



REPUBLIC OF KENYA

THE SENATE

ELEVENTH PARLIAMENT – THIRD SESSION

VOTES AND PROCEEDINGS

WEDNESDAY, APRIL 01, 2015 AT 2.30 P.M.

1. The Senate assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer.
3. **COMMUNICATION FROM THE CHAIR ON THE VISITING SPEAKER AND CLERK FROM MERU COUNTY ASSEMBLY**

The Speaker made the following Communication from the Chair-

"Honorable Senators,

I am pleased to acknowledge and to welcome to the Senate this afternoon, the Speaker and the Clerk of Meru County Assembly who are seated in the Speaker's Gallery.

I request that when their names are called out, they stand so that they may be acknowledged in our usual Senate tradition.

1. Hon. Joseph Kaderia Arimba - Speaker of Meru County Assembly; and
2. Mr. Justus K. Arithi - Clerk of Meru County Assembly.

Honorable Senators,

I take this opportunity on behalf of the Senate and on my own behalf, to wish the Speaker and the Clerk of Meru County Assembly a happy and fruitful visit.

I Thank You".

4. MESSAGE FROM THE NATIONAL ASSEMBLY ON THE APPROVAL OF PERSONS WITH DISABILITIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 43 OF 2013), THE CLIMATE CHANGE BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2014) AND THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2015)

Pursuant to Standing Order 40 (3) and (4), the Speaker conveyed the following Message from the National Assembly:-

"PURSUANT to the provisions of standing orders 41 and 42 of the National Assembly Standing Orders, I hereby convey the following message from the National Assembly-

WHEREAS the Climate Change Bill (National Assembly Bill No. 1 of 2014), the Persons with Disabilities (Amendment) Bill (National Assembly Bill No. 43 of 2013) and the Division of Revenue Bill (National Assembly Bill No. 11 of 2015) were published vide the Kenya Gazette Supplements No. 43 of 22nd November, 2013, No. 3 of 20th January, 2014 and No. 28 of 18th March, 2015 and passed by the National Assembly on 5th March, 11th March and 25th March 2015 respectively;

NOW THEREFORE, in accordance with provisions of Article 110 (4) of the Constitution and Standing Order 142 of the National Assembly Standing Orders, I hereby forward the said Bills to the Senate, the effect of which is to seek the concurrence of the Senate on the said Bills."

Honourable Senators,

Standing Order No. 148 requires that a Bill which originates in the National Assembly be proceeded with by the Senate in the same manner as a Bill introduced in the Senate by way of First Reading in accordance with Standing Order No. 129.

I now direct that the three Bills be read a First Time at Orders 8, 9 and 10 in today's Order Paper.

I thank you."

5. PETITION BY FAMILY MEMBERS, RELATIVES AND FRIENDS OF KENYAN WORKERS IN SAUDI ARABIA, CALLING FOR THE PROTECTION OF KENYAN DOMESTIC WORKERS IN SAUDI ARABIA AND THE MIDDLE EAST

Pursuant to Standing Order 225 (2) (a), the Nominated Senator (Sen. Getrude Mburu) presented a petition by family members, relatives and friends of Kenyan workers in Saudi Arabia, calling for the protection of

Kenyan Domestic Workers in Saudi Arabia and the Middle East.

Pursuant to Standing Order 226, the Deputy Speaker allowed comments on the petition.

Thereafter, pursuant to Standing Order 227 (1), the Deputy Speaker directed that the petition be committed to the Standing Committee on National Security and Foreign Relations.

6. **PETITION BY MEMBERS OF THE PUBLIC OF BOMET COUNTY ON EMBEZZLEMENT OF FUNDS, FINANCIAL IMPROPRIETY AND SKEWED EMPLOYMENT BY THE BOMET COUNTY GOVERNMENT**

Pursuant to Standing Order 225 (2) (a), the Senator for Bomet County (Sen. (Prof.) Wilfred Lesan) presented a petition by members of the Public of Bomet County on embezzlement of funds, financial impropriety and skewed employment by the Bomet County Government.

Pursuant to Standing Order 226, the Deputy Speaker allowed comments on the petition.

Thereafter, pursuant to Standing Order 227 (1), the Deputy Speaker directed that the petition be committed to the Standing Committee on Finance, Commerce and Budget and further that due to cross-cutting issues in the petition, the Standing Committee on Finance, Commerce and Budget works jointly with the County Public Accounts and Investments Committee.

7. **PAPERS LAID**

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

- i) Report of the Standing Committee on Finance, Commerce and Budget on operations of Makueni County Assembly;
- ii) Report of the Commission on Revenue Allocation on the recommended County Governments Budget ceilings on recurrent expenditures for new structures for the financial Year 2015/16 pursuant to section 107 (2A) of the Public Finance Management Act;
(Chairperson, Standing Committee on Finance, Commerce and Budget)
- iii) Report of the Standing Committee on Health on the Petition by residents of Owino Ouru village, Mombasa County;
(Vice-Chairperson, Standing Committee on Health)
- iv) Report of the Standing Committee on Energy on Fact Finding visit to Mui Basin, Kitui County on 3rd September, 2014;
(Chairperson, Standing Committee on Energy)
- v) Report of the Standing committee on Legal Affairs and Human Rights on the Public Service (Values and Principles) Bill (National Assembly Bill No. 29 of 2014).
(Vice-Chairperson, Standing Committee on Legal Affairs and Human Rights)

vi) The Parliamentary Service Commission Report for the Financial Year 2013/2014.

(Sen. Sammy Leshore)

8. **NOTICE OF MOTION**-(Chairperson, Standing Committee on Energy)

THAT, this House adopts the Report of the Standing Committee on Energy on the Fact Finding Visit to Mui Basin in Kitui County on 3rd September, 2014 laid on the Table of the House on Wednesday 1st April, 2015.

