



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, NOVEMBER 19, 2024 AT 2.30 PM

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

3. **QUORUM OF THE SENATE**

The Speaker, having counted the Honourable Senators present at the commencement of the sitting and confirming that there was no Quorum, directed that the Bell be rung for ten minutes, pursuant to Standing Order 40;

And there being a Quorum before the expiry of the ten minutes;

The Speaker invited the Clerk to call the Orders of the day.

4. **COMMUNICATION FROM THE CHAIR – ADDRESS TO PARLIAMENT BY HIS EXCELLENCY THE PRESIDENT, PURSUANT TO ARTICLE 132(1)(B) AND (C) OF THE CONSTITUTION**

The Speaker conveyed the following Communication from the Chair –

“Honourable Senators,

Article 132 (1)(b), mandates the President to address a special sitting of Parliament once every year. Article 132 (1)(c) also requires the President, once every year to –

- i) report, in an address to the nation, on all the measures taken and progress achieved in the realization of the national values, referred to in Article 10;
- ii) publish in the Gazette, the details of the measures and progress under subparagraph (i); and
- iii) submit a report to the National Assembly on the progress made in fulfilling the international obligations of the Republic.

Further, Article 240 (7) of the Constitution requires the National Security Council to “report annually to Parliament on the state of the security of Kenya.” Ordinarily, this report is submitted to Parliament during the address by the President referred to under Article 132 (1)(b), and tabled in the Houses of Parliament.

Vide letter Ref. No EOP/CAB.26/4A VOL.IV/ (178), dated 9th September 2024, the Chief of Staff and Head of the Public Service, informed the Speakers of the Houses of Parliament of the intention of His Excellency the President to deliver an address to Parliament in accordance with Article 132 (1)(b) and (c) of the Constitution. The Chief of Staff and Head of Public Service further requested the Speakers' concurrence to schedule the State of the Nation Address on Thursday, 7th November, 2024 or Thursday, 14th November, 2024, at 2:30 pm.

Honourable Senators,

Following consultations between the Speakers of the Houses of Parliament and the Executive Office of the President, it has been agreed that the State of the Nation Address will be held on Thursday, 21st November, 2024. I therefore take this opportunity, to welcome all Honourable Senators to this very important event that will take place in the National Assembly Chamber, from 2.30 pm.

A team of officers have been appointed by the Clerks to co-ordinate the event. Further details on this event will be communicated through the Offices of the Clerks.

I thank you.”

5. **PAPERS**

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

- i) The State of the Judiciary and Administration of Justice Report for Financial Year 2023/2024.

(The Senate Majority Leader)

- ii) Report of the Standing Committee on Agriculture, Livestock and Fisheries on its consideration of the National Assembly amendments to the Cotton Industry Development Bill (Senate Bills No. 5 of 2023).

(Sen. Wahome Wamatinga, MP on behalf of the Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

- iii) Report of the Standing Committee on National Security, Defence and Foreign Relations on its consideration of the National Disaster Risk Management Bill (National Assembly Bills No. 24 of 2023).

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on National Security, Defence and Foreign Relations)

6. **NOTICE OF MOTION – APPOINTMENT OF A MEMBER OF PARLIAMENT TO THE PARLIAMENTARY SERVICE COMMISSION**

(The Senate Majority Leader)

THAT, pursuant to the provisions of Article 127 (2)(c)(i) of the Constitution, the Senate approves the nomination of Sen. Wahome Wamatinga, MP, for appointment to the Parliamentary Service Commission to fill the vacancy occasioned by the resignation of Sen. John Nderitu Kinyua, MP.

7. **NOTICE OF MOTION – CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE COTTON INDUSTRY DEVELOPMENT BILL (SENATE BILLS NO. 5 OF 2023)**

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

THAT, the National Assembly amendments to the Cotton Industry Development Bill (Senate Bills No. 5 of 2023) be now considered.

8. **STATEMENTS**

Statements pursuant to Standing Order 53 (1)

- i) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a Statement from the Standing Committee on Trade, Industrialization and Tourism regarding the quality and standards of cement in the Kenyan market.
- ii) The Senator for Bomet County (Sen. Wakili Hillary Siegi, MP) sought a statement from the Standing Committee on Health concerning the critical inefficiencies, mismanagement and corruption at Longisa County Referral Hospital and within the Bomet County health system.
- iii) Request for a Statement by Nominated Senator (Sen. Karen Nyamu, MP) from the Standing Committee on National Security, Defence and Foreign Relations regarding the rising cases of insecurity in Eastleigh Estate, Nairobi City County was **dropped** in the absence of the Senator.
- iv) Request for a Statement by the Senator for Kisii County (Sen. Richard Onyonka, MP) from the Standing Committee on Labour and Social Welfare regarding alleged delay in processing and disbursing pension dues to retired employees of the Kenya Medical Research Institute (KEMRI) under the Defined Benefit (DB) Scheme was **dropped** in the absence of the Senator.

9. **MOTION – APPOINTMENT OF A MEMBER OF PARLIAMENT TO THE PARLIAMENTARY SERVICE COMMISSION**

Order read;

Motion made and Question proposed;

THAT, pursuant to the provisions of Article 127 (2)(c)(i) of the Constitution, the Senate approves the nomination of Sen. Wahome Wamatinga, MP, for appointment to the Parliamentary Service Commission to fill the vacancy occasioned by the resignation of Sen. John Nderitu Kinyua, MP.

(The Senate Majority Leader)

And there being no Senator wishing to contribute;

Before the Question was put, and pursuant to Standing Order No. 84 (2), the Speaker ruled that the Motion does not affect counties.

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, pursuant to the provisions of Article 127(2)(c)(i) of the Constitution, the Senate approves the nomination of Sen. Wahome Wamatinga, MP, for appointment to the Parliamentary Service Commission to fill the vacancy occasioned by the resignation of Sen. John Nderitu Kinyua, MP.

10. **THE COUNTY GOVERNMENTS ELECTION LAWS (AMENDMENT) BILL (SENATE BILLS NO. 2 OF 2024)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the County Governments Election Laws (Amendment) Bill (Senate Bills No. 2 of 2023) be now read a Second Time.

(Sen. Crystal Asige, MP – 23.10.2024 (Afternoon Sitting))

Debate interrupted on Tuesday, 29th October, 2024 resumed on a Division;

The Speaker directed that electronic voting be taken, pursuant to Standing Order 86 (2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Speaker directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Speaker put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Speaker allowed one (1) Senator to record his vote verbally.

Thereupon, the following Senator recorded his votes as “**Yes**” –

Sen. Nyutu Joe, MP

The results of the Division were as follows: -

AYES – 26

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogola Beatrice Akinyi, MP – voted on behalf of Homa Bay County Delegation

9. Sen. Kamau Joseph Githuku, MP
10. Sen. Khalwale Boni, MP
11. Sen. Kisang William Kipkemoi, MP
12. Sen. Madzayo Stewart Mwachiru, MP
13. Sen. Mundigi Alexander Munyi, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Nyutu Joe, MP – voted verbally
17. Sen. Oketch Eddy Gicheru, MP
18. Sen. Osotsi Godfrey Atieno, MP
19. Sen. Recha Julius Murgor, MP
20. Sen. Roba Ali Ibrahim, MP
21. Sen. Seki Lenku Ole Kanar, MP
22. Sen. Sifuna Edwin Watanya, MP
23. Sen. Wafula David Wakoli, MP
24. Sen. Wakili Hillary Kiprotich Sigei, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Question – **agreed to.**

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

11. **THE COUNTY PUBLIC FINANCE LAWS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2023)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the County Public Finance Laws (Amendment) Bill (Senate Bills No. 39 of 2023) be now read a Second Time.

(The Senate Majority Leader on behalf of Sen. Kathuri Murungi, MP – 29.10.2024)

Debate interrupted on Tuesday, 12th November, 2024 resumed on a Division;

The Speaker directed that electronic voting be taken, pursuant to Standing Order 86 (2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Speaker directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Speaker put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

AYES – 26

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP

2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogola Beatrice Akinyi, MP – voted on behalf of Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Khalwale Boni, MP
11. Sen. Kisang William Kipkemoi, MP
12. Sen. Madzayo Stewart Mwachiru, MP
13. Sen. Mundigi Alexander Munyi, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Nyutu Joe, MP
17. Sen. Oketch Eddy Gicheru, MP
18. Sen. Osotsi Godfrey Atieno, MP
19. Sen. Recha Julius Murgor, MP
20. Sen. Roba Ali Ibrahim, MP
21. Sen. Seki Lenku Ole Kanar, MP
22. Sen. Sifuna Edwin Watanya, MP
23. Sen. Wafula David Wakoli, MP
24. Sen. Wakili Hillary Kiprotich Sigei, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Question – **agreed to.**

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

12. **THE ELECTIONS (AMENDMENT) (NO. 2) BILL (SENATE BILLS NO. 29 OF 2024)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Elections (Amendment) (No. 2) Bill (Senate Bills No. 29 of 2023) be now read a Second Time.

(The Senate Majority Leader – 13.11.2024 (Afternoon Sitting))

Debate interrupted on Thursday, 14th November, 2024 resumed on a Division;

The Speaker directed that electronic voting be taken, pursuant to Standing Order 86 (2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Speaker directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Speaker put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Speaker allowed two (2) Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **“Yes”** –

1. Sen. Cherarkey Samson, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP

The results of the Division were as follows: -

AYES – 26

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP – voted verbally
5. Sen. Cheruiyot Aaron Kipkirui, MP – voted verbally
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogola Beatrice Akinyi, MP – voted on behalf of Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Khalwale Boni, MP
11. Sen. Kisang William Kipkemoi, MP
12. Sen. Madzayo Stewart Mwachiru, MP
13. Sen. Mundigi Alexander Munyi, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Nyutu Joe, MP
17. Sen. Oketch Eddy Gicheru, MP
18. Sen. Osotsi Godfrey Atieno, MP
19. Sen. Recha Julius Murgor, MP
20. Sen. Roba Ali Ibrahim, MP
21. Sen. Seki Lenku Ole Kanar, MP
22. Sen. Sifuna Edwin Watanya, MP
23. Sen. Wafula David Wakoli, MP
24. Sen. Wakili Hillary Kiprotich Sigei, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Question – **agreed to.**

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

13. **MOTION – REPORT OF THE MEDIATION COMMITTEE ON THE WATER (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 33 OF 2023)**

Order read;

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Mediation Committee on the Water (Amendment) Bill (National Assembly Bills No. 33 of 2023), laid on the table of the Senate on Tuesday, 22nd October, 2024, and further that pursuant to Article 113 (2) of the Constitution and Standing Order 167 (3) of the Senate, approves the mediated version of the Bill.

(The Vice-Chairperson, Mediation Committee – 24.10.2024)

Debate interrupted on Tuesday, 12th November, 2024, resumed on a Division;

Before the Question was put and pursuant to Standing Order 84 (2), the Speaker ruled that the matter affects Counties and that voting would be by County Delegations;

The Speaker directed that electronic voting be taken, pursuant to Standing Order 86 (2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Speaker directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Speaker put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

AYES – 26

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogola Beatrice Akinyi, MP – voted on behalf of Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Khalwale Boni, MP
11. Sen. Kisang William Kipkemoi, MP
12. Sen. Madzayo Stewart Mwachiru, MP
13. Sen. Mundigi Alexander Munyi, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Nyutu Joe, MP
17. Sen. Oketch Eddy Gicheru, MP
18. Sen. Osotsi Godfrey Atieno, MP
19. Sen. Recha Julius Murgor, MP
20. Sen. Roba Ali Ibrahim, MP
21. Sen. Seki Lenku Ole Kanar, MP

- 22. Sen. Sifuna Edwin Watenya, MP
- 23. Sen. Wafula David Wakoli, MP
- 24. Sen. Wakili Hillary Kiprotich Sigei, MP
- 25. Sen. Wamatinga Wahome, MP
- 26. Sen. Wambua Enoch Kiio, MP

Question – **agreed to.**

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Report of the Mediation Committee on the Water (Amendment) Bill (National Assembly Bills No. 33 of 2023), laid on the table of the Senate on Tuesday, 22nd October, 2024, and further that pursuant to Article 113 (2) of the Constitution and Standing Order 167 (3) of the Senate, approves the mediated version of the Bill.

14. **MOTION – REPORT OF THE MEDIATION COMMITTEE ON THE NATIONAL RATING BILL (NATIONAL ASSEMBLY BILLS NO. 55 OF 2022)**

Order read;

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Mediation Committee on the National Rating Bill (National Assembly Bills No. 55 of 2022), laid on the table of the Senate on Wednesday, 30th October, 2024, and further that pursuant to Article 113 (2) of the Constitution and Standing Order 167 (3) of the Senate, approves the mediated version of the Bill.

