills No.25 of 2024) and its approval thereof with amendments.

The Deputy Speaker (Sen. Kathuri): Proceed, Mover.

Sen. Tabitha Mutinda: Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee on the said Report.

The Deputy Speaker (Sen. Kathuri): Sen. Tabitha, who is seconding?

Sen. Tabitha Mutinda: Sen. Alexander Mundigi.

Sen. Munyi Mundigi: Bw. Naibu wa Spika, naunga mkono.

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(Question proposed)

(Question put and agreed to)

Sen. Tabitha Mutinda: Mr. Deputy Speaker, Sir, I beg to move that the County Allocation of Revenue Bill (Senate Bills No.25 of 2024) be now read a Third Time. I request the Senator for Kitui County to second.

Sen. Wambua: I second.

(Question proposed)

The Deputy Speaker (Sen. Kathuri): Division at the end.

THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS
BILL (SENATE BILLS NO.19 OF 2024)

The Deputy Speaker (Sen. Kathuri): Proceed, Chairperson.

Sen. Wakili Sigei: Thank you, Mr. Speaker, Sir.

I beg to report that the Committee of the Whole has considered the County Governments Additional Allocations Bill (Senate Bills No.19 of 2024) and its approval thereof with amendments.

The Deputy Speaker (Sen. Kathuri): Proceed, Mover.

We are on the County Government Additional Allocation Bill.

Sen. Tabitha Mutinda: Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee on the said report. I request Sen. Chesang to second.

Sen. Chesang: Mr. Deputy Speaker, Sir, I second.

(Question proposed)

(Question put and agreed to)

Sen. Tabitha Mutinda: Mr. Deputy Speaker, Sir, I beg to move that The County Governments Additional Allocations Bill (Senate Bills No.19 of 2024) be now read a Third Time.

I request Sen. Montet Betty to second.

Sen. Montet Betty: Mr. Deputy Speaker, Sir, I second.

(Question proposed)

(Question put and agreed to)

The Deputy Speaker (Sen. Kathuri): Hon. Senators, we have four divisions. I order the Serjeant-at-Arms to ring the Division Bell for one minute.

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(The Division Bell was rung)

Serjeant-at-Arms, close the doors and draw the Bar.

(The doors were closed and the Bar drawn)

Hon. Senators, we will start with the Statutory Instruments (Amendment) Bill (National Assembly Bills No.2 of 2023). I will put the question, which is that the Statutory Instruments (Amendment) Bill (National Assembly Bills No.2 of 2023), be now read a Third Time.

Serjeant-at-Arms, check the cards. Put the system on we should start voting.

Serjeant-at-Arms, withdraw the bar and open the door so that we can get quorum. Ring the quorum bell for three minutes.

(The Bar was withdrawn and the Doors opened)

(The Division Bell was rung)

(Several Senators walked into the Chamber)

The Deputy Speaker (Sen. Kathuri): Order, Senators. Resume your seats. Sen. Oketch Gicheru, take your seat.

Hon. Members, I had put a question on this Bill and therefore we are proceeding to vote. Senators, you can now vote on the Statutory Instruments (Amendment) Bill (National Assembly Bills No.2 of 2023).

Proceed to vote.

(Voting in progress)

Serjeant-At-Arms, withdraw the bars as we are voting simultaneously for all the Bills. You can now close the doors and draw the bars.

(The Bars were drawn and the doors closed)

We are voting for all the Bills. We have three more to go. I am waiting for the results of the division.

Sen. Mungatana, MGH: Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Proceed, Sen. Mungatana.

(Sen. Mungatana spoke off the record)

(Voting in progress)

THIRD READINGS**THE STATUTORY INSTRUMENTS (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO.2 OF 2023)****DIVISION****ELECTRONIC VOTING**

(Question, that the Statutory Instruments (Amendment) Bill (National Assembly Bills No. 2 of 2023) be read a Third Time put, and the Senate proceeded to vote by County Delegations)

AYES: Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang', Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. M. Kajwang', Homa Bay County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Oketch Gicheru, Migori County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; and, Sen. Wambua, Kitui County.

NOES: Nil

The Deputy Speaker (Sen. Kathuri): Order, Hon. Senators. These are the results of the Division.

AYES: 24

NOES: 0

ABSENTIONS: 0

The "Ayes" have it.

(Question carried by 24 votes to Nil)

(The Bill was accordingly read a Third Time and passed)

The Deputy Speaker (Sen. Kathuri): Let us go to the second Division.

THE INDEPENDENT ELECTORAL AND BOUNDARIES
COMMISSION (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILLS NO.10 OF 2024)

DIVISION

ELECTRONIC VOTING

(Question, that the Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bills No. 10 of 2024) be read a Third Time put, and the Senate proceeded to vote by County Delegations)

AYES: Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang', Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. M. Kajwang', Homa Bay County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Oketch Gicheru, Migori County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wambua, Kitui County.

NOES: Nil

The Deputy Chairperson (Sen. Kathuri): Order, Hon. Senators. These are the results of the Division.

AYES: 24

NOES: 0

ABSENTIONS: 0

The "Ayes" have it.

(Question carried by 24 votes to Nil)

(The Bill was accordingly read a Third Time and passed)

The Deputy Chairperson (Sen. Kathuri): We are on the County Allocation of Revenue Bill (Senate Bills No. 25 of 2024).

THE COUNTY ALLOCATION OF REVENUE BILL
(SENATE BILLS NO.25 OF 2024)

(Question, that the County Allocation of Revenue Bill (Senate Bills No.25 of 2024) be read a Third Time, put and the Senate Proceeded to vote by County Delegation)

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AYES: Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang', Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. M. Kajwang', Homa Bay County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Oketch Gicheru, Migori County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; and, Sen. Wambua, Kitui County.

NOES: Nil.

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, these are the results of the Division-

AYES: 24

NOES: Nil

ABSENTIONS: Nil

The "Ayes" have it.

(Question carried by 24 votes to Nil)

(The Bill was accordingly read a Third Time and passed)

THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS
BILL (SENATE BILLS NO.19 OF 2024)

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, we are on the last Division on the County Governments Additional Allocations Bill (Senate Bills No.19 of 2024)

Proceed and vote.

(Electronic Voting in progress)

DIVISION

ELECTRONIC VOTING

(Question, that the County Governments Additional Allocations Bill (Senate Bills No.19 of 2024) be now Read a Third Time, put, and the Senate proceeded to vote by County Delegations)

AYES: Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang', Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale,

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Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. M. Kajwang', Homa Bay County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. (Dr.) Oburu, Siaya County; Sen. Oketch Gicheru, Migori County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County and, Sen. Wambua, Kitui County.

NOES: Nil

ABSTENTIONS: Nil

The Deputy Speaker (Sen. Kathuri): Hon. Senators, these are the results of the Division-

AYES: 24

NOES: 0

ABSTENTIONS: 0

The "Ayes" have it.

(Question carried by 24 votes to Nil)

(The Bill was accordingly read a Third Time and passed)

The Deputy Speaker (Sen. Kathuri): Serjeant-At-Arms, kindly withdraw the Bars and open the Doors.

(The bars were withdrawn and the doors opened)

ADJOURNMENT

The Deputy Speaker (Sen. Kathuri): Order, hon. Senators. There being no other business on the Order Paper, the Senate, therefore, stands adjourned until, Tuesday, 25th June, 2024, at 2.30 p.m.

The Senate rose at 7.08 p.m.