9. **STATEMENTS PURSUANT TO STANDING ORDER 45 (2) (b)**

The Senator for Kakamega County (Sen. (Dr.) Boni Khalwale) sought a statement from the Chairperson of the Standing Committee on Legal Affairs and Human Rights regarding the circumstances around the resignation of Prof. Jane Onsongo as a Commissioner in the Ethics and Anti-Corruption Commission and the impact of her resignation on the operations of the Commission.

10. **THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.43 OF 2013)**

(The Senate Majority Leader)

Order for First Reading read;

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

11. **THE CLIMATE CHANGE BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2014)**

(The Senate Majority Leader)

Order for First Reading read;

Bill read a First Time and committed to the Standing Committee on Land and Natural Resources.

12. **THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2015)**

(The Senate Majority Leader)

Order for First Reading read;

Bill read a First Time and committed to the Standing Committee on Finance, Commerce and Budget.

13. **THE NATIONAL DROUGHT MANAGEMENT AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO. 8 OF 2014)**

(The Senate Majority Leader)

Order for Second Reading Read;

Motion made and Question proposed-

THAT, the National Drought Management Authority Bill (National Assembly Bill No. 42 of 2013) be now read a Second Time.

(Senate Majority Leader – 25.03.2015 (morning sitting))

Debate interrupted on Wednesday, 25th March, 2015 (afternoon sitting) resumed on a Division;

The Deputy Speaker directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the Division Bell be rung for five minutes;

After the expiry of five minutes, the Deputy Speaker directed that the bar be drawn and the doors be locked and requested Senators to log-in using their cards;

The Deputy 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 the provisions of Standing Order 74 (5), the Deputy Speaker allowed four Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**-

1. Sen. Hassan Abdirahman Ali
2. Sen. Moi Gideon Kipsielei
3. Sen. Murungi Kiraitu
4. Sen. Wetang'ula Moses Masika

Upon a Division, Question agreed to.

The results of the Division were as follows-

AYES – 32

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Adan Kerrow
2. Sen. Bule Ali Abdi
3. Sen. Chelule Liza - on behalf of Nakuru County delegation
4. Sen. Chiaba Abu Mohamed
5. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
6. Sen. Haji Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali - voted verbally
9. Sen. Kariuki Godfrey Gitahi
10. Sen. Kembi Gitura
11. Sen. Khalwale Boni
12. Sen. Khaniri George

13. Sen. Kimani Paul Wamatangi
14. Sen. Kindiki Kithure
15. Sen. Kivuti Lenny
16. Sen. Kiyonga John Munyes
17. Sen. Kutu Mohamed Abdi
18. Sen. Lesan Wilfred Rotich
19. Sen. Leshore Sammy Prisa
20. Sen. Machage Wilfred Gisuka
21. Sen. Moi Gideon Kipsielei - voted verbally
22. Sen. Muriuki Karue Muriuki
23. Sen. Murkomen Onesmus Kipchumba
24. Sen. Murungi Kiraitu - voted verbally
25. Sen. Muthama Johnson Nduya
26. Sen. Ntutu Stephen
27. Sen. Obure Christopher Mogere
28. Sen. Okong'o Kennedy Mong'are
29. Sen. Orengo James
30. Sen. Sang Stephen Kipyego
31. Sen. Wetang'ula Moses Masika -voted verbally
32. Sen. Zani Agnes - on behalf of Kwale County delegation

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

14. **THE MINING BILL (NATIONAL ASSEMBLY BILL NO. 8 OF 2014)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Mining Bill (National Assembly Bill No. 8 of 2014) be now read a Second time.

(Senate Majority Leader – 25.03.2015 (afternoon sitting))

Debate interrupted on Wednesday, 25th March, 2015 (afternoon sitting) resumed on a Division;

The Deputy Speaker directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the Division Bell be rung for five minutes;

After the expiry of five minutes, the Deputy Speaker directed that the bar be drawn and the doors be locked and requested Senators to log-in using their cards;

The Deputy 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 the provisions of Standing Order 74 (5), the Deputy Speaker allowed five Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as "Yes"-

1. Sen. Hassan Abdirahman Ali
2. Sen. Machage Wilfred Gisuka
3. Sen. Moi Gideon Kipsielei
4. Sen. Murungi Kiraitu
5. Sen. Wetang'ula Moses Masika

Upon a Division, Question agreed to.

The results of the Division were as follows-

AYES - 33

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Bule Ali Abdi
3. Sen. Chelule Liza - on behalf of Nakuru County delegation
4. Sen. Chiaba Abu Mohamed
5. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
6. Sen. Haji Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali - voted verbally
9. Sen. Kariuki Godfrey Gitahi
10. Sen. Kembi Gitura
11. Sen. Khalwale Boni
12. Sen. Khaniri George
13. Sen. Kimani Paul Wamatangi
14. Sen. Kindiki Kithure
15. Sen. Kittony Zipporah
16. Sen. Kivuti Lenny
17. Sen. Kiyonga John Munyes
18. Sen. Kuti Mohamed Abdi
19. Sen. Lesan Wilfred Rotich
20. Sen. Leshore Sammy Prisa
21. Sen. Machage Wilfred Gisuka - voted verbally
22. Sen. Moi Gideon Kipsielei - voted verbally
23. Sen. Muriuki Karue Muriuki
24. Sen. Murkomen Onesmus Kipchumba
25. Sen. Murungi Kiraitu - voted verbally
26. Sen. Muthama Johnson Nduya
27. Sen. Ntutu Stephen
28. Sen. Obure Christopher Mogere
29. Sen. Okong'o Kennedy Mong'are
30. Sen. Orengo James
31. Sen. Sang Stephen Kipyego
32. Sen. Wetang'ula Moses Masika- voted verbally
33. Sen. Zani Agnes - on behalf of Kwale County delegation

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

15. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Kipchumba Murkomen– in the Chair)

i) The Public Service (Values and Principles) Bill (National Assembly Bill No. 29 Of 2014)

Clauses 3, 4, 5, 6, 9, 10, 11, 12, 14, 16 and 17

Motion made and question proposed;

THAT Clauses **3, 4, 5, 6, 9, 10, 11, 12, 14, 16 and 17** be part of the Bill.