*(Sen. Beatrice Ogola, MP on behalf of the Vice-Chairperson, Mediation Committee
– 12.11.2024)*

Debate interrupted on Tuesday, 12th November, 2024, resumed on a Division;

Before the Question was put and pursuant to Standing Order 84 (2), the Temporary Speaker (Se. Wakili Hillary, MP) ruled that the matter affects Counties and that voting would be by County Delegations;

The Temporary Speaker (Se. Wakili Hillary, MP) directed that electronic voting be taken, pursuant to Standing Order 86 (2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Temporary Speaker (Se. Wakili Hillary, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Speaker put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Temporary Speaker (Se. Wakili Hillary, MP) allowed four (4) Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as “Yes” –

1. Sen. Cherarkey Samson, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Khalwale Boni, MP
4. Sen. Murango James Kamau, MP

The results of the Division were as follows: -

AYES – 26

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP – voted verbally
5. Sen. Cheruiyot Aaron Kipkirui, MP – voted verbally
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogola Beatrice Akinyi, MP – voted on behalf of Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Khalwale Boni, MP – voted verbally
11. Sen. Kisang William Kipkemoi, MP
12. Sen. Madzayo Stewart Mwachiru, MP
13. Sen. Mundigi Alexander Munyi, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP – voted verbally
16. Sen. Nyutu Joe, MP
17. Sen. Oketch Eddy Gicheru, MP
18. Sen. Osotsi Godfrey Atieno, MP
19. Sen. Recha Julius Murgor, MP
20. Sen. Roba Ali Ibrahim, MP
21. Sen. Seki Lenku Ole Kanar, MP
22. Sen. Sifuna Edwin Watanya, MP
23. Sen. Wafula David Wakoli, MP
24. Sen. Wakili Hillary Kiprotich Sigei, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Question – **agreed to.**

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Report of the Mediation Committee on the National Rating Bill (National Assembly Bills No. 55 of 2022), laid on the table of the Senate on Wednesday, 30th October, 2024, and further that pursuant to Article 113 (2) of the Constitution and Standing Order 167 (3) of the Senate, approves the mediated version of the Bill.

15. **MOTION – REPORT OF THE SELECT COMMITTEE ON COUNTY PUBLIC INVESTMENTS AND SPECIAL FUNDS ON ITS CONSIDERATION OF THE AUDIT REPORTS OF THE WATER SERVICE PROVIDERS FOR THE YEAR ENDED 30TH JUNE, 2019, 30TH JUNE, 2020 AND 30TH JUNE, 2021**

Order read;

Motion made and Question proposed;

THAT, the Senate adopts the Reports of the Select Committee on County Public Investments and Special Funds on its consideration of the Audit Reports for the year ended, 30th June, 2019, 30th June, 2020 and 30th June, 2021 of the following Water Service Providers-

- i) Amatsi Water Services Company Limited - Vihiga County;
- ii) Bomet Water Company Limited – Bomet County;
- iii) Gusii Water and Sanitation Company Limited – Kisii/Nyamira Counties;
- iv) Kisumu Water and Sanitation Company Limited –Kisumu County;
- v) Kwale Water and Sewerage Company Limited – Kwale County; and
- vi) Nyeri Water and Sanitation Company Limited – Nyeri County

and the Audit Report of the Wajir Water and Sewerage Company Limited for the year ended 30th June, 2021, laid on the Table of the Senate on Thursday, 23rd November, 2023.

(The Chairperson, Committee on County Public Investments and Special Funds)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting), resumed on a Division;

Before the Question was put and pursuant to Standing Order 84 (2), the Temporary Speaker (Se. Wakili Hillary, MP) ruled that the matter affects Counties and that voting would be by County Delegations;

The Temporary Speaker (Se. Wakili Hillary, MP) directed that electronic voting be taken, pursuant to Standing Order 86 (2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Temporary Speaker (Se. Wakili Hillary, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Temporary Speaker (Se. Wakili Hillary, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

AYES – 25

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP

2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogola Beatrice Akinyi, MP – voted on behalf of Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Khalwale Boni, MP
11. Sen. Kisang William Kipkemoi, MP
12. Sen. Madzayo Stewart Mwachiru, MP
13. Sen. Mundigi Alexander Munyi, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Nyutu Joe, MP
16. Sen. Oketch Eddy Gicheru, MP
17. Sen. Osotsi Godfrey Atieno, MP
18. Sen. Recha Julius Murgor, MP
19. Sen. Roba Ali Ibrahim, MP
20. Sen. Seki Lenku Ole Kanar, MP
21. Sen. Sifuna Edwin Watenya, MP
22. Sen. Wafula David Wakoli, MP
23. Sen. Wakili Hillary Kiprotich Sigei, MP
24. Sen. Wamatinga Wahome, MP
25. Sen. Wambua Enoch Kiio, MP

Question – **agreed to.**

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Reports of the Select Committee on County Public Investments and Special Funds on its consideration of the Audit Reports for the year ended, 30th June, 2019, 30th June, 2020 and 30th June, 2021 of the following Water Service Providers-

- i) Amatsi Water Services Company Limited - Vihiga County;
- ii) Bomet Water Company Limited – Bomet County;
- iii) Gusii Water and Sanitation Company Limited – Kisii/Nyamira Counties;
- iv) Kisumu Water and Sanitation Company Limited –Kisumu County;
- v) Kwale Water and Sewerage Company Limited – Kwale County; and
- vi) Nyeri Water and Sanitation Company Limited – Nyeri County

and the Audit Report of the Wajir Water and Sewerage Company Limited for the year ended 30th June, 2021, laid on the Table of the Senate on Thursday, 23rd November, 2023.

16. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Hillary Wakili, MP MP) – in the Chair)

The Meteorology Bill (Senate Bills No. 45 of 2023)Clause 3 - amendment proposed

THAT, Clause 3 of the Bill be amended by numbering the introductory paragraph as Sub-clause (1) and inserting the following new subclause immediately after the proposed Sub-clause (1):

- (2) For purposes of this section—
“commercial purposes” means the use of meteorological information acquired from the Authority for the purpose of generating income;

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Hillary Wakili, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Hillary Wakili, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Acting Chairperson (Sen. Hillary Wakili, MP) allowed one (1) Senator to record her vote verbally.

Thereupon, the following Senator recorded her vote as “**Yes**” –

Sen. Adan Dullo Fatuma, MP

The results of the Division were as follows: -

AYES – 28

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP – voted verbally
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP

10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Onyonka Richard Momoima, MP
21. Sen. Osotsi Godfrey Atieno, MP
22. Sen. Recha Julius Murgor, MP
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Sifuna Edwin Watenya, MP
25. Sen. Wafula David Wakoli, MP
26. Sen. Wakili Hillary Kiprotich Sigei, MP
27. Sen. Wamatinga Wahome, MP
28. Sen. Wambua Enoch Kiio, MP

Clause 3 (as amended) – agreed to.

Clauses 4, 5 and 6

Motion made and Question proposed;

THAT, Clauses 4, 5 and 6 be part of the Bill.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP

3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP – voted verbally
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watenya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

Clauses 4, 5 and 6 - agreed to

Clause 7 - amendment proposed

THAT, Clause 7 of the Bill be amended in Subclause (2) by deleting Paragraph (j) and substituting therefor the following new paragraph —

(j) set standards, develop curricula, provide training in meteorology, operational hydrology and related sciences, examine and award diploma and certification in line with the World Meteorological Organization and other standards.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed one (1) Senator to record her vote verbally.

Thereupon, the following Senator recorded her vote as “**Yes**” –

Sen. Adan Dullo Fatuma, MP

The results of the Division were as follows: -

AYES – 28

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP – voted verbally
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Onyonka Richard Momoima, MP
21. Sen. Osotsi Godfrey Atieno, MP
22. Sen. Recha Julius Murgor, MP
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Sifuna Edwin Watanya, MP
25. Sen. Wafula David Wakoli, MP
26. Sen. Wakili Hillary Kiprotich Sigei, MP
27. Sen. Wamatinga Wahome, MP
28. Sen. Wambua Enoch Kiiro, MP

Clause 7(as amended) – agreed to.

Clauses 8, 9, 10, 11, 12, 13, 14 and 15

Motion made and Question proposed;

THAT, Clauses 8, 9, 10, 11, 12, 13, 14 and 15 be part of the Bill.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP – voted verbally
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

Clauses 8, 9, 10, 11, 12, 13, 14 and 15 - agreed to.

Clauses 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25

Motion made and Question proposed;

THAT, Clauses 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25 be part of the Bill.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP – voted verbally
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP

20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watenya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

Clauses 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25 - agreed to.

Clauses 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35

Motion made and Question proposed;

THAT, Clauses 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35 be part of the Bill.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP

12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP – voted verbally
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

Clauses 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35 - agreed to.

Clause 36 - amendment proposed

THAT, Clause 36 of the Bill be amended in Subclause (1) by deleting the words “any person” appearing immediately after the words “designate and appoint” and substituting therefor the words “an employee of the authority”.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed one (1) Senator to record her vote verbally.

Thereupon, the following Senator recorded her vote as “**Yes**” –

Sen. Adan Dullo Fatuma, MP

The results of the Division were as follows: -

AYES – 28**NOES – 0****ABSTENTION – 0****AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP – voted verbally
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Onyonka Richard Momoima, MP
21. Sen. Osotsi Godfrey Atieno, MP
22. Sen. Recha Julius Murgor, MP
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Sifuna Edwin Watanya, MP
25. Sen. Wafula David Wakoli, MP
26. Sen. Wakili Hillary Kiprotich Sigei, MP
27. Sen. Wamatinga Wahome, MP
28. Sen. Wambua Enoch Kiio, MP

Clause 36(as amended)- agreed to.Clause 37- amendment proposed

THAT, Clause 37 of the Bill be amended by deleting—

- (a) Subclause (1) and substituting therefor the following new subclause —
- (1) The Authority shall retain the intellectual property rights on any meteorology data and advisory services, computer programs, inventions, discoveries and improvements generated by the Authority.
- (b) Subclause (2) and substituting therefor the following new subclause —
- (2) A person who obtains any meteorological data, information and other meteorological services from the Authority as a private good shall not, without the consent of the Authority, provide the same to a third party or cause it to be distributed.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the **“Yes”**, **“No”** or **“Abstain”** button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed one (1) Senator to record her vote verbally.

Thereupon, the following Senator recorded her vote as **“Yes”** –

Sen. Adan Dullo Fatuma, MP

The results of the Division were as follows: -

AYES – 30

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP – voted verbally
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Onyonka Richard Momoima, MP
21. Sen. Osotsi Godfrey Atieno, MP
22. Sen. Recha Julius Murgor, MP
23. Sen. Seki Lenku Ole Kanar, MP

24. Sen. Sifuna Edwin Watenya, MP
25. Sen. Wafula David Wakoli, MP
26. Sen. Wakili Hillary Kiprotich Sigei, MP
27. Sen. Wamatinga Wahome, MP
28. Sen. Wambua Enoch Kiio, MP

Clause 37(as amended) - agreed to.

Clauses 38 and 39

Motion made and Question proposed;

THAT, Clauses 38 and 39 be part of the Bill.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP

15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP – voted verbally
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

Clauses 38 and 39 - agreed to.

Clause 40 - amendment proposed

THAT, Clause 40 of the Bill be amended in subclause (2) by deleting paragraph (g).

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed one (1) Senator to record her vote verbally.

Thereupon, the following Senator recorded her vote as “**Yes**” –

Sen. Adan Dullo Fatuma, MP

The results of the Division were as follows: -

AYES – 28

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP – voted verbally
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Onyonka Richard Momoima, MP
21. Sen. Osotsi Godfrey Atieno, MP
22. Sen. Recha Julius Murgor, MP
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Sifuna Edwin Watanya, MP
25. Sen. Wafula David Wakoli, MP
26. Sen. Wakili Hillary Kiprotich Sigei, MP
27. Sen. Wamatinga Wahome, MP
28. Sen. Wambua Enoch Kiio, MP

Clause 40(as amended) - agreed to.

Clauses 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51

Motion made and Question proposed;

THAT, Clauses 38 and 39 be part of the Bill.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP – voted verbally
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watenya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

Clauses 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51 - agreed to.

New Clause 8A - insertion of new clause proposed;

THAT, the Bill be amended by inserting the following new clause immediately after Clause 8-

- | | |
|---------------------------------|--|
| Regulatory powers of Authority. | 8A. (1) The Authority shall regulate meteorological services in Kenya. |
| | (2) Without prejudice to the generality of subsection (1) the Authority shall— |
| | (a) ensure compliance with— |
| | (i) international standards and practices in meteorological services; and |

- (ii) standards in installation and maintenance of meteorological instruments;
- (b) approve and register meteorological stations; and
- (c) monitor and supervise functions of meteorological operators.

Motion Made and Question proposed;

THAT, New Clause 8A be now read a Second Time

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed one (1) Senator to record his vote verbally.