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

The Acting Chairperson 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 74 (5), the Acting Chairperson allowed two Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**-

1. Sen. Madzayo Stewart
2. Sen. Orengo James

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 30

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow

2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Chelule Liza - on behalf of Nakuru County delegation
5. Sen. Chiaba Abu Mohamed
6. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
7. Sen. Haji Mohammed Yusuf
8. Sen. Hargura Godana
9. Sen. Hassan Abdirahman Ali
10. Sen. Hassan Omar Hassan
11. Sen. Khalwale Boni
12. Sen. Khaniri George
13. Sen. Kilonzo Mutula Junior
14. Sen. Kimani Paul Wamatangi
15. Sen. Kindiki Kithure – Voted
16. Sen. Kiyonga John Munyes
17. Sen. Kuti Mohamed Abdi
18. Sen. Lesan Wilfred Rotich
19. Sen. Leshore Sammy Prisa
20. Sen. Machage Wilfred Gisuka
21. Sen. Madzayo Stewart - voted verbally
22. Sen. Moi Gideon Kipsielei
23. Sen. Muriuki Karue Muriuki
24. Sen. Murkomen Onesmus Kipchumba
25. Sen. Murungi Kiraitu
26. Sen. Ndiema Henry Tiolo
27. Sen. Obure Christopher Mogere
28. Sen. Okong'o Kennedy Mong'are
29. Sen. Orengo James - voted verbally
30. Sen. Sang Stephen Kipyego

Clause 7

Motion made and question proposed;

THAT, Clause 7 be part of the Bill.

Amendment proposed

Motion made and question proposed;

THAT, Clause 7 be amended by deleting sub-clause (6) and substituting therefor the following new sub-clause-

- (6) Every public institution shall -
 - (a) develop standards for the responsive, prompt, effective, impartial and equitable provision of services;
 - (b) facilitate the introduction of modern and innovative procedures, technologies and systems for the delivery of its services;
 - (c) simplify its procedures and ease formalities related to access and delivery of its services;

- (d) ensure the adaptability of public services to the needs of the public;
- (e) ensure that its services are delivered closer to the users of the services; and
- (f) develop mechanisms for monitoring and evaluating the effectiveness of public service delivery.

(Vice-Chairperson, Standing Committee on Legal Affairs and Human Rights)

Debate arising;

The House proceeded to a Division on the proposed amendment.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

The Acting Chairperson 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 74 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**-

- 1. Sen. Chelule Liza
- 2. Sen. Kariuki Godfrey Gitahi
- 3. Sen. Lesan Wilfred Rotich
- 4. Sen. Madzayo Stewart
- 5. Sen. Muriuki Karue

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

- 1. Sen. Billow Kerrow
- 2. Sen. Boy Juma Boy
- 3. Sen. Bule Ali Abdi
- 4. Sen. Chelule Liza-voted verbally on behalf of Nakuru County delegation
- 5. Sen. Chiaba Abu Mohamed
- 6. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
- 7. Sen. Haji Mohammed Yusuf
- 8. Sen. Hargura Godana
- 9. Sen. Hassan Abdirahman Ali
- 10. Sen. Hassan Omar Hassan
- 11. Sen. Kariuki Godfrey Gitahi - voted verbally
- 12. Sen. Khalwale Boni
- 13. Sen. Khaniri George

14. Sen. Kilonzo Mutula Junior
15. Sen. Kimani Paul Wamatangi
16. Sen. Kindiki Kithure
17. Sen. Kiyonga John Munyes
18. Sen. Kuti Mohamed Abdi
19. Sen. Lesan Wilfred Rotich - voted verbally
20. Sen. Leshore Sammy Prisa
21. Sen. Machage Wilfred Gisuka
22. Sen. Madzayo Stewart - voted verbally
23. Sen. Moi Gideon Kipsielei
24. Sen. Muriuki Karue Muriuki - voted verbally
25. Sen. Murkomen Onesmus Kipchumba
26. Sen. Murungi Kiraitu
27. Sen. Ndiema Henry Tiolo
28. Sen. Obure Christopher Mogere
29. Sen. Okong'o Kennedy Mong'are
30. Sen. Orenge James
31. Sen. Sang Stephen Kipyego

Clause 8

Motion made and question proposed;

THAT, Clause 8 be part of the Bill.

Amendment proposed

Motion made and question proposed;

THAT, Clause 8 of the Bill be amended in sub-clause (2) by inserting the words "and accountability" at the end of the sub-clause.

(Vice-Chairperson, Standing Committee on Legal Affairs and Human Rights)

Debate arising;

The House proceeded to a Division on the proposed amendment.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

The Acting Chairperson 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 74 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**-

1. Sen. Chelule Liza

2. Sen. Kariuki Godfrey Gitahi
3. Sen. Lesan Wilfred Rotich
4. Sen. Madzayo Stewart
5. Sen. Muriuki Karue

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Chelule Liza - voted verbally on behalf of Nakuru County delegation
5. Sen. Chiaba Abu Mohamed
6. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
7. Sen. Haji Mohammed Yusuf
8. Sen. Hargura Godana
9. Sen. Hassan Abdirahman Ali
10. Sen. Hassan Omar Hassan
11. Sen. Kariuki Godfrey Gitahi - voted verbally
12. Sen. Khalwale Boni
13. Sen. Khaniri George
14. Sen. Kilonzo Mutula Junior
15. Sen. Kimani Paul Wamatangi
16. Sen. Kindiki Kithure
17. Sen. Kiyonga John Munyes
18. Sen. Kuti Mohamed Abdi
19. Sen. Lesan Wilfred Rotich - voted verbally
20. Sen. Leshore Sammy Prisa
21. Sen. Machage Wilfred Gisuka
22. Sen. Madzayo Stewart - voted verbally
23. Sen. Moi Gideon Kipsielei
24. Sen. Muriuki Karue Muriuki - voted verbally
25. Sen. Murkomen Onesmus Kipchumba
26. Sen. Murungi Kiraitu
27. Sen. Ndiema Henry Tiole
28. Sen. Obure Christopher Mogere
29. Sen. Okong'o Kennedy Mong'are
30. Sen. Orengo James
31. Sen. Sang Stephen Kipyego

Clause 13

Motion made and question proposed;

THAT, Clause 13 be part of the Bill.

Amendment proposed

Motion made and question proposed;

THAT, Clause 13 of the Bill be amended-

(a) by inserting the following new sub-clauses immediately after sub-clause (3)-

(i) (3A) If after three months a service Commission has not investigated and determined a complaint, the officer responsible for handling the complaint shall give the complainant satisfactory reasons, in writing, for noncompliance.

(ii) (3B) Appropriate disciplinary action shall be taken against any officer who is found to have unreasonably delayed in handling a complaint made to the service Commission.

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

(4) A person aggrieved by the decision of a service Commission may seek judicial redress.

(Vice-Chairperson, Standing Committee on Legal Affairs and Human Rights)

Debate arising;

The House proceeded to a Division on the proposed amendment.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

The Acting Chairperson 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 74 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**-

1. Sen. Chelule Liza
2. Sen. Kariuki Godfrey Gitahi
3. Sen. Lesan Wilfred Rotich
4. Sen. Madzayo Stewart
5. Sen. Muriuki Karue

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 31NOES - 0ABSTENTIONS - 0**AYES**

1. Sen. Billow Kerrow
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Chelule Liza -voted verbally on behalf of Nakuru County delegation
5. Sen. Chiaba Abu Mohamed
6. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
7. Sen. Haji Mohammed Yusuf
8. Sen. Hargura Godana
9. Sen. Hassan Abdirahman Ali
10. Sen. Hassan Omar Hassan
11. Sen. Kariuki Godfrey Gitahi - voted verbally
12. Sen. Khalwale Boni
13. Sen. Khaniri George
14. Sen. Kilonzo Mutula Junior
15. Sen. Kimani Paul Wamatangi
16. Sen. Kindiki Kithure
17. Sen. Kiyonga John Munyes
18. Sen. Kuti Mohamed Abdi
19. Sen. Lesan Wilfred Rotich - voted verbally
20. Sen. Leshore Sammy Prisa
21. Sen. Machage Wilfred Gisuka
22. Sen. Madzayo Stewart - voted verbally
23. Sen. Moi Gideon Kipsielei
24. Sen. Muriuki Karue Muriuki - voted verbally
25. Sen. Murkomen Onesmus Kipchumba
26. Sen. Murungi Kiraitu
27. Sen. Ndiema Henry Tiole
28. Sen. Obure Christopher Mogere
29. Sen. Okong'o Kennedy Mong'are
30. Sen. Orengo James
31. Sen. Sang Stephen Kipyego

Clause 15

Motion made and question proposed;

THAT, Clause 15 be part of the Bill.

Amendment proposed

Motion made and question proposed;

THAT, Clause 15 of the Bill be amended-

- (a) in sub-clause (1) by deleting the word "satisfactory" appearing immediately after the words 'a public officer to be' and substituting therefor the words "exemplary, outstanding or innovative"; and

- (b) in paragraph (b) of sub-clause (2) by deleting the word "satisfactory" appearing immediately after the words 'public officers who offer' and substituting therefor the words 'exemplary, outstanding or innovative'.

(Vice-Chairperson, Standing Committee on Legal Affairs and Human Rights)

Debate arising;

The House proceeded to a Division on the proposed amendment.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

The Acting Chairperson 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 74 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**-

1. Sen. Chelule Liza
2. Sen. Kariuki Godfrey Gitahi
3. Sen. Lesan Wilfred Rotich
4. Sen. Madzayo Stewart
5. Sen. Muriuki Karue

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Chelule Liza -voted verbally on behalf of Nakuru County delegation
5. Sen. Chiaba Abu Mohamed
6. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
7. Sen. Haji Mohammed Yusuf
8. Sen. Hargura Godana
9. Sen. Hassan Abdirahman Ali
10. Sen. Hassan Omar Hassan
11. Sen. Kariuki Godfrey Gitahi - voted verbally
12. Sen. Khalwale Boni
13. Sen. Khaniri George
14. Sen. Kilonzo Mutula Junior
15. Sen. Kimani Paul Wamatangi
16. Sen. Kindiki Kithure

17. Sen. Kiyonga John Munyes
18. Sen. Kuti Mohamed Abdi
19. Sen. Lesan Wilfred Rotich - voted verbally
20. Sen. Leshore Sammy Prisa
21. Sen. Machage Wilfred Gisuka
22. Sen. Madzayo Stewart - voted verbally
23. Sen. Moi Gideon Kipsielei
24. Sen. Muriuki Karue Muriuki - voted verbally
25. Sen. Murkomen Onesmus Kipchumba
26. Sen. Murungi Kiraitu
27. Sen. Ndiema Henry Tiole
28. Sen. Obure Christopher Mogere
29. Sen. Okong'o Kennedy Mong'are
30. Sen. Orengo James
31. Sen. Sang Stephen Kipyego.

Clause 2, the Title and Clause 1

Motion made and question proposed;

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

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

The Acting Chairperson 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 74 (5), the Chairperson allowed two Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**-

1. Sen. Kariuki Godfrey Gitahi
2. Sen. Madzayo Stewart

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 30

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Chelule Liza - on behalf of Nakuru County delegation
5. Sen. Chiaba Abu Mohamed
6. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
7. Sen. Haji Mohammed Yusuf
8. Sen. Hargura Godana
9. Sen. Hassan Abdirahman Ali
10. Sen. Hassan Omar Hassan
11. Sen. Kariuki Godfrey Gitahi - voted verbally
12. Sen. Khalwale Boni
13. Sen. Khaniri George
14. Sen. Kilonzo Mutula Junior
15. Sen. Kimani Paul Wamatangi
16. Sen. Kindiki Kithure – Voted
17. Sen. Kiyonga John Munyes
18. Sen. Kuti Mohamed Abdi
19. Sen. Lesan Wilfred Rotich
20. Sen. Leshore Sammy Prisa
21. Sen. Machage Wilfred Gisuka
22. Sen. Madzayo Stewart - voted verbally
23. Sen. Moi Gideon Kipsielei
24. Sen. Muriuki Karue Muriuki
25. Sen. Murkomen Onesmus Kipchumba
26. Sen. Murungi Kiraitu
27. Sen. Ndiema Henry Tiole
28. Sen. Okong'o Kennedy Mong'are
29. Sen. Orengo James
30. Sen. Sang Stephen Kipyego