Thereupon, the following Senator recorded his vote as “**Yes**” –

Sen. Mwenda Gataya Mo Fire, MP

The results of the Division were as follows: -

AYES – 28

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP

12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP – voted verbally
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Onyonka Richard Momoima, MP
21. Sen. Osotsi Godfrey Atieno, MP
22. Sen. Recha Julius Murgor, MP
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Sifuna Edwin Watanya, MP
25. Sen. Wafula David Wakoli, MP
26. Sen. Wakili Hillary Kiprotich Sigei, MP
27. Sen. Wamatinga Wahome, MP
28. Sen. Wambua Enoch Kiio, MP

Question agreed to.

Motion made and Question proposed;

THAT, New Clause 8A be part of the Bill.

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

Debate interrupted on Wednesday, 13th November, 2024, resumed on a division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed one (1) Senator to record their vote verbally.

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP – voted verbally
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

New Clause 8A - agreed to.

New Clause 8B - insertion of new clause proposed

Permit. 8B. Any person who intends to undertake meteorological observations, weather forecasting activities or weather modification activities shall apply to the Authority for a permit as provided in the Regulations.

Motion Made and Question proposed;

THAT, New Clause 8B be now read a Second Time

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed one (1) Senator to record his vote verbally.

Thereupon, the following Senator recorded his vote as “**Yes**” –

Sen. Mwenda Gataya Mo Fire, MP

The results of the Division were as follows: -

AYES – 28

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP – voted verbally
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Onyonka Richard Momoima, MP
21. Sen. Osotsi Godfrey Atieno, MP
22. Sen. Recha Julius Murgor, MP
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Sifuna Edwin Watanya, MP
25. Sen. Wafula David Wakoli, MP
26. Sen. Wakili Hillary Kiprotich Sigei, MP
27. Sen. Wamatinga Wahome, MP
28. Sen. Wambua Enoch Kiio, MP

Question agreed to.

Motion made and Question proposed;

THAT, New Clause 8B be part of the Bill.

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

Debate interrupted on Wednesday, 13th November, 2024, resumed on a division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed one (1) Senator to record their vote verbally.

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP – voted verbally
17. Sen. Mwinyihaji Mohamed Faki, MP

18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

New Clause 8B - agreed to.

New Clause 8C - insertion of new clause proposed

Prohibition of meteorological activities. 8C. (1) No person shall engage in any meteorological observations, weather forecasting activities or weather modification activities unless that person obtains a permit from the Authority.

(2) A person who engages in any meteorological observations, weather forecasting activities or weather modification activities without a permit commits an offence and shall be liable upon conviction to a fine not exceeding five million shillings or to imprisonment for a term not exceeding five years or both such fine and imprisonment.

Motion Made and Question proposed;

THAT, New Clause 8C be now read a Second Time

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the **“Yes”**, **“No”** or **“Abstain”** button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed one (1) Senator to record his vote verbally.

Thereupon, the following Senator recorded his vote as “Yes” –

Sen. Mwenda Gataya Mo Fire, MP

The results of the Division were as follows: -

AYES – 28

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP – voted verbally
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Onyonka Richard Momoima, MP
21. Sen. Osotsi Godfrey Atieno, MP
22. Sen. Recha Julius Murgor, MP
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Sifuna Edwin Watanya, MP
25. Sen. Wafula David Wakoli, MP
26. Sen. Wakili Hillary Kiprotich Sigei, MP
27. Sen. Wamatinga Wahome, MP
28. Sen. Wambua Enoch Kiio, MP

Question agreed to.

Motion made and Question proposed;

THAT, New Clause 8C be part of the Bill.

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

Debate interrupted on Wednesday, 13th November, 2024, resumed on a division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the **“Yes”**, **“No”** or **“Abstain”** button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed one (1) Senator to record their vote verbally.

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP – voted verbally
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

New Clause 8C - agreed to.

The First Schedule

Motion made and Question proposed;

THAT, the First Schedule be part of the Bill.

(The Senate Majority Leader – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 - Afternoon Sitting resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP – voted verbally
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP

22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

The First Schedule - agreed to.

The Second Schedule - amendment proposed

THAT, the Second Schedule of the Bill be amended by inserting the following new paragraph immediately after Paragraph (5)—

(5A) The provision of meteorological services and information to the general public upon request

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed one (1) Senator to record her vote verbally.

Thereupon, the following Senator recorded her vote as “**Yes**” –

Sen. Adan Dullo Fatuma, MP

The results of the Division were as follows: -

AYES – 28

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP – voted verbally
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP

5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Onyonka Richard Momoima, MP
21. Sen. Osotsi Godfrey Atieno, MP
22. Sen. Recha Julius Murgor, MP
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Sifuna Edwin Watenya, MP
25. Sen. Wafula David Wakoli, MP
26. Sen. Wakili Hillary Kiprotich Sigei, MP
27. Sen. Wamatinga Wahome, MP
28. Sen. Wambua Enoch Kiio, MP

The Second Schedule (as amended) - agreed to.

The Third Schedule

Motion made and Question proposed;

THAT, the Third Schedule of the Bill be part of the Bill.

(The Senate Majority Leader – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 - Afternoon Sitting resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

AYES – 27**NOES – 0****ABSTENTION – 0****AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP – voted verbally
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

The Third Schedule- agreed to.**Clause 2**

Motion made and Question proposed;

THAT, Clause 2 be part of the Bill.

*(The Senate Majority Leader – 13.11.2024)*Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP – voted verbally
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

Clause 2 - agreed to.

The Title and Clause 1

Motion made and Question proposed;

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

(The Senate Majority Leader – 13.11.2024)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken, pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP – voted verbally
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watenya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

The Title and Clause 1 - agreed to.

Report

Motion made: -

THAT, the Committee of the Whole do report to the Senate its consideration of the Meteorology Bill (Senate Bills No. 45 of 2023) and its approval thereof with amendments.

(The Senate Majority Leader)

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

Question put and **agreed to.**

17. **HOUSE RESUMED** – (The Temporary Speaker (Sen. Veronicah Maina, MP) – in the Chair)
18. **THE METEOROLOGY BILL (SENATE BILLS NO. 45 OF 2023)**

Bill reported **with** amendments;

Motion made and Question proposed-

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

(The Senate Majority Leader)

There being no Senator wishing to contribute;

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

Question put and **agreed to.**

Motion made and Question proposed-

THAT, the Meteorology Bill (Senate Bills No. 45 of 2023) be now Read a Third Time.

(The Senate Majority Leader)

There being no Senator wishing to contribute;

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

The Temporary Speaker (Sen. Veronicah Maina, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the The Temporary Speaker (Sen. Veronicah Maina, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Temporary Speaker (Sen. Veronicah Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the The Temporary Speaker (Sen. Veronicah Maina, MP) allowed three (3) Senators to record their vote verbally.

Thereupon, the following Senators recorded their votes as “**Yes**”: -

1. Sen. Ekomwa James Lomenen, MP
2. Sen. Madzayo Stewart Mwachiru, MP
3. Sen. Mundigi Alexander Munyi MP

The results of the Division were as follows: -

AYES – 28

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP – voted verbally
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of the Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP – voted verbally
14. Sen. Mandago Jackson Kiplagat, MP
15. Sen. Mundigi Alexander Munyi MP – voted verbally
16. Sen. Mungatana Danson Buya, MP
17. Sen. Mwenda Gataya Mo Fire, MP
18. Sen. Mwinyihaji Mohamed Faki, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Oginga Oburu, MP
21. Sen. Oketch Eddy Gicheru, MP
22. Sen. Osotsi Godfrey Atieno, MP
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Sifuna Edwin Watenya, MP
25. Sen. Wafula David Wakoli, MP
26. Sen. Wakili Hillary Kiprotich Sigei, MP
27. Sen. Wamatinga Wahome, MP
28. Sen. Wambua Enoch Kiio, MP

Question agreed to.

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

19. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Wakili Hillary Sigei, MP) – in the Chair)

The National Construction Authority (Amendment) Bill (National Assembly Bills No. 59 of 2022)

Clauses 2

Motion made and Question proposed;

THAT, Clause 2 be part of the Bill.

(The Senate Majority Leader – Wednesday, 13.11.2024 – Afternoon Sitting)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed one (1) Senator to record their vote verbally.

Thereupon, Sen. Cherarkey Samson, MP, recorded his vote verbally as “**Yes**”.

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP – voted verbally

5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homabay County delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu, Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

Clause 2 - agreed to

New Clause 1A - insertion of new clause proposed;

THAT the National Construction Authority Act be amended in Section 2 by inserting the following new definition immediately after the definition “Registrar”

–

Amendment of section 2 of Cap. 18.	“start-up” means an entity seeking to be registered under section 17 in the category NCA 6, NCA 7 or NCA 8;
--	---

Motion made and Question proposed;

THAT, New Clause 1A be now read a Second Time

*(The Senate Majority Leader on behalf of the Chairperson, Standing Committee
on Roads, Housing and Transportation)*

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting)
resumed on a division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the **“Yes”**, **“No”** or **“Abstain”** button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed one (1) Senator to record their vote verbally.

Thereupon, Sen. Keroche Tabitha Karanja, MP, recorded her vote verbally as **“Yes”**.

The results of the Division were as follows: -

AYES - 26

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cheruiyot Aaron Kipkirui, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homabay County delegation
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Keroche Tabitha Karanja, MP – voted verbally
10. Sen. Khalwale Boni, MP
11. Sen. Kisang William Kipkemoi, MP
12. Sen. Madzayo Stewart Mwachiru, MP
13. Sen. Mungatana Danson Buya, MP
14. Sen. Murango James Kamau, MP
15. Sen. Mwenda Gataya Mo Fire, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nyutu, Joe, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Osotsi Godfrey Atieno, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Seki Lenku Ole Kanar, MP
22. Sen. Sifuna Edwin Watenya, MP
23. Sen. Wafula David Wakoli, MP
24. Sen. Wakili Hillary Kiprotich Sigei, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Question – agreed to;

Motion made and Question proposed;

THAT, New Clause 1A be part of the Bill.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Roads, Housing and Transportation – Wednesday, 13.11.2024 – Afternoon Sitting)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a division;
The Committee proceeded to a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the **“Yes”**, **“No”** or **“Abstain”** button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed one (1) Senator to record their vote verbally.

Thereupon, Sen. Cherarkey Samson, MP, recorded his vote verbally as **“Yes”**.

The results of the Division were as follows: -

AYES - 27

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP – voted verbally
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homabay County delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu, Joe, MP

19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watenya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

New Clause 1A

- agreed to;

The Title and Clause 1

Motion made and Question proposed;

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

(The Senate Majority Leader Wednesday, 13.11.2024 – Afternoon Sitting)

Debate interrupted on Wednesday, 13th November, 2024 (Afternoon Sitting) resumed on a division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86(5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed one (1) Senator to record their vote verbally.

Thereupon, Sen. Cherarkey Samson, MP, recorded his vote verbally as “**Yes**”.

The results of the Division were as follows: -

AYES - 27

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP – voted verbally

5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homabay County delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu, Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiiro, MP

The Title and Clause 1 - agreed to

Report

Motion made;

THAT, the Committee of the Whole House do report to the Senate its consideration of the National Construction Authority (Amendment) Bill (National Assembly Bills No. 59 of 2022) and its approval thereof with amendments.

(The Senate Majority Leader)

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

Question put and agreed to.

20. **HOUSE RESUMED** – (Temporary Speaker (Sen. Veronica Maina, MP) – in the Chair)
21. **THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 59 OF 2022)**

Bill reported **with** amendments;

Motion made and Question proposed: -

THAT, the Senate do agree with the Committee of the Whole in the said report.

(The Senate Majority Leader)

There being no Senator wishing to contribute;

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

Question put and agreed to.

Motion made and Question proposed: -

THAT, the National Construction Authority (Amendment) Bill (National Assembly Bills No. 59 of 2022) be now read a Third Time.

(The Senate Majority Leader)

There being no Senator wishing to contribute;

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

The Temporary Speaker (Sen. Veronica Maina, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Temporary Speaker (Sen. Veronica Maina, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Temporary Speaker (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Temporary Speaker (Sen. Veronica Maina, MP) allowed three (3) Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as “**Yes**”: -

1. Sen. Cherarkey Samson, MP
2. Sen. Cheruiyot Aaron Kipkirui, MP
3. Sen. Keroche Tabitha Karanja, MP
4. Sen. Khalwale Boni, MP

The results of the Division were as follows: -

AYES – 28

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP – voted verbally
5. Sen. Cheruiyot Aaron Kipkirui, MP – voted verbally
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homabay County delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP – voted verbally
11. Sen. Khalwale Boni, MP – voted verbally
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mandago Jackson Kiplagat, MP
15. Sen. Mundigi Alexander Munyi, MP
16. Sen. Mungatana Danson Buya, MP
17. Sen. Mwenda Gataya Mo Fire, MP
18. Sen. Mwinyihaji Mohamed Faki, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Oginga Oburu, MP
21. Sen. Oketch Eddy Gicheru, MP
22. Sen. Osotsi Godfrey Atieno, MP
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Sifuna Edwin Watenya, MP
25. Sen. Wafula David Wakoli, MP
26. Sen. Wakili Hillary Kiprotich Sigei, MP
27. Sen. Wamatinga Wahome, MP
28. Sen. Wambua Enoch Kiio, MP

Question agreed to.

Bill Read a Third Time and passed.

22. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Wakili Hillary Sigei, MP) – in the Chair)

The Cancer Prevention and Control (Amendment) (No. 2) Bill (National Assembly Bills No. 45 of 2022)

Clause 2

- amendment proposed;

THAT, Clause 2 of the Bill be amended in the proposed new definition of the word “e-health” by inserting the words “including telemedicine” immediately after the words “and information technology”.

*(Sen. Samson Cherarkey, MP – Co-Sponsor – Wednesday, 13.11.2024 –
Afternoon Sitting)*

Debate interrupted on 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) allowed three (3) Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as “**Yes**”: -

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Chute Mohamed Said, MP
3. Sen. Wafula David Wakoli, MP

The results of the Division were as follows: -

AYES - 27

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Abass Sheikh Mohamed, MP – voted verbally
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP – voted verbally
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP - voted on behalf of Homabay County delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP

20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watenya, MP
24. Sen. Wafula David Wakoli, MP – voted verbally
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

Clause 2 (as amended) - agreed to

Clauses 3 and 4

Motion made and Question proposed;

THAT, Clauses 3 and 4 be part of the Bill.

*(Sen. Samson Cherarkey, MP – Co-Sponsor – Wednesday, 13.11.2024 –
Afternoon Sitting)*

Debate interrupted on 13th November, 2024 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP - voted on behalf of Homabay County delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP

13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

Clauses 3 and 4

- agreed to

The Title and Clause 1

Motion made and Question proposed;

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

*(Sen. Samson Cherarkey, MP – Co-Sponsor – Wednesday, 13.11.2024 –
Afternoon Sitting)*

Debate interrupted on 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary Sigei, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP

6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP - voted on behalf of Homabay County delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

The Title and Clause 1 - agreed to

Report -

Motion made;

THAT, the Committee of the Whole House do report to the Senate its consideration of the Cancer Prevention and Control (Amendment) (No. 2) Bill (National Assembly Bills No. 45 of 2022) and its approval thereof with amendments;

(Sen. Samson Cherarkey, MP – Co-Sponsor)

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

Question put and agreed to.

23. **HOUSE RESUMED** – (Temporary Speaker (Sen. Veronica Maina, MP) – in the Chair)
24. **THE CANCER PREVENTION AND CONTROL (AMENDMENT) (NO. 2) BILL (NATIONAL ASSEMBLY BILLS NO. 45 OF 2022)**

Bill reported **with** amendments;

Motion made and Question proposed: -

THAT, the Senate do agree with the Committee of the Whole in the said report.

(Sen. Samson Cherarkey, MP – Co-Sponsor)

There being no Senator wishing to contribute;

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

Question put and agreed to.

Motion made and Question proposed: -

THAT, the Cancer Prevention and Control (Amendment) (No. 2) Bill (National Assembly Bills No. 45 of 2022) be now read a Third Time.

(Sen. Samson Cherarkey, MP – Co-Sponsor)

There being no Senator wishing to contribute;

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

The Temporary Speaker (Sen. Veronica Maina, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Temporary Speaker (Sen. Veronica Maina, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Temporary Speaker (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Temporary Speaker (Sen. Veronica Maina, MP) allowed three (3) Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as “**Yes**”: -

1. Sen. Mandago Jackson Kiplagat, MP
2. Sen. Ogolla Beatrice Akinyi, MP - voted on behalf of Homabay County delegation
3. Sen. Ojienda Odhiambo Tom, MP

The results of the Division were as follows: -

AYES – 28

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogolla Beatrice Akinyi, MP – voted verbally on behalf of Homabay County delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mandago Jackson Kiplagat, MP – voted verbally
15. Sen. Mundigi Alexander Munyi, MP
16. Sen. Mungatana Danson Buya, MP
17. Sen. Mwenda Gataya Mo Fire, MP
18. Sen. Mwinyihaji Mohamed Faki, MP
19. Sen. Oginga Oburu, MP
20. Sen. Ojienda Odhiambo Tom, MP – voted verbally
21. Sen. Oketch Eddy Gicheru, MP
22. Sen. Osotsi Godfrey Atieno, MP
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Sifuna Edwin Watenya, MP
25. Sen. Wafula David Wakoli, MP
26. Sen. Wakili Hillary Kiprotich Sigei, MP
27. Sen. Wamatinga Wahome, MP
28. Sen. Wambua Enoch Kiio, MP

Question agreed to.

Bill Read a Third Time and passed.

25. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Wakili Hillary, MP) – in the Chair)

The Election Offences (Amendment) (No. 2) Bill (Senate Bills No. 28 of 2024)

Clause 2 - amendment proposed;

THAT, the Bill be amended by deleting Clause 2 and substituting therefor the following new clause –

- Amendment of Section 6 of Cap 66.
2. Section 6 of the Election Offences Act (hereinafter referred to as “the principal Act”) is amended —
- (a) by deleting Paragraph (h) and substituting therefor the following new paragraphs —
 - (h) where required under Article 138(10) of the Constitution to declare the results of a presidential election within seven days after the presidential election, fails to declare the results of the presidential election within the seven days;
 - (ha) where required under Section 39(1) of the Elections Act to declare the results of an election immediately after close of polling, fails to declare the results of an election immediately after close of polling;
 - (b) in Paragraph (k), by inserting the word “person” immediately after the words “colludes with any”; and
 - (c) by inserting the following new paragraph immediately after paragraph (m) —
 - (o) knowingly interferes with, alters, destroys or conceals an election material or declared result, or knowingly causes another person to interfere, alter, destroy or conceal an election material or declared result.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights – 13.11.2024)

Debate interrupted on 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary, MP) directed that electronic voting be taken pursuant to Standing Order 86 (2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Wakili Hillary, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Acting Chairperson (Sen. Wakili Hillary, MP) allowed one (1) Senator to record his vote verbally.

Thereupon, the following Senator recorded his vote as “**Yes**” -

Sen. Wafula David Wakoli, MP

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogola Beatrice Akinyi, MP – voted on behalf of Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Oketch Eddy Gicheru, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP – voted verbally
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

Clause 2 (as amended) - agreed to.

New Clause 3 - insertion of new clause proposed;

THAT, the Bill be amended by inserting the following new clause immediately after Clause 2 –

- | | |
|---|--|
| Amendment
of Section
13 of Cap
66. | 3. Section 13 of the principal Act is amended —

(a) in paragraph (b) by deleting the words “of withdrawal of any other” appearing immediately after the words “any false statement” and substituting therefor the words “about a candidate, political party or of withdrawal of a” immediately after the words “any false statement”; and |
|---|--|

(b) in paragraph (f)(i) by inserting the word “sex, marital status” immediately after the words “religion, gender”.

Motion made and Question proposed;

THAT, New Clause 3 be now read a Second Time.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights – 13.11.2024)

Debate interrupted on 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary, MP) directed that electronic voting be taken pursuant to Standing Order 86 (2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Wakili Hillary, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Acting Chairperson (Sen. Wakili Hillary, MP) allowed one (1) Senator to record his vote verbally.

Thereupon, the following Senator recorded his vote as “**Yes**” -

Sen. Wafula David Wakoli, MP

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogola Beatrice Akinyi, MP – voted on behalf of Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP

12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP – voted verbally
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

Question – agreed to;

Motion made and Question proposed;

THAT, New Clause 3 be part of the Bill

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Wakili Hillary, MP) directed that electronic voting be taken pursuant to Standing Order 86 (2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Wakili Hillary, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Acting Chairperson (Sen. Wakili Hillary, MP) allowed one (1) Senator to record his vote verbally.

Thereupon, the following Senator recorded his vote as “**Yes**” -

Sen. Oketch Eddy Gicheru, MP

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogola Beatrice Akinyi, MP – voted on behalf of Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Oketch Eddy Gicheru, MP – voted verbally
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

New Clause 3 - agreed to.

New Clause 4 - insertion of new clause proposed;

THAT, the Bill be amended by inserting the following new clause immediately after Clause 2 –

- | | |
|------------------------------------|---|
| Amendment of Section 17 of Cap 66. | 4. Section 17 of the principal Act is amended by inserting the following new paragraph immediately after Paragraph (i) – |
| | (j) wilfully communicates electronically, either directly or indirectly, with a person or any other person who knows the person knowing that their conduct is likely to – |
| | (i) induce or compel the person to refrain from becoming a candidate or to withdraw if they have become a candidate; |
| | (ii) induce or compel that other person not to vote for the person or the person’s political party; or |

- (iii) impede or prevent the person from being nominated as a candidate;

Motion made and Question proposed;

THAT, New Clause 4 be now read a Second Time.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights – 13.11.2024)

Debate interrupted on 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary, MP) directed that electronic voting be taken pursuant to Standing Order 86 (2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Wakili Hillary, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Acting Chairperson (Sen. Wakili Hillary, MP) allowed one (1) Senator to record his vote verbally.

Thereupon, the following Senator recorded his vote as “**Yes**” -

Sen. Wafula David Wakoli, MP

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogola Beatrice Akinyi, MP – voted on behalf of Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP

14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Ojienda Odhiambo Tom, MP
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watenya, MP
24. Sen. Wafula David Wakoli, MP – voted verbally
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

Question – agreed to;

Motion made and Question proposed;

THAT, New Clause 4 be part of the Bill

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Wakili Hillary, MP) directed that electronic voting be taken pursuant to Standing Order 86 (2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Wakili Hillary, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Acting Chairperson (Sen. Wakili Hillary, MP) allowed one (1) Senator to record his vote verbally.

Thereupon, the following Senator recorded his vote as “**Yes**” -

Sen. Oketch Eddy Gicheru, MP

The results of the Division were as follows: -

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP

2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogola Beatrice Akinyi, MP – voted on behalf of Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Oketch Eddy Gicheru, MP – voted verbally
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

New Clause 4 - agreed to.

The Title and Clause 1

Motion made and Question proposed;

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

(The Senate Majority Leader and the Senate Minority Leader – 13.11.2024)

Debate interrupted on 13th November, 2024 (Afternoon Sitting) resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Wakili Hillary, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Acting Chairperson (Sen. Wakili Hillary, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Acting Chairperson (Sen. Wakili Hillary, MP) allowed one (1) Senator to record his vote verbally.

Thereupon, the following Senator recorded his vote as “**Yes**” -

Sen. Oketch Eddy Gicheru, MP

The results of the Division were as follows: -

AYES - 27

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogola Beatrice Akinyi, MP – voted on behalf of Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Murango James Kamau, MP
16. Sen. Mwenda Gataya Mo Fire, MP
17. Sen. Mwinyihaji Mohamed Faki, MP
18. Sen. Nyutu Joe, MP
19. Sen. Oketch Eddy Gicheru, MP – voted verbally
20. Sen. Osotsi Godfrey Atieno, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Seki Lenku Ole Kanar, MP
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP
27. Sen. Wambua Enoch Kiio, MP

The Title and Clause 1 - agreed to.

Report

Motion made –

THAT, the Committee of the Whole House do report to the Senate its consideration of the Elections (Amendment) (No. 2) Bill (Senate Bills No. 29 of 2024) and its approval thereof with amendments

(The Senate Majority Leader)

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

Question put and agreed to.

26. **HOUSE RESUMED** – (Temporary Speaker (Sen. Veronica Maina, MP) – in the Chair)

27. **THE ELECTION OFFENCES (AMENDMENT) (NO. 2) BILL (SENATE BILLS NO. 28 OF 2024)**

Bill reported **with** amendments;

Motion made and Question proposed;

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

(The Senate Majority Leader)

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84 (1), the Temporary Speaker (Sen. Veronica Maina, MP) ruled that the Motion did not affect counties.

Question put and agreed to.

Motion made and Question proposed;

THAT, the Elections (Amendment) (No. 2) Bill (Senate Bills No. 29 of 2024) be now read a Third Time.

(The Senate Majority Leader)

And there being no Senator wishing to contribute;

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

The Temporary Speaker (Sen. Veronica Maina, MP) directed that electronic voting be taken pursuant to Standing Order 86 (2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Temporary Speaker (Sen. Veronica Maina, MP) directed that the doors be locked, and the bars be drawn and asked Senators to log in for electronic voting;

The Temporary Speaker (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “Yes”, “No” or “Abstain” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Temporary Speaker (Sen. Veronica Maina, MP) allowed two (2) Senators to record their vote verbally.