Motion made-

That, the Bill be reported with amendments;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson of Committees (Sen. Murkomen) ruled that the question did not affect counties;

Question put and agreed to.

ii) The Environmental Management and Co-ordination (Amendment) Bill (National Assembly Bill No. 31 of 2014)

Clauses 3, 4, 5, 6, 7, 8, 11, 13-19, 21, 22, 24, 26-39, 41-80

Motion made and question proposed;

THAT Clauses **3, 4, 5, 6, 7, 8, 11, 13-19, 21, 22, 24, 26-39, 41-80 17** be part of the Bill.

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

The Acting Chairperson 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 74 (5), the Acting Chairperson allowed two Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**-

1. Sen. Kariuki Godfrey Gitahi
2. Sen. Madzayo Stewart

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Chelule Liza - voted on behalf of Nakuru County delegation
5. Sen. Chiaba Abu Mohamed
6. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
7. Sen. Haji Mohammed Yusuf
8. Sen. Hargura Godana
9. Sen. Hassan Abdirahman Ali
10. Sen. Hassan Omar Hassan
11. Sen. Kariuki Godfrey Gitahi - voted verbally
12. Sen. Khalwale Boni
13. Sen. Khaniri George
14. Sen. Kilonzo Mutula Junior
15. Sen. Kimani Paul Wamatangi
16. Sen. Kindiki Kithure – Voted
17. Sen. Kiyonga John Munyes
18. Sen. Kuti Mohamed Abdi

19. Sen. Lesan Wilfred Rotich
20. Sen. Leshore Sammy Prisa
21. Sen. Machage Wilfred Gisuka
22. Sen. Madzayo Stewart - voted verbally
23. Sen. Moi Gideon Kipsielei
24. Sen. Muriuki Karue Muriuki
25. Sen. Murkomen Onesmus Kipchumba
26. Sen. Murungi Kiraitu
27. Sen. Ndiema Henry Tiole
28. Sen. Obure Christopher Mogere
29. Sen. Okong'o Kennedy Mong'are
30. Sen. Orengo James
31. Sen. Sang Stephen Kipyego

Clause 9

Motion made and question proposed;

THAT, Clause 9 be part of the Bill.

Amendment proposed

Motion made and question proposed;

THAT, Clause 9 of the Bill be amended in paragraph (a), in the proposed new paragraph (ba), by inserting the words "and their utilization and conservation", immediately after the words "in Kenya".

(Vice-Chairperson, Standing Committee on Land and Natural Resources)

Debate arising;

The House proceeded to a Division on the proposed amendment.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

The Acting Chairperson 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 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as "**Yes**"-

1. Sen. Kariuki Godfrey Gitahi
2. Sen. Madzayo Stewart
3. Sen. Ndiema Henry Tiole

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Chelule Liza - on behalf of Nakuru County delegation
5. Sen. Chiaba Abu Mohamed
6. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
7. Sen. Haji Mohammed Yusuf
8. Sen. Hargura Godana
9. Sen. Hassan Abdirahman Ali
10. Sen. Hassan Omar Hassan
11. Sen. Kariuki Godfrey Gitahi - voted verbally
12. Sen. Khalwale Boni
13. Sen. Khaniri George
14. Sen. Kilonzo Mutula Junior
15. Sen. Kimani Paul Wamatangi
16. Sen. Kindiki Kithure – Voted
17. Sen. Kiyonga John Munyes
18. Sen. Kuti Mohamed Abdi
19. Sen. Lesan Wilfred Rotich
20. Sen. Leshore Sammy Prisa
21. Sen. Machage Wilfred Gisuka
22. Sen. Madzayo Stewart - voted verbally
23. Sen. Moi Gideon Kipsielei
24. Sen. Muriuki Karue Muriuki
25. Sen. Murkomen Onesmus Kipchumba
26. Sen. Murungi Kiraitu
27. Sen. Ndiema Henry Tiole - voted verbally
28. Sen. Obure Christopher Mogere
29. Sen. Okong'o Kennedy Mong'are
30. Sen. Orengo James
31. Sen. Sang Stephen Kipyego

Clause 10

Motion made and question proposed;

THAT, Clause 10 be part of the Bill.

Amendment proposed

Motion made and question proposed;

THAT, Clause 10 of the Bill be amended in paragraph (d), by deleting the proposed new subsection(1)(f) and substituting therefor the following new subsection-

(1)(f) one person nominated by the Council of County Governors.

(Vice-Chairperson, Standing Committee on Land and Natural Resources)

Debate arising;

The House proceeded to a Division on the proposed amendment.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

The Acting Chairperson 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 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**-

1. Sen. Kariuki Godfrey Gitahi
2. Sen. Madzayo Stewart
3. Sen. Ndiema Henry Tiole

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Chelule Liza - on behalf of Nakuru County delegation
5. Sen. Chiaba Abu Mohamed
6. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
7. Sen. Haji Mohammed Yusuf
8. Sen. Hargura Godana
9. Sen. Hassan Abdirahman Ali
10. Sen. Hassan Omar Hassan
11. Sen. Kariuki Godfrey Gitahi - voted verbally
12. Sen. Khalwale Boni
13. Sen. Khaniri George
14. Sen. Kilonzo Mutula Junior

15. Sen. Kimani Paul Wamatangi
16. Sen. Kindiki Kithure – Voted
17. Sen. Kiyonga John Munyes
18. Sen. Kuti Mohamed Abdi
19. Sen. Lesan Wilfred Rotich
20. Sen. Leshore Sammy Prisa
21. Sen. Machage Wilfred Gisuka
22. Sen. Madzayo Stewart - voted verbally
23. Sen. Moi Gideon Kipsielei
24. Sen. Muriuki Karue Muriuki
25. Sen. Murkomen Onesmus Kipchumba
26. Sen. Murungi Kiraitu
27. Sen. Ndiema Henry Tiole - voted verbally
28. Sen. Obure Christopher Mogere
29. Sen. Okong'o Kennedy Mong'are
30. Sen. Orengo James
31. Sen. Sang Stephen Kipyego

Clause 12

Motion made and question proposed;

THAT, Clause 12 be part of the Bill.