Thereupon, the following Senators recorded their votes as “Yes” -

1. Sen. Ojienda Odhiambo Tom, MP
2. Sen. Wafula David Wakoli, MP

The results of the Division were as follows: -

AYES – 28

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Ogola Beatrice Akinyi, MP – voted on behalf of Homa Bay County Delegation
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mandago Jackson Kiplagat, MP
15. Sen. Mundigi Alexander Munyi, MP
16. Sen. Mungatana Danson Buya, MP
17. Sen. Mwenda Gataya Mo Fire, MP
18. Sen. Mwinyihaji Mohamed Faki, MP
19. Sen. Ojienda Odhiambo Tom, MP – voted verbally
20. Sen. Oginga Oburu, MP
21. Sen. Oketch Eddy Gicheru, MP
22. Sen. Osotsi Godfrey Atieno, MP
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Sifuna Edwin Watenya, MP
25. Sen. Wafula David Wakoli, MP – voted verbally
26. Sen. Wakili Hillary Kiprotich Sigei, MP
27. Sen. Wamatinga Wahome, MP
28. Sen. Wambua Enoch Kiio, MP

Question, agreed to.

Bill Read a Third Time and passed.

28. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Hillary Sigei, MP) – in the Chair)

The Fire and Rescue Services Professionals Bill (Senate Bills No. 55 of 2023)

Clause 3 - amendment proposed

THAT, the Bill be amended by deleting Clause 3 and substituting therefor the following new clause –

Objects of 3. The objects of this Act are to –
the Act

- (a) provide a framework for standards for professional practice and their enforcement;
- (b) facilitate the delivery of quality fire and rescue professional services;
- (c) promote the delivery of quality professional training and education for fire and rescue service professionals;
- (d) protect the public from unethical professional practice in fire and rescue services; and
- (e) promote realization of the right to the highest attainable standard of health for every person in relation to prevention, response and mitigation of unintentional injuries resulting from fire, accidents, emergencies, disasters and calamities.

(Sen. Veronica Maina, MP on behalf of the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations)

Clause 3 - vote deferred

Clause 4 - amendment proposed

THAT, the Bill be amended in Clause 4 –

- (a) by deleting the heading to Part II and substituting therefor the following new heading—

PART II – ADMINISTRATION

- (b) in Subclause (1) by inserting the word “professionals” immediately after the words “and rescue services”.

(Sen. Veronica Maina, MP on behalf of the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations)

Clause 4 - vote deferred

Clause 5 - amendment proposed

THAT, the Bill be amended by deleting Clause 5 and substituting therefor the following new clause –

Composition
of the Board

5. (1) The Board shall comprise of -
- (a) a non-executive chairperson appointed by the President;
 - (b) the Principal Secretary in the Ministry responsible for matters relating to fire and rescue services or their representative appointed in writing by the Principal Secretary;
 - (c) the Principal Secretary in the Ministry responsible for finance or their representative appointed in writing by the Principal Secretary;
 - (d) the Principal Secretary in the Ministry responsible for technical and vocational education and training or their representative appointed in writing by the Principal Secretary;
 - (e) three persons nominated by the Council of County Governors;
 - (f) two persons nominated by the association representing the largest number of professional firefighters in Kenya, one of whom shall be a representative of volunteer firefighters in Kenya;
 - (g) one person nominated by the umbrella body of emergency responders in Kenya;
 - (h) one person representing private sector organizations in Kenya; and
 - (i) the registrar who shall be an ex-officio member and who shall have no vote.

(2) The persons nominated under subsection (1) (e), (f), (g) and (h) above shall be appointed by the Cabinet Secretary by notice in the *Gazette*.

(Sen. Veronica Maina, MP on behalf of the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations)

Clause 5 - vote deferred

Clause 6 - amendment proposed

THAT, the Bill be amended in Clause 6 by deleting the words “and it may establish branches in other counties” appearing immediately after the words “be in Nairobi”.

(Sen. Veronica Maina, MP on behalf of the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations)

Clause 6 - vote deferred

Clause 7 - amendment proposed

THAT, the Bill be amended in Clause 7 by –

(a) renumbering the existing introductory phrase as Sub-clause (1); and

(b) inserting the following new sub-clause (2) immediately after Paragraph (n) –

(2) collaborate with each county government in the performance of its functions.

(Sen. Veronica Maina, MP on behalf of the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations)

Clause 7 - vote deferred

Clauses 8, 9, 10, 11, 12 and 13

Motion made and Question proposed;

THAT, Clauses 8, 9, 10, 11, 12 and 13 be part of the Bill.

(Sen. Abass Sheikh Mohamed, MP)

Clauses 8, 9, 10, 11, 12 and 13 - vote deferred

Clause 14 - amendment proposed

THAT, Clause 14 of the Bill be amended by deleting Subclause (4) and substituting therefor the following subclause –

(4) A person shall not be appointed as a Registrar unless such person –

(a) is registered as a fire and rescue services professional under this Act;

- (b) is in good professional standing;
- (c) has at least a degree from a university recognized in Kenya in fire management or fire and rescue management, disaster management, engineering, operations, logistics, medicine, para-medicine, sociology, law, psychology, project management, safety and security, environment, health and safety, architecture, physical planning, or any other relevant qualification;
- (d) has at least ten years' experience in the field of fire and rescue;
- (e) has at least five years' experience in leadership in the public or private sector;
- (f) has knowledge and experience in policy formulation;
- (g) meets the requirements of Chapter Six of the Constitution

(Sen. Veronica Maina, MP on behalf of the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations)

Clause 14 - vote deferred

Clause 15

Motion made and Question proposed;

THAT, Clause 15 be part of the Bill.

(Sen. Abass Sheikh Mohamed, MP)

Clause 15 - vote deferred

Clause 16 - amendment proposed

THAT, Clause 16 of the Bill be amended in Subclause (1) by deleting the words "carrying on" appearing immediately after the words "the course of" and substituting thereof with words "carrying out".

(Sen. Veronica Maina, MP on behalf of the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations)

Clause 16 - vote deferred

Clause 17 - amendment proposed

THAT, the Bill be amended by deleting Clause 17 and substituting therefor the following new clause –

Registration of
Fire and
Rescue
Services
Professionals

17. (1) A person shall not practice as a fire and rescue service professional, manage a fire and rescue services consulting firm or provide fire and rescue consultancy and advisory services unless they are registered in accordance with this Act.

(2) In this section, practice as a fire and rescue service professional includes –

(a) providing fire and rescue professional services such as fire prevention, operating fire equipment for purposes of extinguishing fire where such a process requires a rescue professional, fire investigation, fire risk assessment, audit and inspection or rescue operation;

(b) carrying out or holding oneself as a fire and rescue service professional; or

(c) certifying or authorizing any process where a fire and rescue service professional is required under any law or administrative procedure to certify or authorize.

(Sen. Veronica Maina, MP on behalf of the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations)

Clause 17 - vote deferred
Clause 18 - amendment proposed

THAT, Clause 18 of the Bill be amended by deleting Paragraph (b) and replacing it with the following -

(b) has undertaken and received practical and experiential learning in fire and rescue service practice for a period of at least one year in a recognized institution.

(Sen. Veronica Maina, MP on behalf of the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations)

Clause 18 - vote deferred

Clause 19

Motion made and Question proposed;

THAT, Clause 19 be part of the Bill.

(Sen. Abass Sheikh Mohamed, MP)

Clause 19 - vote deferred

Clause 20 - amendment proposed

THAT, the Bill be amended in Clause 22 by inserting the following new proviso immediately after Sub-clause (7) —

Provided that any person or entity that intends to carry on the business of a fire and rescue service consulting firm or fire brigade firm shall apply for and obtain a trade licence from the respective County Government.

(Sen. Veronica Maina, MP on behalf of the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations)

Clause 20 - vote deferred

Clauses 21, 22, 23, 24, 25, 26, 27 and 28

Motion made and Question proposed;

THAT, Clauses 21, 22, 23, 24, 25, 26, 27 and 28 be part of the Bill.

(Sen. Abass Sheikh Mohamed, MP)

Clauses 21, 22, 23, 24, 25, 26, 27 and 28 - vote deferred

Clause 29 - amendment proposed

THAT, Clause 29 of the Bill be amended –

(a) in Subclause (1) by deleting the words “five hundred thousand shillings or to imprisonment for a term not exceeding five” appearing immediately after the words “not more than” and substituting therefor the words “two hundred thousand shilling or to imprisonment for a term not exceeding three”;

(b) in Subclause (2) by deleting the words “one million” appearing immediately after the words “not less than” and substituting therefor the words “five hundred thousand”.

(Sen. Abass Sheikh Mohamed, MP)

Clause 29 - vote deferred

Clause 30

Motion made and Question proposed;

THAT, Clause 30 be part of the Bill.

(Sen. Abass Sheikh Mohamed, MP)

Clause 30 - vote deferred

Clause 31 - amendment proposed

THAT, Clause 31 of the Bill be amended by deleting the words “two million shillings or to imprisonment for a term not exceeding five years” appearing immediately after the words “conviction to a fine of” and substituting therefor the words “one million shillings or to imprisonment for a term not exceeding three.”

(Sen. Abass Sheikh Mohamed, MP)

Clause 31 - vote deferred

Clauses 32, 33, 34 and 35

Motion made and Question proposed;

THAT, Clauses 32, 33, 34 and 35 be part of the Bill.

(Sen. Abass Sheikh Mohamed, MP)

Clauses 32, 33, 34 and 35 - vote deferred

Clause 36 - amendment proposed

THAT, Clause 36 of the Bill be amended in Subclause (2) by deleting paragraph (f) and substituting therefor the following new paragraph—

(f) the training of fire and rescue services professionals.

(Sen. Veronica Maina, MP on behalf of the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations)

Clause 36 - vote deferred

Clause 37 - amendment proposed

THAT, the Bill be amended by deleting Clause 37 and substituting therefor the following new clause—

Transitional provision.

37. (1) A person who, prior to the date of commencement of this Act, was practicing as a fire and rescue service practitioner and does not hold the prescribed academic qualifications for registration under this Act shall, within one year of the commencement of the Act, comply with the requirements of this Act.

(2) A person who, prior to the date of commencement of this Act, was practicing as a fire and rescue service practitioner and holds the required academic qualifications under this Act shall apply for registration by the Board within one year of coming into force of this Act.

(Sen. Veronica Maina, MP on behalf of the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations)

Clause 37 - vote deferred

The Schedule

Motion made and Question proposed;

THAT, the Schedule be part of the Bill.

(Sen. Abass Sheikh Mohamed, MP)

The Schedule - vote deferred

Clause 2 - amendment proposed

THAT, the Bill be amended in Clause 2 by –

- (a) deleting the definition of “fire and rescue services consulting firm” and substituting therefor the following new definition –

“fire and rescue services consulting firm” means a private organization or company registered by the Board and licensed by the County Governments to engage in the business of provision of consultancy and advisory services pertaining to fire and rescue services

- (b) deleting the definition of the word “fire brigade”

- (c) deleting the definition of the words “fire and rescue services professional” and substituting therefor the following new definition –

fire and rescue service professional” means a person registered under Section 17.

- (d) Inserting a new definition of the word “private fire brigade firm”

“private fire brigade firm” means a private organization or company registered by the Board and licensed by a County Government to put out fires and rescue people from fires.

(Sen. Veronica Maina, MP on behalf of the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations)

Clause 2 - vote deferred

The Title - amendment proposed

THAT, the Bill be amended by deleting the long title and substituting therefor the following new title –

AN ACT of Parliament to provide for the promotion, development and regulation of the fire and rescue service profession, to provide for the establishment of institutional and regulatory framework for representation, participation, training and regulation of fire and rescue service professional practice, and for connected purposes.

(Sen. Veronica Maina, MP on behalf of the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations)

The Title - vote deferred

Clause 1

Motion made and Question proposed;

THAT, Clause 1 be part of the Bill.

(Sen. Abass Sheikh Mohamed, MP)

Clause 1 - vote deferred

Progress report;

Motion made;

THAT, the Committee of the Whole do report to the House its consideration of the Fire and Rescue Services Professionals Bill (Senate Bills No. 55 of 2023) and seek leave to sit again tomorrow.

(Sen. Abass Sheikh Mohamed, MP)

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

Question put and agreed to.

29. **HOUSE RESUMED** – (Temporary Speaker (Veronica Maina, MP) – in the Chair)

30. **THE FIRE AND RESCUE SERVICES PROFESSIONALS BILL (SENATE BILLS NO. 55 OF 2023)**

Progress reported;

Motion made and Question proposed;

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

(Sen. Abass Sheikh Mohamed, MP)

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84(1), the Temporary Speaker (Sen. Veronica Maina, MP) ruled that the Motion did not affect counties.

Question put and agreed to.

31. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Wakili Hillary, MP) – in the Chair)

The Houses of Parliament (Bicameral Relations) Bill (National Assembly Bills No. 44 of 2023)

Clause 3 - amendment proposed;

THAT the Bill be amended by deleting clause 3 and substituting therefor with the following new clause –

Object of the Act 3. The object of this Act is to provide –

- (d) a framework for determining the nature of a Bill;
and
- (e) for the procedure for determining whether a Bill concerns counties.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 3 - vote deferred.

Clause 4 - amendment proposed;

THAT, the Bill be amended –

- (a) by deleting the heading to Part II appearing immediately before clause 4; and
- (b) by deleting clause 4.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 4 including the heading to Part II - vote deferred.

Clause 5 - amendment proposed;

THAT the Bill be amended by deleting clause 5

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 5 - vote deferred.

Clause 6 - amendment proposed;

THAT the Bill be amended –

- (a) by deleting the words “of a question” appearing immediately after the words “joint resolution” in the heading to Part III; and
- (b) by deleting clause 6 and substituting therefor the following new clauses –

Procedure upon Publication 6. (1) Before a Bill is read a First Time in the House originating the Bill, the Speaker of that House shall, pursuant to Article 110(3) of the Constitution, invite the Speaker of the other House to jointly resolve the question on whether the Bill is —

- (a) a Bill concerning counties; and
- (b) a special or an ordinary Bill.

- (2) The Speaker to whom the request is sent under subsection (1) shall respond to the request within a period of seven days from the date of receipt of the request.
- (3) Where the Speakers fail to agree on the nature of a Bill, each Speaker shall, within seven days from the date of receipt of the response under subsection (2), appoint three members from amongst members of the respective House to constitute an advisory team to assist the Speakers resolve the question under subsection (1).
- (4) The advisory team shall, within fourteen days from the date of the first sitting, prepare and submit its advisory on the question under subsection (1) to the Speakers.
- (5) The Speakers shall, within seven days from the date of receipt of the advisory under Subsection (4), resolve the question under Subsection (1).
- (6) Where the Speakers, having taken into account the advisory of the advisory team, fail to agree on the question under Subsection (1), the Bill shall not be introduced in either House of Parliament.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 6 including the heading to Part III - vote deferred.

Clause 7 - amendment proposed;

THAT the Bill be amended by deleting Clause 7 and substituting therefor the following new clauses –

- Criteria for a Bill concerning county government
7. (1) A Bill is a Bill containing provisions affecting the functions of a county government under Article 110(1)(a) of the Constitution if the Bill –
- (a) directly or indirectly affects the operations of the county governments;
 - (b) will have a direct or indirect impact on the functions of county governments under Part 2 of the Fourth Schedule to the Constitution;
 - (c) would have an impact on the exercise by any person upon whom a function or power is conferred under the Bill on any institution or office of the county government, the finances of the county government or the property held by or vested in the county government;
 - (d) contains provisions which the county governments are required to implement or are binding on county governments;
 - (e) confers a function or power on a person that would affect the exercise of the functions and the powers of the county governments under the Fourth Schedule to the Constitution;
 - (f) seeks to transfer a function or power between the National Government and the county governments under Article 187 of the Constitution;
 - (g) that affects the ability of the Senate to carry out its functions under Article 96 of the Constitution; or
 - (h) provides for any other matter that would directly or indirectly affect the functions and powers of the county governments.
- (2) A Bill is a Bill affecting the finances of a county government under Article 110(1)(c) of the Constitution if –
- (a) the Bill provides for –
 - (i) the equitable sharing of revenue under Article 202(1) of the Constitution;
 - (ii) the additional allocation of funds from the National Government’s share of revenue to county governments under Article 202(2) of the Constitution;
 - (iii) the additional allocation of funds to county governments under Article 190(1) of the Constitution including proceeds of loans and grants from development partners;

- (iv) a matter relating to the appropriation and administration of the Equalisation Fund under Article 204 of the Constitution;
- (v) the sharing of revenue or any financial matter concerning county governments as contemplated in Article 205(1) of the Constitution;
- (vi) the transfer of equitable share to the county governments pursuant to Article 219 of the Constitution;

- (vii) the withdrawal of money from the Consolidated Fund under Article 206 of the Constitution that affects the finances of county governments;
- (viii) the withdrawal of money from a County Revenue Fund;
- (ix) the establishment of public funds by counties and the management of those funds;
- (x) the establishment of a fund by Parliament for the benefit of a county government or a county government entity;
- (xi) advances from the Contingencies Fund under Article 208 of the Constitution that affect the finances of county governments;
- (xii) the imposition of a tax, duty or charge under Article 209(3)(c) of the Constitution;
- (xiii) borrowing by the National Government under Article 211 of the Constitution;
- (xiv) public debt under Article 214 of the Constitution that is to be charged on a public fund established for the benefit of county governments;
- (xv) borrowing by counties including the terms and conditions under which the National Government may guarantee a loan under Article 212(a) of the Constitution;
- (xvi) any matter concerning the Commission on Revenue Allocation under Articles 215 and 216 of the Constitution;
- (xvii) the form, content and timing of budgets for National and county governments prepared pursuant to Article 220 of the Constitution;

- (xviii) estimates for expenditure from the Equalisation Fund prepared pursuant to Article 221(2)(a);
 - (xix) an appropriation under Article 223(4) of the Constitution that affects the finances of a county government;
 - (xx) the form and procedure for processing county budgets and appropriation Bills prepared pursuant to Article 224 of the Constitution;
 - (xxi) financial control measures and mechanisms under Article 225 of the Constitution;
 - (xxii) the keeping of financial records and auditing of accounts of county governments and the designation of accounting officers in the county governments under to Article 226 of the Constitution;
 - (xxiii) the procurement of public goods and services under Article 227 of the Constitution;
 - (xxiv) the powers and functions of the Salaries and Remuneration Commission to set, review and advise on the remuneration and benefits of public officers in the county governments under Article 230(4) of the Constitution; or
 - (xxv) any other matter referred to in Chapter Twelve of the Constitution affecting the finances of county governments; or
- (b) the Bill is –
- (i) the annual Division of Revenue Bill under Article 218(1)(a) of the Constitution;
 - (ii) the annual County Allocation of Revenue Bill under Article 218(1)(b) of the Constitution; or
 - (iii) the annual County Governments Additional Allocations Bill under Article 202(2) of the Constitution.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 7 - vote deferred.

Clause 8 - amendment proposed;

THAT the Bill be amended by deleting Clause 8

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 8 - vote deferred.

Clause 9 - amendment proposed;

THAT the Bill be amended by deleting Clause 9

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 9 - vote deferred.

Clause 10 - amendment proposed;

THAT the Bill be amended by deleting Clause 10

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 10 - vote deferred.

Clause 11 - amendment proposed;

THAT the Bill be amended by deleting Clause 11

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 11 - vote deferred.

Clause 12 - amendment proposed;

THAT the Bill be amended by deleting Clause 12

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 12 - vote deferred.

Clause 13 - amendment proposed;

THAT the Bill be amended by deleting Clause 13

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 13 - vote deferred.

Clause 14 - amendment proposed;

THAT the Bill be amended –

- (a) by deleting the heading to Part IV appearing immediately before Clause 14; and
- (b) by deleting Clause 14.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 14 including the heading to Part IV - vote deferred.

Clause 15 - amendment proposed;

THAT the Bill be amended by deleting Clause 15

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 15 - vote deferred.

Clause 16 - amendment proposed;

THAT the Bill be amended by deleting Clause 16

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 16 - vote deferred.

Clause 17 - amendment proposed;

THAT the Bill be amended by deleting Clause 17

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 17 - vote deferred.

Clause 18 - amendment proposed;

THAT the Bill be amended by deleting Clause 18

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 18 - vote deferred.

Clause 19 - amendment proposed;

THAT Clause 19 of the Bill be amended –

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

PART IV – JOINT RESOLUTION

(b) by deleting Clause 19 and substituting therefor the following new clause

Joint resolution on 19. (1) Where the Speakers agree on the nature of a Bill in terms of Articles 109(5), 110(3) and 114 of the Constitution, the Bill shall be introduced in the originating House in accordance with the Constitution and the standing orders of the respective House.

(2) Where the Speakers fail to agree on the nature of a Bill the Bill shall not be introduced in either House of Parliament.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 19 including the heading to Part V - vote deferred.

Clause 20 - amendment proposed;

THAT the Bill be amended by deleting Clause 20 and substituting therefor the following new clause –

Presidential assent. 20. A Bill presented for presidential assent shall be accompanied by a certificate of joint resolution signed by the Speakers of the National Assembly and the Senate in the form set out in the Schedule.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 20 - vote deferred.

New Clause 3A - insertion of new clause proposed;

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

Application. 3A. This Act applies to all Bills originating in the National Assembly and the Senate.

Motion made and Question proposed;

THAT, New Clause 3A be now read a Second Time.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

New Clause 3A - vote deferred.

New Clause 6A - insertion of new clause proposed;

THAT the Bill be amended by inserting the following new clause immediately after Clause 6 –

Determination of the nature of a Bill.

- 6A. (1) The Speakers shall, in making a determination under section 6(1) and (2), take into account the criteria set out under sections 7 and 7A.
- (2) The advisory team shall, in assisting the Speakers under section 6(4), take into account the criteria set out under sections 7 and 7A.

Motion made and Question proposed;

THAT, New Clause 6A be now read a Second Time.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

New Clause 6A - vote deferred.

New Clause 7A - insertion of new clause proposed;

THAT the Bill be amended by inserting the following new clause immediately after Clause 7 –

Criteria for determining a special or ordinary Bill.

- 7A. A Bill is a special Bill if the Bill –
 - (a) relates to, affects or concerns the election of members of a county assembly or a county executive including –
 - (i) the continuous registration of citizens as voters under Articles 82(1)(c) and 88(4)(a) of the Constitution;
 - (ii) the review of the names and boundaries of the constituencies and wards by the Independent Electoral and Boundaries Commission under Articles 82(1)(a) and 89 of the Constitution;
 - (iii) the monitoring of compliance with the legislation required by Article 82(1)(b) relating to nomination of candidates by parties under Article 88(4)(k) of the Constitution;
 - (iv) the conduct of elections and referenda and the regulation and efficient supervision of elections and referenda, including the nomination of

- candidates for elections under 82(1)(d) of the Constitution;
- (v) the registration as voters of citizens residing outside Kenya under Article 82(1)(e) of the Constitution;
- (vi) the establishment of mechanisms for electoral disputes under Article 87(1) of the Constitution;
- (vii) the functions of the Independent Electoral and Boundaries Commission under Article 88 of the Constitution directly or indirectly affecting the election of members of a county assembly;
- (viii) the conduct and supervision of elections for the members of county assemblies under 177(1)(b) and (c) of the Constitution conducted by the Independent Electoral and Boundaries Commission under Article 90(2) of the Constitution;
- (ix) the allocation of airtime to political parties under Article 92(a) of the Constitution;
- (x) the regulation of freedom to broadcast for fair election campaigning under Article 92(b) of the Constitution;
- (xi) the regulation of political parties under Article 92(c) of the Constitution;
- (xii) the roles and functions of political parties under Article 92(d) of the Constitution;
- (xiii) the registration and supervision of political parties under Article 92(e) of the Constitution;
- (xiv) the establishment and management of a political party fund under Article 92(f) of the Constitution;
- (xv) the accounts and audit of political parties under Article 92(g) of the Constitution;
- (xvi) restrictions on the use of public resources to promote the interests of political parties

- under Article 92(h) of the Constitution; and
- (xvii) any other matter affecting the management of political parties; or
- (b) is a –
 - (i) County Allocation of Revenue Bill under Article 218(1)(b) of the Constitution; or
 - (ii) County Governments Additional Allocations Bill under Article 202(2) of the Constitution.

Motion made and Question proposed;

THAT, New Clause 7A be now read a Second Time.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

New Clause 7A - vote deferred.

New Clause 7B - insertion of new clause proposed;

THAT the Bill be amended by inserting the following new clause immediately after Clause 7 –

- Joint resolution on money Bill. 7B. (1) Before a Bill is read a First Time in the House originating the Bill, the Speaker of that House shall seek the opinion of the Speaker of the other House on whether the Bill is a money Bill.
- (2) Sections 6 and 19 shall apply, with necessary modification, in the resolution of any question as to whether a Bill is a money Bill.

Motion made and Question proposed;

THAT, New Clause 7B be now read a Second Time.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

New Clause 7B - vote deferred.

New Clause 7C - insertion of new clause proposed;

THAT the Bill be amended by inserting the following new clause immediately after Clause 7 –

Criteria for determining 7C. (1) A Bill is a money Bill within the definition

a money Bill.

of Article 114 of the Constitution if the Bill contains provisions dealing only with-

- (a) the imposition, abolition, remission, alteration or regulation of any tax;
- (b) the imposition of charges on a public fund or the variation or repeal of any of those charges;
- (c) the appropriation, receipt, custody, investment or issue of public money;
- (d) the raising or guaranteeing of any loan or its repayment; or
- (e) matters incidental to any of the matters specified under paragraphs (a) to (d).