Amendment proposed

Motion made and question proposed;

THAT, Clause 12 of the Bill be amended in the marginal note of the proposed new section 14 by deleting the word "Board" appearing immediately after the words "of the" and substituting therefor the word "Director-General and Directors".

(Vice-Chairperson, Standing Committee on Land and Natural Resources)

Debate arising;

The House proceeded to a Division on the proposed amendment.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

The Acting Chairperson 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 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**-

1. Sen. Kariuki Godfrey Gitahi
2. Sen. Madzayo Stewart
3. Sen. Ndiema Henry Tiole

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Chelule Liza - on behalf of Nakuru County delegation
5. Sen. Chiaba Abu Mohamed
6. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
7. Sen. Haji Mohammed Yusuf
8. Sen. Hargura Godana
9. Sen. Hassan Abdirahman Ali
10. Sen. Hassan Omar Hassan
11. Sen. Kariuki Godfrey Gitahi - voted verbally
12. Sen. Khalwale Boni
13. Sen. Khaniri George
14. Sen. Kilonzo Mutula Junior
15. Sen. Kimani Paul Wamatangi
16. Sen. Kindiki Kithure – Voted
17. Sen. Kiyonga John Munyes
18. Sen. Kuti Mohamed Abdi
19. Sen. Lesan Wilfred Rotich
20. Sen. Leshore Sammy Prisa
21. Sen. Machage Wilfred Gisuka
22. Sen. Madzayo Stewart - voted verbally
23. Sen. Moi Gideon Kipsielei
24. Sen. Muriuki Karue Muriuki
25. Sen. Murkomen Onesmus Kipchumba
26. Sen. Murungi Kiraitu
27. Sen. Ndiema Henry Tiole - voted verbally
28. Sen. Obure Christopher Mogere
29. Sen. Okong'o Kennedy Mong'are
30. Sen. Orengo James
31. Sen. Sang Stephen Kipyego

Clause 20

Motion made and question proposed;

THAT, Clause 20 be part of the Bill.

Amendment proposed

Motion made and question proposed;

THAT, Clause 23 of the Bill be deleted and substituted therefor with the following clause-

20. The principal Act is amended in subsection (1) of section 31-

(a) by deleting the words "Public complaints Committee" wherever it appears and substituting therefor the words "National Environmental Complaints Committee";

(b) by deleting the words "two members" appearing at the beginning of paragraph(f) and substituting therefor the words "one member"; and

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

(g) one person who has demonstrated competence in environmental matters, nominated by the Council of Governors.

(Vice-Chairperson, Standing Committee on Land and Natural Resources)

Debate arising;

The House proceeded to a Division on the proposed amendment.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

The Acting Chairperson 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 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as "**Yes**"-

1. Sen. Kariuki Godfrey Gitahi
2. Sen. Madzayo Stewart
3. Sen. Ndiema Henry Tiole

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Boy Juma Boy

3. Sen. Bule Ali Abdi
4. Sen. Chelule Liza - on behalf of Nakuru County delegation
5. Sen. Chiaba Abu Mohamed
6. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
7. Sen. Haji Mohammed Yusuf
8. Sen. Hargura Godana
9. Sen. Hassan Abdirahman Ali
10. Sen. Hassan Omar Hassan
11. Sen. Kariuki Godfrey Gitahi - voted verbally
12. Sen. Khalwale Boni
13. Sen. Khaniri George
14. Sen. Kilonzo Mutula Junior
15. Sen. Kimani Paul Wamatangi
16. Sen. Kindiki Kithure – Voted
17. Sen. Kiyonga John Munyes
18. Sen. Kuti Mohamed Abdi
19. Sen. Lesan Wilfred Rotich
20. Sen. Leshore Sammy Prisa
21. Sen. Machage Wilfred Gisuka
22. Sen. Madzayo Stewart - voted verbally
23. Sen. Moi Gideon Kipsielei
24. Sen. Muriuki Karue Muriuki
25. Sen. Murkomen Onesmus Kipchumba
26. Sen. Murungi Kiraitu
27. Sen. Ndiema Henry Tiole - voted verbally
28. Sen. Obure Christopher Mogere
29. Sen. Okong'o Kennedy Mong'are
30. Sen. Orengo James
31. Sen. Sang Stephen Kipyego

Clause 23

Motion made and question proposed;

THAT, Clause 23 be part of the Bill.

Amendment proposed

Motion made and question proposed;

THAT, Clause 23 of the Bill be amended in the proposed new section 37-

(a) by deleting the word "three" appearing immediately after the words "shall, within", in subsection (1), and substituting therefor the word "two"; and

(b) by deleting the word "six" appearing immediately after the words "Plan every", in subsection (5), and substituting therefor the word "three".