(2) A Bill is not a money Bill within the definition of Article 114 of the Constitution if the Bill contains provisions that -

- (a) concern county governments as set out in section 7A;
- (b) the imposition of taxes by a county government;
- (c) provides for the appropriation of funds by Parliament but does not appropriate money;
- (d) the imposition of charges on a public fund or the variation or repeal of such charges by a county government;
- (e) the appropriation, receipt, custody, investment or issue of public money by a county government; or
- (f) the raising or guaranteeing of any loan or its repayment by a county government.

Motion made and Question proposed;

THAT, New Clause 7C be now read a Second Time.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

New Clause 7C - vote deferred.

New Clause 7D - insertion of new clause proposed;

THAT the Bill be amended by inserting the following new clause immediately after Clause 7 -

Consideration of 7D. (1) A Bill that meets the criteria under section 7C(1) a money Bill. may be introduced only in the National Assembly in accordance with Article 109(5) of the Constitution.

- (2) A Bill that meets the criteria under section 7C(2) may be introduced in the National Assembly or the Senate and passed by both Houses in accordance with Articles 110 to 113, Articles 122 and 123 and 109(4) of the Constitution and the Standing Orders of the respective Houses.

Motion made and Question proposed;

THAT, New Clause 7D be now read a Second Time.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

New Clause 7D - vote deferred.

New Clause 7E - insertion of new clause proposed;

THAT the Bill be amended by inserting the following new clause immediately after Clause 7 –

Concurrent determination. 7E. The determination of the nature of a Bill under Section 6(1) shall be concurrent to the determination of the nature of a Bill under Section 7B(1).

Motion made and Question proposed;

THAT, New Clause 7E be now read a Second Time.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

New Clause 7E - vote deferred.

The First Schedule - amendment proposed;

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

SCHEDULE

(s.20)

CERTIFICATE OF JOINT RESOLUTION

FORM A: Where the Bill concerns county governments

I certify that this [printed impression is a true copy of the Bill as passed by the [Originating House] onand by the [other House] on and that the Speakers jointly resolved the question, pursuant to Article 110(3) of the Constitution, that this is a Bill concerning county governments.

Clerk of the [originating House]

*Speaker of the
[originating House]*

Clerk of the [other House]

*Speaker of the
[other House]*

Presented for assent in accordance with the provisions of the Constitution of Kenya on theday of at the hour of

Speaker of the [originating House]

FORM B: Where the Bill does not concern county governments

I certify that this printed impression is a true copy of the Bill as passed by the [Originating House] onand by the [other House] on and that the Speakers jointly resolved the question, pursuant to Article 110(3) of the Constitution, that this is not a Bill concerning county governments in terms of Article 110(1) of the Constitution.

Clerk of the [originating House]

*Speaker of the
[originating House]*

Clerk of the [other House]

*Speaker of
the [other House]*

Presented for assent in accordance with the provisions of the Constitution of Kenya on theday of at the hour of

Speaker of the [originating House]

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

The First Schedule - vote deferred.

The Second Schedule - amendment proposed;

THAT the Bill be amended by deleting the Second Schedule

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

The Second Schedule - vote deferred.

Clause 2 - amendment proposed;

THAT Clause 2 of the Bill be amended by –

- (a) deleting the definition of the word “Bill concerning county governments”;
- (b) deleting the definition of the word “Bill not concerning county governments”;
- (c) deleting the definition of the word “Houses of Parliament” and substituting therefor the following new definition –
“House” means the National Assembly or the Senate;
- (d) deleting the definition of the word “mediation committee”;
- (e) deleting the definition of the word “money Bill”; and
- (f) deleting the definition of the word “second house”.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 2 - vote deferred.

Preamble - amendment proposed;

THAT the Bill be amended by deleting the preamble

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Preamble - vote deferred.

Long Title - amendment proposed;

THAT the Bill be amended by deleting the long title to the Bill and substituting therefor the following new title –

AN ACT of Parliament to give effect to Articles 109(5), 110(3) and 114 of the Constitution; to provide the procedure for the Speakers of the National Assembly and the Senate to determine the nature of a Bill; and for connected purposes.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Long Title - vote deferred.

Clause 1 - amendment proposed;

THAT the Bill be amended by deleting Clause 1 and substituting therefor the following new clause –

The Bicameral Legislative (Procedure) Bill, 2023.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

Clause 1 - vote deferred.

Progress Report

Motion made –

THAT, the Committee of the Whole House do report to the Senate its consideration of the Houses of Parliament (Bicameral Relations) Bill (National Assembly Bills No. 44 of 2023) and seek leave to sit again tomorrow

(Sen. Eddy Oketch, MP)

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

Question put and agreed to.

32. **HOUSE RESUMED** – (Temporary Speaker (Sen. Veronica Maina, MP) – in the Chair)

33. **THE HOUSES OF PARLIAMENT (BICAMERAL RELATIONS) BILL (NATIONAL ASSEMBLY BILLS NO. 44 OF 2023)**

Progress reported;

Motion made and Question proposed;

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

(Sen. Eddy Oketch, MP)

There being no Senator wishing to contribute;

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

Question put and agreed to.

34. **COMMITTEE OF THE WHOLE**

Order for the Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Wakili Hillary Sigei, MP) – in the Chair)

The Public Transport (Motorcycle Regulation) Bill (Senate Bills No. 38 of 2023)

Clause 3

Motion made and Question proposed;

THAT, Clause 3 be part of the Bill.

(Sen. (Dr.) Boni Khalwale, MP)

Clause 3 - vote deferred

Clause 4 - amendment proposed

THAT Clause 4 of the Bill be amended—

(a) by inserting the following new clause immediately before clause 4—

Roles of the County executive committee member.

3A. (1) The county executive committee member shall be responsible for the regulation, management, and coordination of all matters relating to the motorcycle transport sector within the county.

(2) Without prejudice to the generality of sub-section (1), the county executive committee member shall—

- (a) develop policies, regulations, and guidelines on motorcycle transport and safety matters within the county;
- (b) manage and control motorcycle transport services within the county, including registration and licensing of motorcycle riders, designate parking and routes;
- (c) ensure compliance with the provisions of this Act and any other laws related to the transport sector within the county;
- (d) conduct research and collect data on transport and safety matters within the county; and
- (e) develop and implement programs to promote road safety, including training and civic education of riders and passengers.

(b) by deleting clause 4 and substituting therefor the following new clause—

Appointment of Board

4. The County executive member may delegate the functions under section 3A to a Board.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Clause 4 - vote deferred

Clause 5 - amendment proposed

THAT Clause 5 of the Bill be amended—

- (a) by inserting the words “or their representative” immediately after the words “county attorney” in paragraph (d);
- (b) by deleting the word “four” and substituting therefor the word “two” in paragraph (f);
- (c) by deleting the word “two” and substituting therefor the word “four” in paragraph (g);
- (d) by renumbering the existing provision to subsection (1) and by inserting the following new subsection—
 - (2) While making the appointments under subsection (5), the county executive committee member shall —
 - (a) take in to consideration the one third gender rule and ensure that the youth and persons with disabilities are represented in the membership of the Board;
 - (b) ensure that two out of the four people appointed under paragraph (g) are active motorcycle riders; and
 - (c) consider the diversity in respect to the qualifications of the persons being appointed.

(Sen. Veronica Maina, MP on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Further amendment proposed

THAT clause 5 of the Bill be amended by –

- (a) deleting paragraph (f);
- (b) deleting paragraph (g) and substituting therefor the following new paragraph—
 - (f) six persons appointed by the county executive committee member responsible for matters relating to transport as follows –
 - (i) two persons representing bodaboda riders;
 - (ii) two persons representing bodaboda owners; and
 - (iii) two persons representing Savings and Cooperative Societies in the county.

(Sen. Godfrey Osotsi, MP)

(Further amendment dropped in the absence of the Senator)

Clause 5 - vote deferred

Clause 6 - amendment proposed

THAT Bill be amended by deleting clause 6 and inserting therefor the following new clauses—

- | | |
|---------------------------------|--|
| Qualifications for appointment. | 6. (1) A person qualifies to be appointed as the Chairperson of the Board if that person— <ul style="list-style-type: none"> (a) holds a degree from a university recognized in Kenya; (b) has at least five years’ experience in matters relating to transport; |
|---------------------------------|--|

- (c) has resided in the county for a period of not less than five years.; and
- (d) meets the requirements of Chapter Six of the Constitution

(2) A person qualifies to be appointed as a member of the Board, if the person—

- (a) meets the requirements of Chapter Six of the Constitution;
- (b) has not been convicted of a criminal offence which attracts imprisonment for a term not exceeding six months;
- (c) has not been adjudged bankrupt or entered into a composition or arrangement with the creditors of the person;
- (d) is not disqualified under any other written law from appointment as such; and
- (e) in the case of a member under paragraph (f) has atleast a post secondary education qualification;
- (f) in the case of a member under paragraph (g) has atleast a secondary school qualification.

Tenure of office.

of 6A. (1) The Chairperson and members of the Board, shall hold office for a term of three years and may be eligible for re-appointment for an additional final term of three years.

(2) Notwithstanding the provisions of subsection (1), the Chairperson or a member of the Board may be removed from office if that person—

- (a) has been absent from three consecutive meetings of the Committee without justifiable cause or the written permission of the Chairperson;
- (b) is adjudged bankrupt or enters into a composition or arrangement with the creditors of the person;
- (c) is convicted of an offence involving anti-economic crimes or corruption;
- (d) becomes incapable of carrying out the functions of their office due to an infirmity of mind or body;
- (e) violates Chapter Six of the Constitution; or
- (f) fails to disclose any interest in a matter under consideration by the Committee as provided for under this Act.

Remuneration of the Board.

6B. The Chairperson and the members of the Board shall be paid such sitting allowances or other remuneration for expenses as recommended by the Salaries and Remuneration Commission.

Vacancy.

6C. (1) The office of the Chairperson or a member of the Board shall become vacant if the holder—

- (a) dies;
- (b) resigns from office in writing addressed to the county executive committee member;
- (c) is absent from three consecutive meetings of the Board without good cause; or
- (d) is removed from office under subsection (2).

(2) A person may be removed as a chairperson or member of the Board if that person—

- (a) is absent without permission of the Chairperson or the county executive committee member from three consecutive meetings of the Board;
- (b) contravenes the provisions Chapter Six of the Constitution;
- (c) is incapacitated by prolonged physical or mental illness and is unable to discharge the duties of his or her office;
- (d) is convicted of an offence and imprisoned for a term of more than six months;
- (e) fails to comply with the provisions of the Act relating to disclosure of interest; or
- (f) is adjudged bankrupt or enters into a composition scheme or arrangement with his or her creditors.

Committees of the Board.

6D. The Board may establish such committees as it may consider necessary for the performance of its functions and the exercise of its powers under the Act.

Conduct of affairs and business of the County Committee.

6E. (1) The conduct of affairs and business of the Board shall be in accordance with the First Schedule of this Act.

(2) Subject to subsection (1), the Board may amend its own procedures for the better carrying out of its functions.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Clause 6 - vote deferred

Clause 7 - amendment proposed

THAT clause 7 of the Bill be amended—

- (a) by deleting subclause (1);
- (b) in subclause (2) by deleting the words “ with the Board” and substituting therefor the words “ in accordance to the Act”;
- (c) in subclause (3) by deleting the word “Board” appearing immediately after the words “made to the” and substituting therefor the words “ the county executive committee member”
- (d) in subsection (4) by deleting the word “ Board” appearing immediately after the word “The” at the beginning of the subclause and substituting therefor the words “county executive committee member;
- (e) by inserting the following new subsection immediately after subsection (5)—

(6) The county executive committee member shall submit a copy of the register to the Authority every three months.

- (f) by inserting the following new clause immediately after clause 7 –

Power to suspend or revoke certificate of registration.

7A. (1) The county executive committee member may suspend or revoke any certificate of registration issued under this Act on the grounds that the owner of the motorcycle or the rider of the motorcycle has failed or neglected to comply with the provisions of the Act.

(2) Prior to suspension of the certificate of registration under subsection (1) the county executive committee member shall—

- (a) inform the holder of a registration certificate of the reasons for the proposed suspension or revocation; and
- (b) give the holder of a registration certificate an opportunity to be heard in respect to the proposed suspension or revocation.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Clause 7 - vote deferred

Clause 8 - amendment proposed

THAT the Bill be amended by deleting clause 8.

(The Chairperson, Standing Committee on Roads, Transportation and Housing)

Clause 8 - vote deferred

Clause 9 - amendment proposed

THAT the Bill be amended by deleting clause 9 and substituting therefor the following new clause—

Cooperative Societies Membership.

9. (1) A person who owns a motorcycle for commercial purposes shall register with a Cooperative Society recognised under the Cooperative Societies Act.

Cap. 490.

(2) Each Cooperative Society shall provide proof of registration of an owner confirming their membership at the request of the county executive committee member.

(3) For purposes of this Act, the membership of an owner to a Cooperative Society shall not be for purposes of forming a gang or cartel by the owners or the riders who work for them.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Further amendment proposed

THAT clause 9 of the Bill be amended in subsection (1) by inserting the words “that relates to motorcycle riders and owners” immediately after the words “Savings and Cooperative Societies”.