(Vice-Chairperson, Standing Committee on Land and Natural Resources)

Debate arising;

The House proceeded to a Division on the proposed amendment.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

The Acting Chairperson 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 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**-

1. Sen. Kariuki Godfrey Gitahi
2. Sen. Madzayo Stewart
3. Sen. Ndiema Henry Tiole

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Chelule Liza - on behalf of Nakuru County delegation
5. Sen. Chiaba Abu Mohamed
6. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
7. Sen. Haji Mohammed Yusuf
8. Sen. Hargura Godana
9. Sen. Hassan Abdirahman Ali
10. Sen. Hassan Omar Hassan
11. Sen. Kariuki Godfrey Gitahi - voted verbally
12. Sen. Khalwale Boni
13. Sen. Khaniri George
14. Sen. Kilonzo Mutula Junior
15. Sen. Kimani Paul Wamatangi
16. Sen. Kindiki Kithure – Voted
17. Sen. Kiyonga John Munyes
18. Sen. Kuti Mohamed Abdi
19. Sen. Lesan Wilfred Rotich
20. Sen. Leshore Sammy Prisa
21. Sen. Machage Wilfred Gisuka
22. Sen. Madzayo Stewart - voted verbally

23. Sen. Moi Gideon Kipsielei
24. Sen. Muriuki Karue Muriuki
25. Sen. Murkomen Onesmus Kipchumba
26. Sen. Murungi Kiraitu
27. Sen. Ndiema Henry Tiole - voted verbally
28. Sen. Obure Christopher Mogere
29. Sen. Okong'o Kennedy Mong'are
30. Sen. Orengo James
31. Sen. Sang Stephen Kipyego

Clause 25

Motion made and question proposed;

THAT, Clause 25 be part of the Bill.

Amendment proposed

Motion made and question proposed;

THAT, Clause 25 of the Bill be amended in the proposed new section 40-

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

(1) Every County Environment Committee shall within one year of the commencement of this Act and every three years thereafter, prepare a county environment action plan in respect of the county for consideration and adoption by the County Assembly"; and

(b) by deleting the word "Cabinet Secretary" appearing immediately after the words "subsection (1) to the" in subsection (3), and substituting therefor the word "Authority".

(Vice-Chairperson, Standing Committee on Land and Natural Resources)

Debate arising;

The House proceeded to a Division on the proposed amendment.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

The Acting Chairperson 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 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

1. Sen. Kariuki Godfrey Gitahi
2. Sen. Madzayo Stewart
3. Sen. Ndiema Henry Tiole

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Chelule Liza - on behalf of Nakuru County delegation
5. Sen. Chiaba Abu Mohamed
6. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
7. Sen. Haji Mohammed Yusuf
8. Sen. Hargura Godana
9. Sen. Hassan Abdirahman Ali
10. Sen. Hassan Omar Hassan
11. Sen. Kariuki Godfrey Gitahi - voted verbally
12. Sen. Khalwale Boni
13. Sen. Khaniri George
14. Sen. Kilonzo Mutula Junior
15. Sen. Kimani Paul Wamatangi
16. Sen. Kindiki Kithure – Voted
17. Sen. Kiyonga John Munyes
18. Sen. Kutu Mohamed Abdi
19. Sen. Lesan Wilfred Rotich
20. Sen. Leshore Sammy Prisa
21. Sen. Machage Wilfred Gisuka
22. Sen. Madzayo Stewart - voted verbally
23. Sen. Moi Gideon Kipsielei
24. Sen. Muriuki Karue Muriuki
25. Sen. Murkomen Onesmus Kipchumba
26. Sen. Murungi Kiraitu
27. Sen. Ndiema Henry Tiole - voted verbally
28. Sen. Obure Christopher Mogere
29. Sen. Okong'o Kennedy Mong'are
30. Sen. Orengo James
31. Sen. Sang Stephen Kipyego

Clause 40

Motion made and question proposed;

THAT, Clause 40 be part of the Bill.

Amendment proposed

Motion made and question proposed;

THAT, Clause 40 of the Bill be amended in the proposed new section 56A, by deleting the words "the Authority" appearing at the beginning of the proposed new section and substituting therefor the words "the Cabinet Secretary".

(Vice-Chairperson, Standing Committee on Land and Natural Resources)

Debate arising;

The House proceeded to a Division on the proposed amendment.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

The Acting Chairperson 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 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as "**Yes**"-

1. Sen. Kariuki Godfrey Gitahi
2. Sen. Madzayo Stewart
3. Sen. Ndiema Henry Tiole

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Chelule Liza - voted on behalf of Nakuru County delegation
5. Sen. Chiaba Abu Mohamed
6. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
7. Sen. Haji Mohammed Yusuf
8. Sen. Hargura Godana
9. Sen. Hassan Abdirahman Ali
10. Sen. Hassan Omar Hassan
11. Sen. Kariuki Godfrey Gitahi - voted verbally

12. Sen. Khalwale Boni
13. Sen. Khaniri George
14. Sen. Kilonzo Mutula Junior
15. Sen. Kimani Paul Wamatangi
16. Sen. Kindiki Kithure – Voted
17. Sen. Kiyonga John Munyes
18. Sen. Kuti Mohamed Abdi
19. Sen. Lesan Wilfred Rotich
20. Sen. Leshore Sammy Prisa
21. Sen. Machage Wilfred Gisuka
22. Sen. Madzayo Stewart - voted verbally
23. Sen. Moi Gideon Kipsielei
24. Sen. Muriuki Karue Muriuki
25. Sen. Murkomen Onesmus Kipchumba
26. Sen. Murungi Kiraitu
27. Sen. Ndiema Henry Tiole - voted verbally
28. Sen. Obure Christopher Mogere
29. Sen. Okong'o Kennedy Mong'are
30. Sen. Orengo James
31. Sen. Sang Stephen Kipyego

Second Schedule, Clause 2 , the Title and Clause 1

Motion made and question proposed;

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

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

The Acting Chairperson 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 74 (5), the Acting Chairperson allowed two Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as **"Yes"**-

1. Sen. Kariuki Godfrey Gitahi
2. Sen. Madzayo Stewart

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Boy Juma Boy
3. Sen. Bule Ali Abdi
4. Sen. Chelule Liza - voted on behalf of Nakuru County delegation
5. Sen. Chiaba Abu Mohamed
6. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
7. Sen. Haji Mohammed Yusuf
8. Sen. Hargura Godana
9. Sen. Hassan Abdirahman Ali
10. Sen. Hassan Omar Hassan
11. Sen. Kariuki Godfrey Gitahi - voted verbally
12. Sen. Khalwale Boni
13. Sen. Khaniri George
14. Sen. Kilonzo Mutula Junior
15. Sen. Kimani Paul Wamatangi
16. Sen. Kindiki Kithure – Voted
17. Sen. Kiyonga John Munyes
18. Sen. Kuti Mohamed Abdi
19. Sen. Lesan Wilfred Rotich
20. Sen. Leshore Sammy Prisa
21. Sen. Machage Wilfred Gisuka
22. Sen. Madzayo Stewart - voted verbally
23. Sen. Moi Gideon Kipsielei
24. Sen. Muriuki Karue Muriuki
25. Sen. Murkomen Onesmus Kipchumba
26. Sen. Murungi Kiraitu
27. Sen. Ndiema Henry Tiole
28. Sen. Obure Christopher Mogere
29. Sen. Okong'o Kennedy Mong'are
30. Sen. Orengo James
31. Sen. Sang Stephen Kipyego

Motion made-

That, the Bill be reported with amendments;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson of Committees (Sen. Murkomen) ruled that the question did not affect counties;

Question put and agreed to.

16. **HOUSE RESUMED** - (a Temporary Speaker (Sen. (Dr.) Wilfred Machage) in the Chair)

17. THE PUBLIC SERVICE (VALUES AND PRINCIPLES) BILL (NATIONAL ASSEMBLY BILL NO. 29 OF 2014)

Bill reported with amendments;

Motion made and Question proposed-

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

(Senate Majority Leader)

Debate arising;

Before the question was put and pursuant to Standing Order 72, the Temporary Speaker (Sen. (Dr.) Machage) ruled that the question did not affect counties;

Question put and agreed to.

Motion made and Question proposed –

THAT, the Public Service (Values and Principles) Bill (National Assembly Bill No. 29 of 2014) be now read a Third Time;

(Senate Majority Leader)

Debate Arising;

The House proceeded to a division.

The Temporary Speaker (Sen. (Dr.) Machage) directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for two minutes;

After the expiry of two minutes, the Temporary Speaker directed that the doors be locked and Senators asked to log-in using their cards;

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

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Boy Juma Boy
3. Sen. Chelule Liza - on behalf of Nakuru County delegation
4. Sen. Chiaba Abu Mohamed

5. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
6. Sen. Haji Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Hassan Omar Hassan
10. Sen. Khalwale Boni
11. Sen. Kilonzo Mutula Junior
12. Sen. Kindiki Kithure – Voted
13. Sen. Kiyonga John Munyes
14. Sen. Kutu Mohamed Abdi
15. Sen. Lesan Wilfred Rotich
16. Sen. Leshore Sammy Prisa
17. Sen. Machage Wilfred Gisuka
18. Sen. Moi Gideon Kipsielei
19. Sen. Muriuki Karue Muriuki
20. Sen. Murkomen Onesmus Kipchumba
21. Sen. Murungi Kiraitu
22. Sen. Ndiema Henry Tiole
23. Sen. Obure Christopher Mogere
24. Sen. Orengo James
25. Sen. Sang Stephen Kipyego
26. Sen. Wetang'ula Moses Masika

Bill read a Third Time and passed.

18. **THE ENVIRONMENTAL MANAGEMENT AND COORDINATION
(AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 31 OF 2014)**

Bill reported with amendments;

Motion made and Question proposed:-

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

(Senate Majority Leader)

Debate Arising;

Before the question was put and pursuant to Standing Order 72, the Temporary Speaker (Sen. (Dr.) Machage) ruled that the question did not affect counties;

Question put and agreed to.

Motion made and Question proposed –

THAT, the Environmental Management and Co-ordination (Amendment) Bill (National Assembly Bill No. 31 of 2014) be now read a Third Time;

(Senate Majority Leader)

Debate Arising;

The House proceeded to a division.

The Temporary Speaker (Sen. (Dr.) Machage) directed that electronic voting be taken pursuant to Standing Order 74 and that the division bell be rung for two minutes;

After the expiry of two minutes, the Temporary Speaker directed that the doors be locked and Senators asked to log-in using their cards;

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

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 26

NOES - 1

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Boy Juma Boy
3. Sen. Chelule Liza - on behalf of Nakuru County delegation
4. Sen. Chiaba Abu Mohamed
5. Sen. Elachi Beatrice - on behalf of Nairobi City County delegation
6. Sen. Haji Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Hassan Omar Hassan
10. Sen. Kariuki Godfrey Gitahi
11. Sen. Khalwale Boni
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure – Voted
14. Sen. Kiyonga John Munyes
15. Sen. Kuti Mohamed Abdi
16. Sen. Lesan Wilfred Rotich
17. Sen. Leshore Sammy Prisa
18. Sen. Machage Wilfred Gisuka
19. Sen. Moi Gideon Kipsielei
20. Sen. Muriuki Karue Muriuki
21. Sen. Murkomen Onesmus Kipchumba
22. Sen. Murungi Kiraitu
23. Sen. Ndiema Henry Tiole
24. Sen. Obure Christopher Mogere
25. Sen. Orenge James
26. Sen. Wetang'ula Moses Masika

NOES

Sen. Sang Stephen Kipyego

Bill read a Third Time and passed.

19. MOTION- ADOPTION OF THE REPORT ON BUDGET CEILINGS ON
RECURRENT EXPENDITURE FOR COUNTY GOVERNMENTS FOR THE FY
2014/15

Motion made and Question proposed-

THAT, this House adopts the Report of the Standing Committee on Finance, Commerce and Budget on the matter of Budget ceilings on recurrent expenditure for County Governments for the FY 2014/15, laid on the Table of the Senate on Thursday, 19th March, 2015.

(Chairperson, Standing Committee on Finance, Commerce and Budget)

Debate Arising;

And the time being thirty minutes past six O'clock, the Temporary Speaker (Sen. (Dr.) Machage) adjourned the Senate without Question put pursuant to the Standing Orders.

20. SENATE ROSE - at thirty minutes past six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Thursday, April 02, 2015 at 9.00 a.m*

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