(Sen. Godfrey Osotsi, MP)

(Further amendment dropped in the absence of the Senator)

Clause 9 - vote deferred

Clause 10 - amendment proposed

THAT clause 10 of the Bill be amended—

- (a) in subclause (1) by deleting the word “ Board” appearing immediately after the words “approved by the” and substituting therefor the word “Authority”
- (b) in subclause (2) by deleting the word “Board” appearing immediately after the word “The” and substituting therefor the word “Authority”
- (c) by inserting the following new subsection immediately after subsection (3)—
 - (4) The county executive committee member may provide for the manner in which the training may be offered in the local languages in the county.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Clause 10 - vote deferred

Clause 11 - amendment proposed

THAT clause 11 of the Bill be amended by inserting the following new subclause immediately after subclause (2)—

- (3) Every owner shall ensure —
 - (a) no structural modifications to the motorcycle are undertaken that may obstruct the visibility of the rear number plates;
 - (b) no structural modifications to the motorcycle are undertaken that may affect the safe operation of the motorcycle;
 - (c) no modifications to the exhaust system or any other noise abatement device of a motorcycle are done so as to cause the noise emitted by the motorcycle to be above that emitted by the motorcycle as originally manufactured.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Further amendment proposed

THAT clause 11 of the Bill be amended by inserting the following new subsection immediately after subsection (2)—

- (3) The helmet and the reflector jacket provided in subsection (2) shall have the registration number of the motorcycle embossed on the helmet and jacket.

(Sen. Godfrey Osotsi, MP)

(Further amendment dropped in the absence of the Senator)

Clause 11 - vote deferred

Clause 12 - amendment proposed

THAT clause 12 of the Bill be amended

- (a) in subsection (1)—
 - (i) by deleting the word “Board” appearing immediately after the words “issued by the” in paragraph (b) and substituting therefor the words “county executive committee member”;
 - (ii) by deleting the word “person” appearing immediately after the words “more than one” in paragraph (d) and substituting therefor the words “adult passenger”;
 - (iii) by deleting the words “passengers are carried on a proper seat with foot rests securely fixed to the motorcycle behind the rider’s seat” appearing immediately after the words “ensure that” in paragraph (e) and substituting therefor the words “a passenger is carried on a proper seat with foot rests securely fixed to the motorcycle behind the seat of the rider”; and
 - (iv) by deleting the words “loads exceeding fifty kilograms and passengers” appearing immediately after the words “ensure that” in paragraph (h) and substituting therefor the words “a load exceeding fifty kilograms and an adult passenger”
- (b) in subsection (2) by deleting the words “unless that person has a valid certificate of registration issued by the Board” appearing immediately after

the words “not ride a motorcycle” in paragraph (b) and substituting therefor the words “ that has not been duly registered under this Act”.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Clause 12 - vote deferred

Clause 13 - amendment proposed

THAT clause 13 of the Bill be amended in subclause in subsection (2)—

- (i) by deleting paragraph (a) and substituting therefor the following new paragraph—
 - (a) a child who is less than thirteen years old may be carried together with an adult passenger provided the child is seated between the rider and the adult passenger.
- (ii) by deleting paragraph (b).

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Clause 13 - vote deferred

Clause 14 - amendment proposed

THAT clause 14 of the Bill be amended in subclause (3) by deleting the word “Board” appearing immediately after the word “The” and substituting therefor the following new words “county executive committee member”

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Further amendment proposed

THAT clause 14 of the Bill be amended—

- (a) in subsection (1) by deleting the word “employment” appearing immediately after the words “enter into a written”;
- (b) in subsection (2) –
 - (i) by deleting the word “employment” appearing immediately after the word “The” in the introductory statement; and
 - (ii) in paragraph (a) by deleting the word “employment” appearing immediately after “terms and conditions of employment”; and
- (c) in subsection (3) by deleting the word “employment” appearing immediately after the words “shall develop model”.

(Sen. Godfrey Osotsi, MP)

(Further amendment dropped in the absence of the Senator)

Clause 14 - vote deferred

Clause 15 - amendment proposed

THAT clause 15 of the Bill be amended by deleting the word “Board” appearing immediately after the words “authorised by the” and substituting therefor the following new words “ county executive committee member”

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Clause 15 - vote deferred

Clause 16 - amendment proposed

THAT clause 16 (3) of the Bill be amended by deleting the word “nine” appearing immediately after the words “is less than” and substituting therefor the word “thirteen”.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Clause 16 - vote deferred

Clause 17 - amendment proposed

THAT clause 17 of the Bill be amended in subclause (1) by deleting the word “thirty kilograms for a motorcycles whose carrying capacity does not exceed fifty cc and kilograms for a motorcycle whose carrying capacity does not exceed four hundred cc” appearing immediately after the words “ is more than” in paragraph (c) and substituting therefor the word “fifty kilograms”.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Clause 17 - vote deferred

Clause 18 - amendment proposed

THAT clause 18 of the Bill be amended —
(a) in subclause (1) by deleting the words “county transport and safety board” appearing immediately after the word “The” and substituting therefor the words “county executive committee member”; and
(b) in subclause (6) “county transport and safety board” appearing immediately after the word “The” and substituting therefor the words “county executive committee member”

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Clause 18 - vote deferred

Clause 19 - amendment proposed

THAT clause 19 of the Bill be amended —

- (a) in subclause (1) by deleting the word “ Board” appearing immediately after the words “issued by the” and substituting therefor the words “county executive committee member”;
- (b) in subclause (2) “Board” appearing immediately after the word “The” and substituting therefor the words “county executive committee member”; and
- (c) in subclause (4) “Board” appearing at the beginning of the subclause and substituting therefor the words “The county executive committee member”.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Clause 19 - vote deferred

Clause 20

Motion made and Question proposed;

THAT, Clause 20 be part of the Bill.

(Sen. (Dr.) Boni Khalwale, MP)

Clause 20 - vote deferred

Clause 21 - amendment proposed

THAT the Bill be amended by deleting clause 21.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Clause 21 - vote deferred

Clause 22

Motion made and Question proposed;

THAT, Clause 22 be part of the Bill.

(Sen. (Dr.) Boni Khalwale, MP)

Clause 22 - vote deferred

Clause 23 - amendment proposed

THAT clause 23 of the Bill be amended —

- (a) in subclause (1) by deleting the word “Board” appearing immediately after the words “device approved by” and substituting therefor the words “the county executive committee member”
- (b) in subsection (2) by inserting the word “(1)” immediately after the words “to in sub-section”

- (c) in subsection (3) by deleting the word “Board” appearing immediately after the words “The” and substituting therefor the words “the county executive committee member”
- (d) in subclause (4) by deleting the word “Board” appearing immediately after the words “device to the” and substituting therefor the words “the county executive committee member”.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Clause 23 - vote deferred

Clause 24 - amendment proposed

THAT clause 24 of the Bill be amended by deleting subsection (3).

(Sen. Godfrey Osotsi, MP)

(Amendment dropped in the absence of the Senator)

Clause 24 - vote deferred

Clause 25 - amendment proposed

THAT clause 25 of the Bill be amended by deleting subsection (3).

(Sen. Godfrey Osotsi, MP)

(Amendment dropped in the absence of the Senator)

Clause 25 - vote deferred

Clause 26 - amendment proposed

THAT clause 26 of the Bill be amended by deleting the word “County Transport and Safety Board” appearing immediately after the word “The” and substituting therefor the words “county executive committee member”.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Further amendment proposed

THAT clause 26 of the Bill be amended by deleting subsection (2).

(Sen. Godfrey Osotsi, MP)

(Further amendment dropped in the absence of the Senator)

Clause 26 - vote deferred

Clause 27 - amendment proposed

THAT clause 27 of the Bill be deleted.

(Sen. Godfrey Osotsi, MP)

(Amendment dropped in the absence of the Senator)

Further amendment proposed

THAT clause 27 of the Bill be amended by deleting the word “these” appearing immediately after the words “any provision of” and substituting therefor the word “this”.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Clause 27 - vote deferred

Clause 28 - 29

Motion made and Question proposed;

THAT, Clauses 28 and 29 be part of the Bill.

(Sen. (Dr.) Boni Khalwale, MP)

Clauses 28 and 29 - vote deferred

New Clause 28A - insertion of new clause proposed

THAT, the Bill be amended by inserting the following new clause after clause 28—

County legislation. 28A. Nothing in this Act shall preclude county governments from enacting legislation related to regulation of motorcycles within its county.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

Further amendment proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 28—

County legislation. 28A. Each county may enact legislation setting out the framework for motorcycle regulation in the county.

(Sen. Godfrey Osotsi, MP)

(Further amendment dropped in the absence of the Senator)

Motion made and Question proposed;

THAT, New Clause 28A be now read a Second Time.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

New Clause 28A - vote deferred

New Clause 30 - insertion of new clause proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 29 –

Consequential amendments. 30. Section 21 and 22 of the National Transport and Safety Act are repealed.

Motion made and Question proposed;

THAT, New Clause 30 be now read a Second Time.

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

New Clause 30 - vote deferred

New Schedule - insertion of new schedule proposed

CONDUCT OF BUSINESS AND AFFAIRS
OF BOARD

Meetings of the Board.

1. (1) The Board shall meet at least once in every three months to conduct the business of the Board.

(2) The Chairperson shall convene the ordinary meetings of the Board.

(3) Despite the provisions of subparagraph (1), the Chairperson shall, upon a written request by at least five members, convene a special meeting of the Board at any time where the chairperson considers it expedient for the transaction of the business.

(4) Unless three quarters of the total number of the members of the Board otherwise agree, at least fourteen days written notice of every meeting shall be given to every by the respective Secretary.

(5) The quorum for the conduct of the business of the Board shall be five members.

(6) The chairperson shall preside at every meeting of the Board at which the Chairperson is present and in the Chairperson’s absence, the members present shall elect one person from their number to

preside over the meeting and that person shall have all the powers of the Chairperson.

(7) Unless a unanimous decision is reached, a decision on any matter before the Board shall be by a majority of the votes of the members present and voting and in the case of an equality of votes, the Chairperson or person presiding over the meeting shall have a casting vote.

(8) The proceedings of the Board shall not be invalidated by reason of a vacancy within its membership.

(9) Subject to provisions of this Schedule, the Board may determine its own procedure and for the attendance of other persons at its meetings thereof.

Disclosure of Interest.

2. (1) If a member of the Board is directly or indirectly interested in any matter before the Council or the county e-waste committee and is present at the respective meeting at which the matter is the subject of consideration, that member shall, at the meeting and as soon as reasonably practicable after the commencement thereof, disclose the member's interest in the matter and shall not take part in the deliberations relating to the matter, or vote on, the matter.

(2) A disclosure of interest made under this paragraph shall be recorded in the minutes of the meeting at which it is made.

Motion made and Question proposed;

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

(Sen. Veronica Maina, MP, on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

New schedule

- vote deferred

Clause 2

- amendment proposed

THAT clause 2 of the Bill is amended by deleting the definition of the term "employment contract" and substituting therefor the following new definition—

"contract" means a written or oral agreement between the owner of a motorcycle and a rider which provides the terms and conditions of engagement, including wages, working hours, duties and responsibilities and other relevant matters.

(Sen. Godfrey Osotsi, MP)

(Amendment dropped in the absence of the Senator)

Clause 2 - vote deferred

Title and Clause 1

Motion made and Question proposed;

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

(Sen. (Dr.) Boni Khalwale, MP)

Title and Clause 1 - vote deferred

Progress Report

Motion made –

THAT, the Committee of the Whole House do report to the Senate its consideration of the the Public Transport (Motorcycle Regulation) Bill (Senate Bills No. 38 of 2023) and seek leave to sit again tomorrow

(Sen. (Dr. Boni Khalwale, MP)

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

Question put and agreed to.

35. **HOUSE RESUMED** – (Temporary Speaker (Sen. Veronica Maina, MP) – in the Chair)

36. **THE PUBLIC TRANSPORT (MOTORCYCLE REGULATION) BILL (SENATE BILLS NO. 38 OF 2023)**

Progress reported;

Motion made and Question proposed;

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

(Sen. (Dr. Boni Khalwale, MP)

There being no Senator wishing to contribute;

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

Question put and agreed to.

37. **COMMITTEE OF THE WHOLE**
THE POLITICAL PARTIES (AMENDMENT) (NO. 2) BILL (SENATE BILLS NO. 26 OF 2024)

(The Senate Majority Leader and the Senate Minority Leader)

Order for Committee read;

Order deferred.

The Temporary Speaker (Sen. Veronica Maina, MP), for the convenience of the Senate, pursuant to Standing Order 34(2A), adjourned the Senate at thirty-seven minutes past Six O'clock, without Question put.

38. **SENATE ROSE** – at thirty-seven minutes past Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, November 20, 2024 at 9:30 am*

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